have received notice from the Administration regarding the further disposal of stockpile minerals and metals. These will include proposals for disposition from both the national and supplemental stockpiles of 115,000 ounces of platinum, 1,200,000 pounds of bismuth, 60,000,000 pounds of nickel, 7,640 tons of rare earth materials, 15,000,000 pounds of molybdenum, 55,000 short tons of magnesium.

I know that all of you in the mining industry do not object to stockpile releases where complete justification has been made for them in the interest of national security, or even when really needed to meet the needs of our economy, but I am keenly aware of the criticism of the manner in which many releases are made. Such criticisms are justifiable, and I urge all of you to be sure that your views are made known to Congress when these measures are up for consideration by the Congress.

Undoubtedly, there is real justification for the stockpiling of opium, castor oil, and feathers and down; but there is equal justification for maintenance of a sound mining industry with essential minerals and metals in the stockpile. On the other hand, it is my personal opinion that the interests of the mining industry cannot be best served if the policy of any Administration is to consider the mining industry itself as a stockpile.

Mr. Speaker, the following editorial by Gay Helen Barnett, managing editor of the Barstow Desert Dispatch, Barstow, Calif., appeared in the Desert Dispatch on Monday, October 16, 1967. I commend this feature story of the mining seminar to the attention of my colleagues and to the Government officials concerned with the problems of the mining industry:

RESOLUTIONS RECEIVED UNANIMOUS APPROVAL BY MINING DELEGATES

(By Gay Helen Barnett)

Over 800 miners and those representing mining interests unanimously approved four resolutions at the conclusion of the first annual mining seminar held at Barstow College Saturday.

The resolutions came after the day long seminar heard directors of nine federal agencies involved in mining determinations explain the positions and policies and help available from the different agencies.

There was one fact that was made absolutely clear at Saturday's mining seminar at Barstow College, and that is the miners and the mining industry is extremely unhappy with the federal government.

The extent of the miners unhappiness with government policy was most clearly stated when Representative Jerry Pettis told a news conference that the federal directors of agencies involved in mining had "real guts" to even appear at the seminar.

The panel of government experts was not allowed to answer questions from the floor, but only those submitted in writing earlier for evaluation by the screening committee. This plan was undoubtedly felt necessary by the government to prevent department heads from obligating it to what could be termed indiscreet statements or promises.

As uncommitting and unadmitting as the panelists were, their stand was received goodnaturedly by the miners, a crusty and outspoken group at heart.

Government gobbledygook was received with chuckles and hearty laughs, despite the fact the industry has good reason for their complaints.

I call miners crusty and outspoken, and that's not an insult, it's a deep down truth. Anyone with enough fortitude to try making a living by digging an expensive hole in the ground in the hopes they'll strike paydirt has got to have real courage and, because government has forced them to be independent of anyone or anything, they are indeed outspoken about their livelihood.

Despite the shackles put on the federal panelists, a lot of good did come out of the seminar. The mining industry had a chance to hear what programs are available to assist them in their work, and what must have been the best news to those attending was the "hint" that indeed there may be discrepancies in the administering of mining laws.

I predict the only problem arising as the result of the mining seminar in Barstow will be the battle royal as to who will host the affair next year. For a program planned for a couple of hundred interested in mining, the turnout of about 800, all concerned with the same subject, can only be termed fantastic. There will be many a San Bernardino County city bidding for the seminar next year. Let's hope the steering committee will see to it that it stays right here in Barstow. It's a boom to our economy, not to mention our status.

The first resolution asked that those departments of state and county governments concerned with planning and approval of new mines and mills be urged to change their attitudes and procedures to facilitate a better relationship with the mining industry and promote that industry. The resolution cited the problems and bottlenecks that have impeded progress of the mining industry.

The second resolution cited the importance of the future of our country that we have a strong mining industry. It stated that mines and miners have met with problems in the past from various federal agencies involved in administering the mining laws which at times has been impeded by unrealistic regulations to the extent it is now almost impossible to patent a mining claim. The resolution urged that Congress enact rules and regulations for the Department of the Interior to administer the mining law in the spirit and intent of Congress and the people of the United States.

The last resolution received a round of hearty applause from those attending the seminar as the resolution complained of the many years of artificial monetary restriction on the prices paid for gold and silver by the U.S. Treasury that has resulted in thousands of idle mines and unemployed miners. The resolution stated that for many years the government has paid parity and other forms of subsidies to farmers, merchant marine and aircraft industry, and also oil depletion allowances. It resolved that the President and the Congress either subsidize the mining industry or eliminate subsidies and restrictions altogether and return to a free economy for all. The resolution was met with an ovation as the miners unanimously approved the resolution.

By general agreement of the seminar attendance the annual seminar will be renamed the Western States Mining Seminar, designating the inclusion of the eleven states concerned with mining in the United States.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 19, 1967

The House met at 12 o'clock noon.

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

You have need of patience, so that you may do the will of God and receive the promise.—Hebrews 10: 36.

Let us pray.

O God and Father of us all, in this quiet moment of prayer we come with humble and contrite hearts acknowledging our dependence upon Thee and praying that with Thee we may live through these critical days with courage and with faith. Give to us an inner greatness of spirit, an inner graciousness of heart, and an inner gentleness of mind that we may be more than a match for the challenge of this hour. Make us patient with each other and understanding, for we do not know the battles others are fighting nor the experiences they are facing.

We pray for the men and women defending our freedom with their lives. Grant unto them strength in need, help in danger, healing in body, and courage of mind and heart. May their sacrifice not be in vain. With them may we unite in proclaiming the life of liberty and the fruits of freedom now and forever. 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 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) entitled "An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate recedes from its amendment No. 13 to the foregoing bill.

COMMUNICATION FROM THE CLERK OF THE HOUSE—SUBPENA SERVED ON CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1967.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: By this letter I am transmitting to you a subpoena which was served upon me on October 17, 1967.

This subpoena, issued by the United States District Court for the District of Columbia, commands my appearance on Monday, October 23, 1967 at 2 p.m., to testify on behalf of the United States regarding an investigation being conducted for possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 101, and 1505.

The rules, practices, customs, and precedents of the House of Representatives require that no official, staff member, or employee of the House may, either voluntarily or in obedience to a subpoena, testify regarding official functions, documents, or activities of the House without the consent of the House being first obtained.

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

Respectfully submitted.

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

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

NOTE.—Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Avenue, NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

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

You are hereby commanded to attend the said court on Monday, October 23, 1967 at 2:00 p.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. Attorney.

Witness, the Honorable Edward M. Curran, Chief Judge of said court, this 11th day of October A.D., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for United States.)

COMMUNICATION FROM THE CLERK OF THE HOUSE—SUBPENA SERVED ON MR. HOLLOWELL

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1967.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEAR SIR: By this letter I am transmitting to you a subpoena which was served upon my legal advisor and administrative assistant, Mr. Hollowell, on October 18, 1967.

This subpoena, issued by the United States District Court for the District of Columbia, commands his appearance on Monday, October 23, 1967 at 2 p.m., to testify on behalf of the United States regarding an investigation being conducted for possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001, and 1501.

The rules, practices, customs, and precedents of the House of Representatives require that no official, staff member, or employee of the House may, either voluntarily or in obedience to a subpoena, testify regarding official functions, documents, or activities of the House without the consent of the House being first obtained.

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

Respectfully submitted.

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

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to U.S. District Court House, between Third Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C.

The United States in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Billie Gene Hollowell, legal advisor to the Clerk of the House of Representatives, House of Representatives, Washington, D.C.

You are hereby commanded to attend before the grand jury of said court on Monday, the 23d day of October 1967, at 2:00 o'clock p.m. to testify on behalf of the United States, and not depart the court without leave of the court or district attorney.

Witness: The Honorable Edward M. Curran, chief judge of said court, this 18th day of October 1967.

ROBERT M. STEARNS,
Clerk.

By: H. KLINE,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR—SUBPENA SERVED ON MR. McCORD

The SPEAKER laid before the House the following communication from the chairman of the Committee on Education and Labor:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C., October 18, 1967.

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

DEAR MR. SPEAKER: Robert E. McCord, Chief Clerk of the Committee on Education and Labor, has received a Subpoena Ad Testificandum from the United States District Court dated October 17, 1967, to appear before a Grand Jury of said Court on Monday, October 23, 1967, at 2:00 p.m. in relation to possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505. The rules and practice of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a Subpoena Ad Testificandum appear without the consent of the House being first obtained.

The Subpoena Ad Testificandum is herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

With kindest regards,

Sincerely,

CARL D. PERKINS,
Chairman.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to U.S. District Court House, between 3d Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C.

The United States in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Robert McCord, clerk, House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend before the Grand Jury of said Court on Monday, the 23d day of October, 1967, at 2 o'clock p.m., to testify on behalf of the United States, and not depart the Court without leave of the Court or District Attorney.

Witness: The Honorable Edward M. Curran, chief judge of said court, this 17th day of October 1967.

ROBERT M. STEARNS,
Clerk.

By: H. KLINE,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR—SUBPENAS SERVED ON MRS. DARGANS, MR. BERENS, MRS. SHULER AND MR. WARREN

The SPEAKER laid before the House the following communication from the chairman of the Committee on Education and Labor:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C., October 18, 1967.

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

DEAR MR. SPEAKER: Four additional employees of the Committee on Education and Labor have received Subpoenae Ad Testificandum from the United States District Court for the District of Columbia, each dated October 10, 1967, to appear before a Grand Jury of said Court in relation to possible violation of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505.

These employees and the dates and times they have been commanded to attend the said Court are:

Mrs. Louise M. Dargans, Research Director on October 24, 1967, at 10:00 a.m.

Mr. Donald F. Berens, Administrative Assistant on October 25, 1967, at 10:00 a.m.

Mrs. Mary L. Shuler, Stenographer-Clerk Typist on October 24, 1967, at 10:00 a.m.

Mr. John E. Warren, Office Clerk on October 25, 1967, at 10:00 a.m.

The rules and practice of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a Subpoena Ad Testificandum appear without the consent of the House being first obtained.

The Subpoenae Ad Testificandum are herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

With kindest regards,

Sincerely,

CARL D. PERKINS,
Chairman.

The SPEAKER. Without objection, the subpenas will be printed in the RECORD.

There was no objection.

The subpenas referred to follow:

U.S. DISTRICT COURT FOR THE DISTICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Ave. NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America v. in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Mrs. Louise M. Dargans, 301 G Street, SW., Washington, D.C., or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said Court on Tue. Oct. 24, 1967 at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. Attorney.

Witness, the Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Ave. NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Donald F. Berens, 9863 Telegraph Road, Apartment 1, Lanham, Md., 20801 or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said Court on Wednesday, October 25, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, the Honorable Edward M. Curran, Chief Judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitution Avenue NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Mrs. Mary L. Schuler, 6509 Piney Branch Road NW., Washington, D.C. or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said court on Tuesday, October 24, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, the Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825, third floor, U.S. District Court Building, Third and Constitutional Avenue NW., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America in re possible violations of title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to John E. Warren, 4065 Minnesota Avenue NE., Washington, D.C., or House Committee on Education and Labor, House of Representatives, Washington, D.C.

You are hereby commanded to attend the said court on Wednesday, October 25, 1967, at 10:00 a.m., to testify on behalf of the United States, and not depart the court without leave of the court or the United States attorney.

Witness, The Honorable Edward M. Curran, chief judge of said court, this 10th day of October AD., 1967.

ROBERT M. STEARNS,
Clerk.

By: DANIEL J. MENCOBONI,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON HOUSE ADMINISTRATION—SUBPENA SERVED ON MR. LANGSTON

The SPEAKER laid before the House the following communication from the chairman of the Committee on House Administration:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, D.C., October 18, 1967.

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

DEAR MR. SPEAKER: Julian P. Langston, Chief Clerk of the Committee on House Administration, has received a subpoena ad testificandum from the United States District Court for the District of Columbia, dated October 23, 1967, to appear before a Grand Jury of said Court on Monday, October 23, 1967 at 2:00 p.m. in relation to possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505.

The rules and practices of the House of Representatives indicate that no official or employee of the House may either voluntarily or in obedience to a subpoena ad testificandum appear without the consent of the House.

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

Sincerely yours,

OMAR BURLESON,
Chairman.

The SPEAKER. Without objection, the subpena will be printed in the RECORD.

There was no objection.

The subpena referred to follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Report to room No. 3825—third floor, U.S. District Court Building, Third and Constitution Avenue N.W., Washington, D.C.

Spa ad Test—Court of Chief Judge Curran.

United States of America v. in re Possible Violations of Title 18, United States Code, sections 201, 287, 371, 641, 1001 and 1505.

The President of the United States to Julian P. Langston, Chief Clerk, Committee on House Administration, Room H 326, House of Representatives, Washington, D.C.; and bring with you copies of: (1) H.R. 294 (88th Congress); (2) H.R. 7 (89th Congress); (3) Public Law 89-90 (89th Congress), H.R. 8775, enacted into law on July 27, 1965.

You are hereby commanded to attend the said court on Monday, October 23, 1967, at 2:00 p.m., to testify on behalf of the United States, and not depart the court without leave of the court or the U.S. attorney.

Witness, The Honorable Edward M. Curran, chief judge of said court, this —— day of ———— AD, 19—.

ROBERT M. STEARNS,
Clerk.

By ANNA M. KENNY,
Deputy Clerk.

(Edward J. Barnes, John Wall, Benton L. Becker, attorneys for the United States.)

AUTHORIZATION FOR HOUSE OFFICERS AND EMPLOYEES TO APPEAR AS WITNESSES BEFORE GRAND JURY

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution (H. Res. 950) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 950

Whereas in the investigation of possible violations of Title 18, United States Code, Sections 201, 287, 371, 641, 1001 and 1505, a subpena ad testificandum was issued by the United States District Court for the District of Columbia and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear before the grand jury of said court on October 23, 1967, to testify in connection with matters under investigation by the grand jury; and

Whereas other officers and staff employees of the House of Representatives have received, or may receive, subpenas ad testificandum to appear before the said grand jury in connection with the before-mentioned investigation; and

Whereas information secured by officers and staff employees of the House of Representatives pursuant to their official duties as such officers or employees may not be revealed without the consent of the House: Therefore be it

Resolved, That W. Pat Jennings, Clerk of the House of Representatives, is authorized to appear in response to the subpena before-mentioned as a witness before the grand jury; and be it further

Resolved, That the Speaker of the House of Representatives is authorized to permit any other officer or employee of the House who is in receipt of or shall receive a subpena ad testificandum in connection with the proceedings conducted by the grand jury before-mentioned to appear in response thereto; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 889, DESIGNATING SAN RAFAEL WILDERNESS, LOS PADRES NATIONAL FOREST

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 889), to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. BARING, JOHNSON of California, UDALL, SAYLOR, and REINECKE.

DISPOSITION OF JUDGMENT FUNDS TO CREDIT OF CHEYENNE-ARAPAHO TRIBES OF OKLAHOMA

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1933) to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma, with Senate amendments to the House amendment thereto, and concur in the Senate amendments.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. ASPINALL]?

There was no objection.

The Clerk read the Senate amend-

ments to the House amendment, as follows:

Page 4, of the House engrossed amendment, strike out lines 6 to 11, inclusive.

Page 4, line 12, of the House engrossed amendment, strike out "7." and insert "6."

Page 5, line 1, of the House engrossed amendment, strike out "8." and insert "7."

The Senate amendments to the House amendment were concurred in.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT ON APPROPRIATION BILL FOR MILITARY CONSTRUCTION FOR THE DEPARTMENT OF DEFENSE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, October 20, 1967, to file a report on the bill making appropriations for military construction for the Department of Defense, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. SIKES]?

There was no objection.

Mr. TALCOTT reserved all points of order on the bill.

REQUEST FOR PERMISSION TO FILE CONFERENCE REPORTS ON H.R. 9960, INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING APPROPRIATION BILL, AND H.R. 1274, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATION BILL FOR 1968

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent that the conferees on the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes; and on the bill (H.R. 12474) making appropriations for the National Aeronautics and Space Administration for the fiscal year ending June 30, 1968, and for other purposes, may have until midnight Friday to file conference reports.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. EVINS]?

Mr. TALCOTT. Mr. Speaker, reserving the right to object, the gentleman from North Carolina [Mr. JONAS], the ranking minority member on this subcommittee, is ill. This is a very controversial bill, it involves large sums of money, and the conferees are still in conference. There are some 60 items of disagreement. There is some serious disagreement. It is a large bill, and requires thorough study. For these reasons I am constrained, on behalf of myself and others, to object.

Mr. EVINS of Tennessee. Mr. Speaker, if the gentleman will yield?

Mr. Speaker, the gentleman from North Carolina [Mr. JONAS], a valued member of our committee, has been ill for the past 2 weeks. I went out to see him at the hospital at Bethesda. He was on the floor yesterday afternoon and he said he would be at the conference meeting today. I have just spoken to the gentleman from Ohio [Mr. BOW] and he said that we must get on with this conference which has been too long delayed.

Mr. Speaker, this bill was passed on May 17. Of course, we are all sorry about the illness of our colleague, but I think we should move on with this matter so that the conference report may be filed.

Mr. Speaker, I hope the gentleman will withdraw his objection.

Mr. TALCOTT. I sympathize with our chairman's feelings. We are anxious to get on with this bill, too. But the gentleman from North Carolina [Mr. JONAS] is the ranking member of this committee on our side and he is ill. He asked me to object. For that reason I do object.

The SPEAKER. Objection is heard.

DEMONSTRATORS SHOULD BE DEALT WITH FIRMLY AND QUICKLY

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

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

There was no objection.

Mr. POOL. Mr. Speaker, the draft dodgers at the University of Wisconsin and in Oakland, Calif., have given us a preview of what might happen here in Washington this Saturday. The demonstrators during the past several days have fought back at the police, hurling rocks, shoes, and other objects and have refused to disperse.

Even though the leaders profess to adhere to the policy of nonviolence, the word has gone out for militant violent protest by individuals during these demonstrations. To gain publicity they know that they must attack the police or armed soldiers who might be around to maintain order. The more violent they become, the more publicity they get.

And Saturday you can expect to hear the old Communist cry of police brutality.

I have asked the Attorney General to prosecute anyone who violates any laws during these demonstrations Saturday. The right to freedom of speech I certainly agree with, but the right to disrupt and destroy our Armed Forces certainly was never contemplated by our Founding Fathers under the protection given under the first amendment.

The bearded ones, the hippies, and the traitors will all be here on Saturday. The people of the United States expect them to be dealt with firmly and quickly if they attempt to stop the operation of the Pentagon.

APPROPRIATIONS FOR THE DEPARTMENTS OF HOUSING AND URBAN DEVELOPMENT

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

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

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, at this very moment, the conferees are considering the appropriation of the Department of Housing and Urban Development. The issues before these conferees include programs involving hundreds of millions of dollars. I hope that in their deliberations they will not overlook a small but important program. Last spring, HUD established the metropolitan expediter program on a pilot basis to acquaint local officials with the many Federal assistance programs available to them and to help them use these programs effectively. In May, the House denied funds for the program. Since then, the Senate has restored $350,000 so that the program can be reinstated on a small experimental basis.

One of the four areas to receive the services of an expediter was the Allentown-Bethlehem-Easton metropolitan area in my district. The program has been of great value to local officials throughout this area. Its greatest impact, according to Mayor Payrow, of Bethlehem, was on smaller communities in the area which felt that, for the first time, they too had a chance to participate in federally assisted programs. Other officials throughout this metropolitan area have strongly urged that the program be reinstated.

I have also been advised that continuance of this program is strongly supported by local officials in the Providence, St. Louis, and Minneapolis-St. Paul metropolitan areas where expediters had also been assigned.

By helping local officials use Federal assistance more effectively, this program can save millions of dollars. To bring about these savings and to keep this popular and promising program alive, I would hope that the conferees will be persuaded to agree to the small appropriation of $350,000 necessary to do so.

SOVIET SOFT LANDING ON VENUS

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

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

There was no objection.

Mr. KARTH. Mr. Speaker, I join with the distinguished gentleman from California [Mr. MILLER] in pointing out to the House that indeed the Soviet Venus soft landing shot of yesterday was an outstanding technological achievement.

The fact of the matter is there is a good deal of newspaper speculation on the point that this puts the United States behind in this very important technological area by some 5 or 6 years. While I do not want to debate whether it is 5 or 6 years or whether it is 7 or 8 years, it is, of course, a fact that the United States is seriously behind in this very important area.

I might say, Mr. Speaker, that the only mission of comparable capability that we have is the mission that the Committee on Appropriations has already chosen to delete. If that action is sustained throughout the remainder of this session

of Congress, then we are indeed behind the Soviet Union, and I would hesitate not at all to guess it is more like 7 or 8 years behind, rather than 5 or 6.

M-16 RIFLE DEFICIENCIES

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

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

There was no objection.

Mr. HOWARD. Mr. Speaker, the report released last night by the Special Armed Services Subcommittee on the M-16 rifle program shows that the handling of the problem by the military borders on national scandal.

Every American owes a great debt of gratitude to the distinguished chairman of the House Armed Services Committee, Representative L. MENDEL RIVERS; to the subcommittee chairman, Representative RICHARD ICHORD, of Missouri; and his committee members, Representative SPEEDY O. LONG, of Louisiana, and Representative WILLIAM G. BRAY, of Indiana.

Were it not for the efforts of these Members of Congress, I cannot help but feel that many of the shocking facts uncovered by the special subcommittee would never have been made public to the American people.

While the ostrich-like approach taken by the military on this matter borders on national scandal, I hope we will quickly move ahead in the future to correct these deficiencies rather than spending all of our time trying to fix the blame.

I strongly endorse the subcommittee's recommendation for a new testing by an independent organization.

This recommendation should be quickly approved in view of the fact that the subcommittee feels there is still no proof that the modifications proposed will eliminate the malfunctions experienced with the M-16 rifle in Vietnam.

On May 22, 1967, I stood in this well and read excerpts from a letter by a combat Marine from the Asbury Park, N.J., area, which said in part:

> Particularly every one of our dead was found with his rifle torn down next to him where he had been trying to fix it.

The response from military officials to my letter said there were no known instances of excessive malfunctioning. The subcommittee report clearly shows that the response from the military was less than candid.

RUSSIAN LANDING ON VENUS

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

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

There was no objection.

Mr. DORN. Mr. Speaker, Communist Russia's soft landing of a spacecraft on Venus is of grave concern.

The Russian sputnik in 1957 shocked the United States out of some of its lethargy and alarmed the free world. The Russian soft landing on Venus indicates again the tremendous stride Russia has made in rocketry and space exploration. It is a manifestation of the importance Russia places on the race to the moon and to the planets.

The Venus landing represents huge expenditures by Russia. It proves beyond question the priority and importance that Communist Russia accords space and planet exploration.

The Russians are dead serious about becoming the first to land on the moon.

They are serious and determined to be No. 1 in space. It is true that we have a treaty with Russia regarding peaceful exploration of space, but it is equally true that with Russia in control of space with bases in space, they can and will be converted overnight to military blackmail and military conquest.

With Russia firmly established in space, military conquest of the free world might not be necessary. Russia could perhaps control the currents of the air and sea, seriously affecting weather in the Western World.

Mr. Speaker, I believe that with Russian superiority in space, neither military conquest nor control of the weather would be necessary for Communist ascendancy. With Russian spacemen on the moon and on planets, the neutral nations of the world would flock to the Russian banner. The socialist system would be accepted as superior and America, would be isolated. It would be only a question of time. Economic strangulation would then be the road to Red Russian victory.

Mr. Speaker, to me it is incredible that we do not accept this grave challenge, tighten our belts and spend whatever necessary to win the race to the moon, to the planets and for the conquest of space to secure our freedom. The destiny and future of our country hangs in the balance.

Make no mistake about it—if Russia controls space, it will be for war and conquest. If the United States is first in space, it will be for peace and freedom.

UNITED STATES AND SOVIET UNION INTERPLANETARY MISSIONS

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

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

There was no objection.

Mr. ROUSH. Mr. Speaker, we certainly cannot detract from the achievement of the Soviet Union in landing a mission on Venus. However, I do believe it is wise to point out that altogether the Soviet Union has launched 18 known planetary missions, 11 to Venus and seven to Mars, and only the last mission was successful.

In contrast, the United States has launched five and three of these have been successful.

I should like also to point out that it is not the landing on Venus which is important; it is not the information we get from Venus, nor the data. What is important is the vast storehouse of knowledge gained in reaching these objectives and the use of that knowledge for the benefit of mankind. And in this area the United States is far ahead.

REPUBLICAN WRECKING CREW

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

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

There was no objection.

Mr. BROOKS. Mr. Speaker, our Republican colleagues are in the process of compiling one of the most reactionary and destructive records in the long history of Congress.

One would have to go back, I think, to the New Deal or to the Truman era to find an appropriate comparison to the overwhelmingly negative voting record compiled by the Republicans in the House.

To date, the Republicans have voted overwhelmingly against every major domestic program of the Johnson administration—from the war on poverty to aid to education.

They have turned their backs on a tradition of bipartisan support for the President in foreign affairs during a crisis period.

They have offered nothing positive—no alternative programs worthy of consideration. Nothing has emanated from their ranks but the same woeful chorus of complaint and obstruction that has become the Republican hallmark in our national life.

They have even voted overwhelmingly—twice—against the rat bill.

This is the record, Mr. Speaker, and the opposition will have to live with it in 1968. I can assure them that the Democrats will not allow the American people to forget the members of the Republican wrecking crew who have turned their backs on every social and economic problem since 1960.

This is their record. And they will just have to face the consequences with the folks back home. I have no doubt, Mr. Speaker, that in 1968 the wreckers will be wrecked.

The American people will deal in kind with those who have remained cruelly indifferent to their needs and aspirations.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2508, CONGRESSIONAL REDISTRICTING, UNTIL MIDNIGHT TONIGHT

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a conference report on H.R. 2508.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, what is the bill?

Mr. CELLER. That is the redistricting bill.

Mr. GROSS. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

CALL FOR JUSTICE DEPARTMENT TO PROSECUTE ANY VIOLATIONS OF FEDERAL LAW AT SO-CALLED ANTIWAR RALLY SATURDAY

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

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I have requested the Justice Department to take legal action against any demonstrators who try to disrupt any Government functions Saturday during the so-called antiwar rally. I have also urged the Justice Department to look into those who have planned and financed this nationwide movement.

I have been led to believe that the ultimate object of the march and the demonstrations is to disrupt activity and work at the Pentagon. This on its face is seditious. I have requested the Justice Department to take action on the grounds of sedition against anyone involved with the interference of Government work.

In a reply to me, the Justice Department said it would take action against anyone who violated a Federal law. Sedition is a Federal law. If that law is broken Saturday, I expect to see arrests made by the Department.

The law is on the books. It must be enforced. We cannot long stand as a nation if this type of conduct develops.

I would also warn that the guise of antiwar that this demonstration is being conducted under is somewhat misleading.

People connected with the Communist Party have been the motivators of many of the demonstrations we are witnessing around the country this week. I expect there will be people in the Washington demonstration who have traveled to North Vietnam. In fact, I have heard that one who sat on the panel of the kangaroo court and condemned the United States is among the organizers of the march.

There may be many among the demonstrators who are simply objecting to the war. But these people have been led by others who seek more than to simply express their views on the war.

But regardless, their right of freedom of speech is another matter completely from disrupting Government or the confrontation with law enforcement agencies.

I trust the Justice Department will exert some leadership and live up to its promise to take action against those who attempt to disrupt the operations of the Government, no matter what the guise these demonstrators use.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

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

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

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, the wire services yesterday carried one of the most shocking statements I have ever seen attributed to a high Government official. A UPI story quoted Dr. James L. Goddard, Commissioner of the Food and Drug Administration as saying he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail. I believe Congress should demand the immediate resignation of Dr. Goddard.

Such a statement by the head of an important Federal department is completely irresponsible and, in my opinion, makes Dr. Goddard unfit to head a division which has control over the food and drug laws of the Nation. For a man in such a position to encourage the belief that there is little harm in using marihuana, which is illegal, in the face of all the evidence of the crime and misery caused by users of this drug, is absolutely inexcusable. If this is Dr. Goddard's attitude toward his own college-age children, I suppose there is little that can be done about it, but he certainly should be prevented from using the prestige of a high Federal office to encourage delinquency and the smoking of pot by youngsters outside his family.

Although I have no authority to summon Dr. Goddard before the Committee on Interstate and Foreign Commerce on which I serve, I hope the occasion will arise soon that will bring him before the committee so that I may question him in detail concerning his beliefs regarding the use of illegal and harmful drugs by teenagers. In the meantime I urge his immediate resignation as Commissioner of the Food and Drug Administration as a protection for the youth of this country against such sick and utterly intolerable advice.

The news release follows:

MINNEAPOLIS.—Marijuana is no more dangerous than alcohol, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday.

Goddard spoke to an audience of more than 200 students and faculty members at the University of Minnesota.

He said he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail.

Goddard is the father of three college-age children.

The long-term affects of marijuana may be more serious, he said, but "I don't think it is any more dangerous than alcohol."

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

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

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

There was no objection.

Mr. CONABLE. Mr. Speaker, I have read the New York Times report of Dr. James Goddard's remarks to which the gentleman from Tennessee has referred, and like him, I would like to express my dismay. When I served on the Public Health Committee of the New York State Senate I heard a great deal of testimony about the virtually irremediable disease of drug addiction. Many foolish young people have walked this one-way street only because they took their first steps under the illusion that marihuana is safe. Marihuana is the most valuable tool the narcotics pushers have. If its own affects are uncertain, where it leads is not.

It is appalling to me to hear the head of our FDA apparently condoning the increasing permissiveness with which society is viewing marihuana. This same bureaucrat, in his zeal to protect the public has delayed time and again the introduction of medicines designed to heal or treat disease by reputable business organizations. Despite our impatience, we have not criticized apparently arbitrary delays of this sort in the past, feeling that in this field caution is frequently sound public policy. But how are we to explain such loose and dangerous talk from this same cautious bureaucrat, particularly in the face of today's soaring illegal narcotics use? Mr. Speaker, I expect better judgment from a man whose job it is to protect the public.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

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

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

There was no objection.

Mr. HALL. Mr. Speaker, I have in my hand a UPI release dated October 18 which quotes the Commissioner of the Federal Food and Drug Administration as saying before a university audience:

He would not object any more to his college daughter smoking pot than he would to her drinking a cocktail.

Mr. Speaker, I am shocked that the Director of the Food and Drug Administration and a career physician with the U.S. Public Health Service would make a statement like this before a group of students at the University of Minnesota. Surely Dr. James Goddard realizes that marihuana is an addiction in the same sense that alcohol and cigarettes are, and even though it may have been his purpose to call attention to the dangers of alcohol, it is inconceivable to me that he would make such a statement in the context in which it has been reported. I can only regard it as a sheer act of momentary stupidity by a person who temporarily forgot his position and public trust. The article has been referred to and been inserted in the RECORD by my colleague from Tennessee.

PUBLIC STATEMENTS OF DR. JAMES L. GODDARD CRITICIZED

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

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I also rise in an expression of concern over the remarks of Dr. Goddard yesterday. I would like to suggest to the House that it is time for hearings on this difficult problem of narcotics use.

I have addressed the following letter to Dr. Goddard in regard to the article which appeared in the Washington Post, which I will also have printed in the RECORD along with the article:

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 19, 1967.

Dr. JAMES L. GODDARD,
Commissioner, Food and Drug Administration, Washington, D.C.

DEAR DR. GODDARD: As elsewhere in the nation, some doctors and pharmacists in my District have been displeased from time to time by past decisions by you or your office.

Because of the nature of your statement on marijuana as reported in the press earlier this week, I am sure I shall be receiving from highly respected people in these professions and in law enforcement in my District letters questioning the competence of the experimental work on which your conclusions were based. For this reason, would you be kind enough to send me a summary of this study.

Because of the nature of your remarks, I am also sending the enclosed letter to the Chairman of the House Interstate and Foreign Commerce Committee urging that you be called for a hearing to explore the studies FDA has made on drug use, abuse and dangers so that public information media or individuals will not interpret your remarks about marijuana improperly or as applicable to all narcotics or hallucenogenics.

Sincerely yours,
CLARENCE J. BROWN, Jr.,
Member of Congress,
Seventh Ohio District.

[From the Washington Post, Oct. 18, 1967]

FDA CHIEF MINIMIZES "POT" DANGER

MINNEAPOLIS, October 17.—The commissioner of the U.S. Food and Drug Administration said today he doubts marijuana is more dangerous than alcohol.

Dr. James L. Goddard spoke to an audience of more than 200 students and faculty members at the University of Minnesota and held a press conference.

The physician, who was appointed to the FDA in January 1966, said he would not object any more to his college-age daughter smoking marijuana than he would to her drinking a cocktail. He is the father of three college-age children.

Dr. Goddard said "the long-term effects of smoking marijuana may be more serious than the effects presently known" and he noted that both alcohol and marijuana distort the user's perception of reality.

"Society should be able to accept both alcohol and marijuana," Dr. Goddard said. He explained that they are unlike: alcohol depresses bodily functions while marijuana triggers hallucinations.

"I don't believe smoking marijuana leads to an addiction to stronger drugs," said the Food and Drug chief. "It is true most heroin users have smoked marijuana, but it is also true most heroin users have drunk milk. I have seen no proof there is any connection."

"Dr. Goddard said he thinks all law penalties for possession of marijuana should be removed, leaving penalties only for sale or distribution. He added that he does not favor "legalizing" the drug completely.

"We need more research on chronic use," he said, "and I think this research will start now."

Personal possession of marijuana carries too severe a penalty, Goddard said. "Marijuana is not as dangerous as LSD and yet the possession of LSD is not a felony," he said.

"Psychological dependence on marijuana is possible," said the first physician to head the Food and Drug Administration "but then a person can become psychologically dependent on any drug, including aspirin."

SST DEVELOPMENT VITAL TO U.S. ECONOMY

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

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

There was no objection.

Mr. CLANCY. Mr. Speaker, I would like to at this time commend the Members of this body for the wisdom they displayed yesterday in rejecting efforts to curb or kill the supersonic transport program. I am gratified that a majority of my colleagues recognized the importance of moving ahead with this most promising venture which will benefit all Americans and the economy of our Nation.

The question as to whether this project should be pursued has been thoroughly explored, and it is well settled that development of a civil supersonic aircraft is eminently justified by its future favorable effect upon the economy of the United States.

To have delayed or scuttled the SST program would have been economy of the most illusory sort. It could have meant the waste of the approximately $500 million already put into the program and the anticipated beneficial effect on our balance of payments position, creation of jobs, and other economic boosts would have been lost.

It is most important to point out once again that the initial investment of the taxpayers in this unique development will be repaid. Unlike many other programs receiving government assistance, the SST program proposes to assure the return of the research and development expenditure, with interest.

I am pleased to bring to your attention once again, too, the fine work being done by the General Electric Co. on the design, development, and testing of the giant engine which will power the SST. These powerful turbojets are being developed and will ultimately be produced at the GE Flight Propulsion Division in Evendale, Ohio, which is located in the congressional district I represent. I am proud to note that design has met or exceeded original performance goals in all tests made so far, and I commend GE for its dedication to the success of this truly national project.

And once more, I wish to praise my colleagues for their vision in realizing that the SST program will not only keep the United States in the forefront of world aviation, but will result in many other benefits to the Nation as well.

THE M-16 RIFLE

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

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

There was no objection.

Mr. FINDLEY. I congratulate the gentleman from Missouri [Mr. ICHORD] and his colleagues on the special Armed Services subcommittee on the M-16 report released today. It is excellent and provides a splendid foundation for remedial action. I am confident the subcommittee will press forward to clear up and correct the whole mess.

Immediate exhaustive tests of M-16 rifles and ammunition along the lines recommended by subcommittee must be ordered at once, and when these are completed the Congress must demand that production of the improved rifle and ammunition be pressed at the highest possible level until allied forces in Vietnam are fully supplied.

Meanwhile, the Department of Defense should limit in every practical way the combat employment of troops equipped with the M-16 rifle.

It makes no sense to increase troop strength in Vietnam until all allied forces are equipped with the best rifle protection of which our technology is capable.

The Ichord report underscores the shocking fact that rifle procurement for Vietnam is a major scandal and a shameful chapter without parallel in U.S. wartime history.

The report is excellent as far as it goes, but it does not go far enough.

The Congress must insist that testing and improvement of the M-16 be undertaken quickly, be done thoroughly and that improved weapons and proper ammunition be manufactured and shipped at the earliest possible date to our combat forces. Holiday shutdowns and strikes such as those tolerated last summer at Colt Industries, the sole manufacturing plant for M-16's, must not again be permitted.

The Congress must also fix responsibility precisely for the costly error on ammunition, for inadequate training of personnel in the use of the weapon, for the inadequate production schedules, for the authorization of the sale of 20,300 M-16's to Singapore when our own forces were not fully supplied, and for the failure of the executive branch to invoke Taft-Hartley to prevent a 3-week strike in July.

The Congress should also study the obvious need for legislation to meet conflict of interest problems such as that posed by the employment of retired Gen. Nelson M. Lynde by Colt Industries after he had participated earlier in contract negotiations for the weapon.

MOST AMERICANS ARE DISTURBED AT THE PUBLIC DEMONSTRATIONS IN PROTEST OF THE WAR IN VIETNAM

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

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

There was no objection.

Mr. RIEGLE. Mr. Speaker, I am disturbed, as I think most Americans are disturbed, at the public demonstrations being mounted at this time to protest the war in Vietnam. While each citizen has the right to express his or her views, I strongly believe that there is attached to that right a responsibility to insure that any expression of protest contribute to a better understanding of the issue at hand—and toward a constructive solution.

Furious protest that offers no direction, no clarity, no reasonable alternative, is actually destructive to the process of public problem solving.

Those of us who are searching for a new and better policy in Vietnam are hindered by massive demonstrations that only serve to heighten public emotion and multiply public confusion.

If our national direction in Vietnam or elsewhere is to change, it will finally change on the basis of the quietness of careful thought—the detailed examination of complex issues and relationships—and the soundness and rationality of the alternative policies suggested.

It is the sounder idea, not the loudest voice, that will finally prevail; the most thoughtful, factual inquiry, not the most enraged passion.

Mr. Speaker, those who choose to substitute violent protest for precise reason serve to undermine themselves, their country, and those in positions of public responsibility that are searching to find a better answer in Vietnam. Violent, directionless Vietnam protesters actually serve to delay the development of a new and sounder policy in Vietnam.

ADMINISTRATION DISPLAYS WEAKNESS IN DEALING WITH PLANNED DEMONSTRATIONS

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

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

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I am not as concerned about the planned demonstrations to be held in Washington and throughout this Nation as I am concerned about the display of weakness on the part of this administration which is reflected in its willingness to negotiate with those whose purpose it is to embarrass our Government and to divide our Nation at a time when the welfare and safety of our young men in Vietnam is at stake.

I am concerned about the weakness of an administration that has reacted to threats by closing the White House to visitors, while the officially declared excuse is that repairs are to be made no one can ignore the more obvious reason which is to prevent incidents, which would arise out of sit-ins during the demonstration.

Many law abiding citizens have saved their money for years to take a trip to Washington. Now they are denied their rights to visit the White House because of the threats of those who are planning the mass demonstration in Washington. Must the rights and conveniences of our responsible citizens give way to the irresponsible actions of those who believe they are above the law?

More important is the fact that the show of appeasement on the part of the administration amounts to surrender. Saturday it will be closing down the White House—a victory for those who show contempt for our Government. The next time the defense establishment. Later the legislative halls of Congress.

It is high time we repudiate Government by appeasement and strengthen the voice and power of the law abiding citizens who have a respect for law and order and are willing to make their voices heard in the ballot box instead of on the streets.

"JOIN THE FIGHT"—PROJECT OF BURLINGTON COUNTY TIMES

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

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

There was no objection.

Mr. CAHILL. Mr. Speaker, I am pleased to bring to the attention of the House of Representatives and to the country, a contribution being made by the Burlington County Times, a daily newspaper published in the district which I represent in Congress, to the servicemen serving in U.S. posts throughout the world. The Burlington County Times has been sponsoring a "join the fight" program throughout the entire area serviced by the paper.

The program urges the citizens of Burlington County to correspond with servicemen and to send them gifts. Each week, the newspaper publishes what has become a growing list of servicemen stationed in various parts of the world, particularly in Vietnam. The editors of the newspaper anticipate that a great number of Christmas gifts will be received by the men in Vietnam and in other areas of the world as a result of this program.

I am happy to report that the "join the fight" program is receiving the enthusiastic support and commendation of people from all walks of life in the Burlington County area.

Mr. Speaker, I am convinced that this type of activity is invaluable in maintaining the high morale of our troops. It is a clear indication of the thoughtfulness, the generosity and the support of the citizens back home. It is certainly a great antidote to some of the draft card burnings that our troops have heard about through other periodicals. I am also convinced that as a result of this correspondence, many new and lasting friendships will be developed. I am happy, Mr. Speaker, to commend publicly the Burlington County Times, its publisher, editor, and entire staff and to respectfully suggest to other similar periodicals throughout the country participation in a similar program.

ANTIWAR DEMONSTRATIONS ASSIST THE NORTH VIETNAMESE

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

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

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I cannot think of anything that is more demoralizing to our troops in Vietnam than these anti-Vietnam war demonstrations in our country. And while I know that there are many people who are sincerely concerned about the war, and who are seriously and honestly looking for a solution, I wonder if those who have been urging that we cease the bombing of North Vietnam at this time have considered the fact that casualties among our American troops would increase seriously if such a bombing pause were ordered by the President.

Mr. Speaker, I have said here before—and I repeat it now—our best intelligence shows that our bombings of North Vietnam have successfully pinned down 175,000 North Vietnamese soldiers who are manning the anti-aircraft installations in North Vietnam. We have pinned down another 300,000 Communist soldiers in North Vietnam who are being used to supervise the repair of the damages that our bombers do. Women and children do the work but soldiers supervise them. That is a half million soldiers. If we were to end the bombing now with no assurances from the North Vietnamese that they are not going to move those troops into South Vietnam and use them against our soldiers, we would increase our casualties substantially. The President has said repeatedly, time and time again, that he is prepared to end the bombing the moment the Communists are willing to give us assurances that they will not move these one-half million North Vietnamese troops into South Vietnam and use them against our soldiers.

Mr. Speaker, those who have been urging this bombing pause should consider the consequences of their counsel if we were to release those half million Communist troops who are now pinned down in North Vietnam. I am sure it does not take any expert to realize that our casualties would mount, and who is willing to take the responsibility of seeing more American boys killed in South Vietnam?

So I hope that those who are going to participate in these anti-Vietnam war demonstrations will be cognizant of the fact that they in fact are prolonging the war, and that they in fact are contributing to the breakdown of morale among our troops, and they are in fact playing right into the hands of the Communists.

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

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

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

There was no objection.

PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE TWO REPORTS UNTIL MIDNIGHT FRIDAY, OCTOBER 20

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. FOUNTAIN], I ask unanimous consent that the Committee on Government Operations may have until midnight Friday, October 20, to file two reports adopted today on food and drug administration procedures for the selection of laboratory sites and the administration of research grants in public health service. This request has the approval of the ranking minority member of the Committee on Government Operations, the gentlewoman from New Jersey [Mrs. DWYER].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 322]

Abbitt	Fountain	Purcell
Ashley	Fuqua	Rarick
Bell	Gettys	Rees
Betts	Hagan	Rumsfeld
Blatnik	Hébert	Sandman
Boggs	Herlong	St. Onge
Bolton	Holland	Sisk
Brademas	Jonas	Stephens
Broomfield	Jones, Mo.	Teague, Tex.
Brown, Calif.	Jones, N.C.	Tenzer
Button	Kazen	Thompson, N.J.
Cederberg	Landrum	Tuck
Conyers	Latta	Tunney
Culver	Leggett	Utt
Dawson	McEwen	Watts
Diggs	Matsunaga	Williams, Miss.
Dwyer	Morgan	Willis
Eilberg	O'Hara, Mich.	Wright
Flynt	Patman	Wyatt
Ford, Gerald R.	Pryor	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall, 374 Members have answered to their names, a quorum.

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

PUBLIC BROADCASTING ACT OF 1967—CONFERENCE REPORT

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting television and radio; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 794)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Public Broadcasting Act of 1967'.

"TITLE I—CONSTRUCTION OF FACILITIES

"EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL BROADCASTING

"SEC. 101. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the first sentence the following new sentence: 'There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30, 1968, $12,500,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970.'

"(b) The last sentence of such section is amended by striking out 'July 1, 1968' and inserting in lieu thereof 'July 1, 1971'.

"MAXIMUM ON GRANTS IN ANY STATE

"SEC. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(b)) is amended to read as follows:

"'(b) The total of the grants made under this part from the appropriation for any fiscal year for the construction of noncommercial educational television broadcasting facilities and noncommercial educational radio broadcasting facilities in any State may not exceed 8½ per centum of such appropriation.'

"NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

"SEC. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. 390) is amended by inserting 'noncommercial' before 'educational' and by inserting 'or radio' after 'television'.

"(b) Subsection (a) of section 392 of the Communications Act of 1934 (47 U.S.C. 392 (a)) is amended by—

"(1) inserting 'noncommercial' before 'educational' and by inserting 'or radio' after 'television' in so much thereof as precedes paragraph (1);

"(2) striking out clause (B) of such paragraph and inserting in lieu thereof '(B) in the case of a project for television facilities, the State noncommercial educational television agency or, in the case of a project for radio facilities, the State educational radio agency,';

"(3) inserting '(i) in the case of a project for television facilities,' after '(D)' and 'noncommercial' before 'educational' in paragraph (1)(D) and by inserting before the semicolon at the end of such paragraph ', or (ii) in the case of a project for radio facilities, a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage noncommercial educational radio broadcasting and is eligible to receive a license from the Federal Communications Commission; or meets the requirements of clause (i) and is also organized to engage in or encourage such radio broadcasting and is eligible for such a license for such a radio station';

"(4) striking out 'or' immediately preceding '(D)' in paragraph (1), and by striking out the semicolon at the end of such paragraph and inserting in lieu thereof the following: ', or (E) a municipality which owns and operates a broadcasting facility transmitting only noncommercial programs;';

"(5) striking out 'television' in paragraphs (2), (3), and (4) of such subsection;

"(6) striking out 'and' at the end of paragraph (3), striking out the period at the end of paragraph (4) and inserting in lieu thereof '; and', and inserting after paragraph (4) the following new paragraph:

"'(5) that, in the case of an application with respect to radio broadcasting facilities, there has been comprehensive planning for educational broadcasting facilities and services in the area the applicant proposes to serve and the applicant has participated in such planning, and the applicant will make the most efficient use of the frequency assignment.'

"(c) Subsection (c) of such section is amended by inserting '(1)' after '(c)' and 'noncommercial' before 'educational television broadcasting facilities', and by inserting at the end thereof the following new paragraph:

"'(2) In order to assure proper coordination of construction of noncommercial educational radio broadcasting facilities within each State which has established a State educational radio agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application.'

"(d) Subsection (d) of such section is amended by inserting 'noncommercial' before 'educational television' and inserting "or noncommercial educational radio broadcasting facilities, as the case may be,' after 'educational television broadcasting facilities' in clauses (2) and (3).

"(e) Subsection (f) of such section is amended by inserting 'or radio' after 'television' in the part thereof which precedes paragraph (1), by inserting 'noncommercial'

before 'educational television purposes' in paragraph (2) thereof, and by inserting 'or noncommercial educational radio purposes, as the case may be' after 'educational television purposes' in such paragraph (2).

"(f)(1) Paragraph (2) of section 394 of such Act (47 U.S.C. 394) is amended by inserting 'or educational radio broadcasting facilities' after 'educational television broadcasting facilities,' and by inserting 'or radio broadcasting, as the case may be' after 'necessary for television broadcasting'.

"(2) Paragraph (4) of such section is amended by striking out 'The term "State educational television agency" means' and inserting in lieu thereof 'The terms "State educational television agency" and "State educational radio agency" mean, with respect to television broadcasting and radio broadcasting, respectively,' and by striking out 'educational television' in clauses (A) and (C) and inserting in lieu thereof 'such broadcasting'.

"(g) Section 397 of such Act (47 U.S.C. 397) is amended by inserting 'or radio' after 'television' in clause (2).

"FEDERAL SHARE OF COST OF CONSTRUCTION

"SEC. 104. Subsection (e) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(e)) is amended to read as follows:

"'(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine.'

"INCLUSION OF TERRITORIES

"SEC. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by striking out 'and' and inserting a comma in lieu thereof, and by inserting before the period at the end thereof ', the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands'.

"(b) Paragraph (4) of such section is amended by inserting 'and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof' before the period at the end thereof.

"INCLUSION OF COSTS OF PLANNING

"SEC. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: 'In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor.'

"TITLE II—ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

"SEC. 201. Part IV of title III of the Communications Act of 1934 is further amended by—

"(1) inserting

"'SUBPART A—GRANTS FOR FACILITIES'

immediately above the heading of section 390;

"(2) striking out 'part' and inserting in lieu thereof 'subpart' in sections 390, 393, 395, and 396;

"(3) redesignating section 397 as section 398, and redesignating section 394 as section 397 and inserting it before such section 398, and inserting immediately above its heading the following:

"'SUBPART C—GENERAL'

"(4) redesignating section 396 as section 394 and inserting it immediately after section 393;

"(5) inserting after 'broadcasting' the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398 ', or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation,'.

"(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs:

"'(6) The term "Corporation" means the Corporation authorized to be established by subpart B of this part.

"'(7) The term "noncommercial educational broadcast station" means a television or radio broadcast station, which (A) under the rules and regulations of the Federal Communications Commission in effect on the date of enactment of the Public Broadcasting Act of 1967, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association or (B) is owned and operated by a municipality and which transmits only noncommercial programs for educational purposes.

"'(8) The term "interconnection" means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations.

"'(9) The term "educational television or radio programs" means programs which are primarily designed for educational or cultural purposes.'

"(7) striking out the heading of such part IV and inserting in lieu thereof the following:

"'PART IV—GRANTS FOR NONCOMMERCIAL EDUCATIONAL BROADCASTING FACILITIES; CORPORATION FOR PUBLIC BROADCASTING'

"(8) inserting immediately after the section herein redesignated as section 398 the following:

"'EDITORIALIZING AND SUPPORT OF POLITICAL CANDIDATES PROHIBITED

"'SEC. 399. No noncommercial educational broadcasting station may engage in editorializing or may support or oppose any candidate for political office.'

"(9) inserting after section 395 the following new subpart:

"'SUBPART B—CORPORATION FOR PUBLIC BROADCASTING

"'*Congressional declaration of policy*

"'SEC. 396. (a) The Congress hereby finds and declares—

"'(1) that it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes;

"'(2) that expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programing depend on freedom, imagination, and initiative on both the local and national levels;

"'(3) that the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;

"'(4) that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programing which will be responsive to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence;

"'(5) that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States;

"'(6) that a private corporation should be created to facilitate the development of educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"'*Corporation established*

"'(b) There is authorized to be established a nonprofit corporation, to be known as the "Corporation for Public Broadcasting," which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act.

"'*Board of Directors*

"'(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the "Board"), consisting of fifteen members appointed by the President, by and with the advice and consent of the Senate. Not more than eight members of the Board may be members of the same political party.

"'(2) The members of the Board (A) shall be selected from among citizens of the United States (not regular fulltime employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio and television; (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the country, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

"'(3) The members of the initial Board of Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

"'(4) The term of office of each member of the Board shall be six years except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment, five at the end of two years, five at the end of four years, and five at the end of six years. No members shall be eligible to serve in excess of two consecutive terms of six years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified.

"'(5) Any vacancy in the Board shall not affect its power, put shall be filled in the maner in which the original appointments were made.

"'*Election of Chairman; compensation*

"'(d)(1) The President shall designate one of the members first appointed to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a Vice Chairman or Vice Chairmen.

"'(2) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"'*Officers and employees*

"'(e)(1) The Corporation shall have a President, and such other officers as may be

named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice Chairman, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

"'(2) Except as provided in the second sentence of subsection (c)(1) of this section, no political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

"'Nonprofit and nonpolitical nature of the Corporation

"'(f)(1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"'(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

"'(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"'Purposes and activities of the Corporation

"'(g)(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a), the Corporation is authorized to—

"'(A) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations, with strict adherence to objectivity and balance in all programs or series of programs of a controversial nature;

"'(B) assist in the establishment and development of one or more systems of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations;

"'(C) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States;

"'(D) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

"'(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named—

"'(A) to obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions;

"'(B) to contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations;

"'(C) to make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programing costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations;

"'(D) to establish and maintain a library and archives of noncommercial educational television or radio programs and related materials and develop public awareness of and disseminate information about noncommercial educational television or radio broadcasting by various means, including the publication of a journal;

"'(E) to arrange, by grant or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations;

"'(F) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this section;

"'(G) to encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, State, regional, and national basis;

"'(H) conduct (directly or through grants or contracts) research, demonstrations, or training in matters related to noncommercial educational television or radio broadcasting.

"'(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast station, system, or network, community antenna television system, or interconnection or program production facility.

"'Authorization for free or reduced rate interconnection service

"'(h) Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for noncommercial educational television or radio services, subject to such rules and regulations as the Federal Communications Commission may prescribe.

"'Report to Congress

"'(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

"'Right to repeal, alter, or amend

"'(j) The right to repeal, alter, or amend this section at any time is expressly reserved.

"'Financing

"'(k)(1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $9,000,000, to remain available until expended.

"'(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000.

"'Records and audit

"'(l)(1)(A) The accounts of the Corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audits shall be made available to the person or persons conducting the audits; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents and custodians shall be afforded to such person or persons.

"'(B) The report of each such independent audit shall be included in the annual report required by subsection (i) of this section. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the Corporation's assets and liabilities, surplus or deficit, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the Corporation's income and expenses during the year, and a statement of the sources and application of funds, together with the independent auditor's opinion of those statements.

"'(2)(A) The financial transactions of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers and property of the Corporation shall remain in possession and custody of the Corporation.

"'(B) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President, to the Secretary, and to the Corporation at the time submitted to the Congress.

"'(3)(A) Each recipient of assistance by grant or contract, other than a fixed price contract awarded pursuant to competitive bidding procedures, under this section shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"'(B) The Corporation or any of its duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this section. The Comptroller General of the United States or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation.'

"TITLE III—STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

"STUDY AUTHORIZED

"SEC. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining whether and what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

"DURATION OF STUDY

"SEC. 302. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before June 30, 1969.

"APPROPRIATION

"SEC. 303. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $500,000, as may be necessary."

And the House agree to the same.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
HORACE R. KORNEGAY,
WILLIAM L. SPRINGER,
JAMES T. BROYHILL,
Managers on the Part of the House.

WARREN G. MAGNUSON,
JOHN PASTORE,
MIKE MONRONEY,
HUGH SCOTT,
JAMES B. PEARSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the conference substitute are noted in the following outline, except for incidental changes made necessary by reason of agreements reached by the conferees and minor and clarifying changes.

EDITORIALIZING

The House amendment contains provisions which would prohibit any noncommercial educational broadcast station from engaging in editorializing or supporting or opposing any candidate for political office. The Senate bill contains no comparable provisions.

The managers on the part of the Senate accepted the House provisions when it was explained that the prohibition against editorializing was limited to providing that no noncommercial educational broadcast station may broadcast editorials representing the opinion of the management of such station. It should be emphasized that these provisions are not intended to preclude balanced, fair, and objective presentations of controversial issues by noncommercial educational broadcast stations.

These provisions are consistent with the requirements of section 396(g)(1)(A) of the Communications Act of 1934 (which would be added by the conference substitute) which require that programs or series of programs of a controversial nature which are made available by the Public Broadcasting Corporation must adhere strictly to objectivity and balance.

DEFINITION OF "EDUCATIONAL TELEVISION OR RADIO PROGRAMS"

The House amendment defines "educational television or radio programs" to mean "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes". The Senate bill contained no comparable provisions. The conference substitute includes a definition of the term which is the same as the House version but for the deletion of the words "and not primarily for amusement or entertainment purposes".

OBJECTIVITY AND BALANCE OF CORPORATION PROGRAMS

Under both the Senate bill and the House amendment the Public Broadcasting Corporation is authorized to "facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television and radio broadcast stations". The House amendment provides, in addition, that in the case of programs of a controversial nature there must be strict adherence to objectivity and balance. The conference substitute adopts these provisions of the House amendment with a modification so as to make the requirement more flexible. As so modified, each program in a series need not meet the test of objectivity and balance, but the series, when considered as a whole, must.

ARRANGEMENT BY CORPORATION FOR INTERCONNECTIONS

Under the Senate bill and the House amendment, the Public Broadcasting Corporation is authorized to "arrange, by grant or contract . . . for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations". Under the House amendment, however, the Corporation could only make such arrangements with those appropriate private agencies, organizations, or institutions which were *nonprofit*. This would have required the Corporation to make arrangements for interconnection facilities through nonprofit intermediaries and would, consequently, have delayed and complicated the Corporation's operations. This requirement has been omitted in the conference substitute.

The managers on the part of the House feel that the Corporation needs this flexibility, not to establish a fixed-schedule network operation, but in order to take advantage of special or unusual opportunities that warrant the Corporation directly contracting for interconnection facilities. Even under these circumstances, however, it should be made clear that the decision to broadcast any program for which interconnection is provided by the Corporation remains entirely within the discretion of the local station. In addition, it should be pointed out that this change does not mean that others—such as a group of noncommercial educational broadcast stations or a noncommercial educational radio or television network—could not also arrange for interconnection and receive financial assistance for it in the form of a grant or contract from the Corporation. The conference substitute would permit this to be done.

Further, the conferees wish to make it clear that the limitation contained in proposed section 396(k)(2) of the Communications Act of 1934 should not and is not intended to apply with respect to interconnection costs.

SYSTEMS OF INTERCONNECTION

The House amendment provides the Public Broadcasting Corporation with authority to assist in the establishment and development of *a system* of interconnection to be used for the distribution of educational television or radio programs. The Senate version authorized the Corporation to assist in the establishment and development of *one or more systems* of interconnection for the same purpose. The conference substitute is the same in this respect as the Senate version.

DEFINITION OF "INTERCONNECTION"

Both the Senate bill and the House amendment contain definitions of the term "interconnection". The only difference in the two versions is that in the House amendment "airborne systems" were specifically included in the definition. The words "airborne systems" have been deleted from the definition in the conference substitute as unnecessary since "interconnection" is defined to include "other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio stations".

ADDITIONAL LIMITATION ON THE CORPORATION

Both the Senate bill and the House amendment prohibit the Public Broadcasting Corporation from owning or operating any television or radio broadcast station, system, or network, or interconnection or program production facility. In addition, the Senate bill prohibits the Corporation from owning or operating any community antenna television system. The conference substitute is the same in this respect as the Senate bill.

RECORDS AND AUDIT

The House amendment contains provisions requiring an annual audit of the accounts of the Public Broadcasting Corporation by independent certified or licensed public accountants; and, for any fiscal year during which Federal funds are available to finance any portion of the Corporation's operations provides that "the financial transactions of the Corporation shall be subject to an audit by the General Accounting Office". The Senate bill contains no provisions with respect to records and audit.

The conference substitute is the same as the House version with two minor changes in order to make it clear that for any fiscal year during which Federal funds are available to finance any portion of the Corporation's operations the General Accounting Office is authorized, but not required, to audit the financial transactions of the Corporation. Thus, the following language from the House report on H.R. 6736 (the House companion bill to S. 1160) is an apt description of the provisions of the conference substitute relating to records and audit:

"Provision for a GAO audit was not originally included in H.R. 6736 because it was felt that such audits carry with them the power of the Comptroller General to settle and adjust the books being examined and that this authority would be contrary to the desired insulation of the Corporation from Government control. The Committee is also sensitive to the importance of having the Corporation free from Government con-

trol. However, the bill does not provide authority for the settlement of accounts. The provision is similar to that included in the Government Corporation Control Act (31 U.S.C. 841) with the exception that the audits are not required to be performed annually. It is expected that the GAO audits will be performed at such times as believed necessary by the Comptroller General or Congress in order to supplement the audits of the independent public accountants.

"The audits are to be performed in accordance with the principles and procedures applicable to commercial corporate transactions and, in the case of GAO audits, under such rules and regulations as may be prescribed by the Comptroller General of the United States."

STUDY OF EDUCATIONAL AND INSTRUCTIONAL BROADCASTING

The House amendment authorizes a study of instructional television, including its relationship to educational television broadcasting and such other aspects thereof as may assist in determining *whether* Federal aid should be provided therefor and the form that such aid should take. Under the House version the study would be submitted to the President for transmission to the Congress on or before January 1, 1969.

The Senate bill authorizes a comprehensive study of instructional television *and radio* and their relationship to each other and to instructional materials, and to such other aspects thereof as may be of assistance in determining *what* Federal aid should be provided for instructional radio and television and the form that aid should take. Under the Senate bill the study would be submitted to the President for transmittal to the Congress on or before June 30, 1969.

Both versions authorize not to exceed $500,000 for the study.

The conference substitute is the same in this respect as the Senate bill, except that the study must also be addressed to the question of *whether* Federal aid should be provided for instructional radio and television.

HARLEY O. STAGGERS,
TORBERT H. MACDONALD,
HORACE R. KORNEGAY,
WILLIAM L. SPRINGER,
JAMES T. BROYHILL,
Managers on the Part of the House.

Mr. STAGGERS. Mr. Speaker, first, I would like to commend and to thank the Members who served on the conference committee, the distinguished gentleman from North Carolina [Mr. BROYHILL], the distinguished gentleman from Illinois [Mr. SPRINGER], the distinguished gentleman from Massachusetts [Mr. MACDONALD], and the distinguished gentleman from North Carolina [Mr. KORNEGAY], for their diligence and their cooperation in getting this conference report out and in working with the other body.

Mr. Speaker, it is my opinion that the House conferees did a very good and a very fine job, because of the 15 points that were in difference—the 15 points that the House was in difference with the other body—all but four of these were resolved in favor of the position of the House of Representatives. Of those four upon which we did not get full and complete support of the position of the House, we only receded in part from our stand in the House.

Therefore, we feel that we came out with a bill almost identical with the one that passed the House some time ago.

I should like, briefly, to go over some of the points in order to demonstrate to the Members of the House what did take place. However, I would like first to reiterate what I said on the floor when this legislation was up for debate, and that is this: I feel that perhaps this could be one of the most important bills to come out of the 90th Congress. It was stated in a letter from the National Association of State Universities and Land-Grant Colleges that his legislation had been compared in importance to the Morrill Act of 1862 with reference to its importance to education in the United States, I believe, and am of the firm opinion, that this legislation is that important or, perhaps, more so.

Mr. Speaker, I shall now outline the more important points that were in disagreement and on which we receded. I shall not take the time of the House to explain the others.

The version of the other body contains no definition with reference to the term "educational television or radio programs." The version of the House contained the following definition, "programs which are primarily designed for educational or cultural purposes and not primarily for amusement or entertainment purposes."

The other body was adamant on striking out our definition. However, we were able to retain the main part which we feel is the positive side of it and not the negative side of the question by retaining the language, "which are primarily designed for educational or cultural purposes." We acceded to the deletion of the words "and not primarily for amusement or entertainment purposes."

By so doing, the basic House definition was retained and, at the same time, dispel any feeling that educational programs may not be entertaining or entertainment programs, educational.

This is one of the first changes that was made in the House version.

The next was a clarification of our requirement that there be strict adherence to objectivity and balance in the presentation of controversial programs. The conferees agreed unanimously that this section requiring strict adherence to objectivity and balance on all programs of a controversial nature should be clarified so that such adherence should be with respect to a series of programs. In other words, we wanted to make clear that if a program comes up at one time and one side is presented that we could not indict it because of that one program where there were to be two programs, or a series of programs. Balance and objectivity might not be achieved in any one program of a series, but the overall series wherein opposing viewpoints were presented would and should be a balanced and objective presentation.

To distribute programs produced for educational broadcasting, the Senate version provided for the establishment and development of one or more systems of interconnections. The House version only provided for a system of interconnection. Because of concern that the House version might preclude the establishment and development of statewide and regional systems of interconnection, this ambiguity was eliminated, by the House accepting the Senate version of this provision.

Another important provision considered by the conferees concerned the ability of the corporation to deal directly with communications common carriers, such as A.T. & T., in order to make arrangements for interconnection facilities. Under the House version the corporation was not authorized to deal directly with such carriers but, instead, could only make interconnection arrangements through "nonprofit" intermediaries, who in turn would deal with the carriers. To provide the corporation with more interconnection flexibility, the House accepted the Senate version of this provision, which did not contain the word "nonprofit," thereby authorizing the corporation to deal directly with communications common carriers.

The last question of any contention involved changing the Senate word "what" to "whether." In title III the Senate had authorized a comprehensive study of instructional television and radio to help determine "what" Federal aid should be provided, and the form such aid should take.

The House version provided that such a study should be addressed to the question of "whether" Federal aid should be provided. This provision is now provided for in the conference substitute, which is otherwise the same as the Senate bill. In this connection "radio" is now included in the study authorized by title III.

Now, these are the only major changes that were made in the bill which passed this House on September 21. The conferees, and I as one of the conferees, feel we did a very good job on behalf of the House in bringing back almost the identical bill that it passed. We had 15 points in contention, and the House did not recede completely on any of them. The four points that we partially receded I believe helped to make it a better bill.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. SPRINGER] whatever time he may consume.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from West Virginia has consumed 10 minutes.

Mr. SPRINGER. Mr. Speaker, I believe the chairman has done a good job in explaining most of the provisions. There were two important parts of the bill when it was on the floor of the House which the House insisted on being in the original bill, and on which we maintained our position in the conference. One in which we said that the management of any one station or anyone speaking for them could not editorialize, and second, the station could not support or oppose any candidate for public office.

In the Senate version there was no such provision of any kind. The Senate receded with a slight change in the language, but no difference in the real meaning of the provision in the bill so that the provision against editorializing

or supporting or opposing any candidate is retained.

The second change was the question on how this corporation board of directors was to be appointed. The House insisted—and this was a drastic change from the Senate version. The House version provided that no more than eight out of the 15-member board could be from one political party. We felt from the experience we had had with the various agencies in this town that it had worked well where an agency was made up of four of one party, and three of another, or five of one party and four of another, or six of one party and five of another. We felt this worked extremely well in that the minority kept constant check on the majority to insure that there was no corruption, or inefficiency.

So we did provide, and were able to retain, in the final conference report, that no more than eight of the fifteen members of the board shall be of one party.

I think the third one that you will probably want to know about is that in programs of a controversial nature there is a specific provision and many of you here in this body have talked with me about this provision. We tried to make it extremely clear, and I quote from the report:

> In addition to that, that in the case of programs of a controversial nature, there must be strict adherence to objectivity and balance.

We did have a difference with the Senate over interconnections. That is if these stations chose to hook up at certain times of the year, maybe a half dozen times I would guess, to present programs, how are you going to do this?

The Senate had a provision that did not make any difference between profit and nonprofit. In the House version we had nonprofit alone. We did change this to allow interconnection to be made in the discretion of the board as to whether or not it could be done through private enterprises or through nonprofit enterprise, feeling that if it were necessary they could go to nonprofit, but probably they would want to use the profit system as probably the most economical system that could be used for interconnection.

But we felt that it was best to leave to the board itself to determine which method they wanted to use.

The fourth provision that I think you will want to know about was that the House amendment provides the public corporation with authority to assist in the establishment and development of a system to be used for distribution of educational television or radio programs.

The Senate version authorized the corporation to assist in the establishment and development of one or more systems of interconnection.

On this question we adopted the Senate version and I believe there is good reason for that.

We did provide for a system of records and audits which were not provided for adequately, we felt, in the Senate version. I think finally we agreed on one important thing and that was to provide a study of instructional television including the relationship to educational television broadcasting and such other aspects thereof as may assist in determining how federal aid should be provided therefor. We provided $500,000 for this study.

We believe this will assist greatly in the portion of the spectrum having to do with educational and instructional television.

Those are in essence the changes that I think are of any substance. We agreed unanimously on those.

I would say on the number of changes that the House won approximately 70 percent and the Senate on 30 percent of the changes in the conference that resulted in the final version.

I recommend that the conference report be adopted.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. KORNEGAY] such time as he may require.

Mr. KORNEGAY. Mr. Speaker, I appreciate very much the chairman yielding to me.

I would like to commend the chairman of the committee and the minority leader of the committee, and those who have served on this conference committee, for what I see as a very fine job in bringing to the House a bill which was good when it left. In my opinion, it is even better now.

As has already been stated, we conceded slightly on only four of the 15 points which were in contention. This was a most amicable and productive conference.

I certainly rise in support of this bill and will say that in my opinion it is one of the finest pieces of legislation that has come from our committee in a good while.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may require to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Speaker, I want to say that I consider this to have been a most productive conference. Although on some points the House conferees did recede, by and large we maintained the position of the House even on those points because we held up the intention of the House on what we had really wanted to do.

There was one point that I wanted to discuss briefly. We deleted one word, the word "nonprofit." Under the Senate bill the corporation would have been authorized to arrange by contract or by grant interconnecting facilities. They could then distribute programs to the various stations. Under the House bill the corporation would have been authorized to have made these contracts or grants only to nonprofit agencies.

The conferees felt there would be unusual occurrences or special occasions on which a program of nationwide interest should be distributed to those stations that wanted to carry such a program, and prohibiting the corporation from making these interconnection facilities themselves, and directly providing for those interconnection facilities would have been detrimental to the purposes of the act.

So the word "nonprofit" was deleted.

This action does not mean that the corporation is going to enter into any full-time networking arrangements. They will still be prohibited by the language in the bill from doing this. They will still not be able to do any broadcasting as such. They will only be taking advantage of this interconnection authority on special occasions whenever this may arise.

Also it is not only the intention of the managers, as is clear in the reports of both the House and the other body, but also as it is stated in the bill itself, where any interconnection is made, it will be within the discretion of the local stations to determine whether or not they want to receive or to carry a given program. That is one point I wished to emphasize.

I yield to the gentleman from Massachusetts [Mr. CONTE] who has been a very strong supporter of this legislation, and who has spoken not only to me but to other members of the committee on several occasions expressing his strong support of this public broadcasting section.

Mr. CONTE. I would like to take this opportunity to compliment Congressman STAGGERS, the ranking minority member, Mr. SPRINGER, my friend from North Carolina, Mr. BROYHILL, and the other members of the committee for the fine job they did in bringing this bill to the floor of the House. It was unfortunate that I was unavoidably detained on September 21 when the bill originally came up, because I have had a long interest in the Public Broadcasting Act of 1967. I think the committee did a remarkable job in conference and with the overall bill. I strongly support the measure and hope it will pass today.

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

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment to the title of the bill.

The Clerk read as follows:

> Amend the title so as to read: "An act to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television; and for other purposes."

MOTION OFFERED BY MR. STAGGERS OF WEST VIRGINIA

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

The Clerk read as follows:

> Mr. STAGGERS moves that the House recede from its amendment to the title.

The motion was agreed to.

A motion to reconsider the votes by

which action was taken on the conference report on the motion to recede from the title amendment was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

SAFETY OF CAPITOL BUILDINGS AND GROUNDS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 944 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 944

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the United States Capitol Buildings and the United States Capitol Grounds, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13178, it shall be in order in the House to take from the Speaker's table the bill (S. 2310) and to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 13178 as passed by the House.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for 1 hour.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority to the very able and distinguished gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, this rule is an open rule, which provides for 1 hour of general debate and, of course, for amendment under the 5-minute rule. This bill, simply and briefly, is a bill that would augment the present laws dealing with the protection of the U.S. Capitol, its grounds, and its buildings. To be perfectly frank about this bill, it is brought about because of the fact that there is another one of the numerous marches upon Washington anticipated here within the next few days.

This bill, as I said, would supplement existing legislation which goes back 100 years or more, under which the grounds of the Capitol were protected, but not the buildings of the Capitol.

Under the old law the grounds but not the buildings were protected, and the violations are misdemeanors with nominal fines provided.

This bill would cover the buildings themselves and would take care of such instances as we have had in the recent past.

Some Members will recall that only a few years ago there was a group of misguided Puerto Ricans who entered this Capitol Building itself and up there in the corner of the gallery they arose and began a holocaust of shooting and a general disturbance here in the Capitol itself. A number of the Members were shot.

Only a few weeks ago another group forced themselves into the Capitol. They forced the guards up against the walls, entered the gallery itself, and created a great disturbance in the deliberations of the Nation's business.

Not too long ago there was another group—which, incidentally, I believe was from my State; something rather unusual—who came into this Capitol and sat down outside of a committee room and refused to budge. This was the misnamed Freedom Democratic Party of Mississippi, an extreme leftist group.

So this proposed legislation would protect the Capitol, its grounds and its buildings, and its Members, from these misguided people who are bent on obstructing if not, in fact, destroying this, the world's most democratic form of government.

Mr. Speaker, sometimes I am amazed to see what is going on, to pick up the papers each day, and to look at television, and see what is going on in this country in the subversive attacks upon this great haven of liberty, the United States of America and its institutions.

Now we are told that there will be possibly 250,000—I doubt if there will be anywhere near that number—who are going to march upon the Pentagon tomorrow or the next day. They are going to march upon this Capitol. They are going to protest, and they are going to protest violently about the war in Vietnam.

This is not a question of whether the war in Vietnam is a popular war, or even whether we should be there. The question is whether the institutions of this Government are to be attacked in any such manner.

We see these riots going on all over the country. People attack this institution which guarantees to them liberty and the pursuit of happiness—and, incidentally, now under the new concept, prosperity, because anyone who does not have better than $3,000 income is entitled to Government aid.

Yet they are never satisfied.

Sometimes I wonder if this is because we are too busy trying to appease these small minority groups. When I say "minority groups," Mr. Speaker, I do not have reference to the color of anybody's skin, either. I am talking about these groups who are continuously attacking our Government and its institutions.

Mr. Speaker, to illustrate: Here are a couple of, I do not know whether to call them circulars, brochures, or just leaflets, of propaganda. Some of this left-wing group saw fit to organize down in my State some few years ago a group known as the Freedom Democratic Party, whatever that is. They undertook to take over the government and they are still trying to take over the government of my State. I think anyone who is familiar with that situation is bound to be familiar with the fact that they are but a part of a nationwide conspiracy to bring about demoralization and the final overthrow of our Government.

Now, Mr. Speaker, I am not going to read all of this, but I just want to exhibit it to you here, to those who happen to be interested. Here is one. On the front page I draw your attention to this drawing with the instruction how to make a Molotov cocktail. I could do so, but I am not going to go into all of the details here as to what they propose to do.

Now I have to use the pigmentation of the skin, although I prefer not to, although this movement is not confined to Negroes. We have some ultra-left-wing white people who are also parties to it. They are advocating the accumulation of guns. They are advocating that for every Negro who happens to be killed that at least 10 white people be killed in retaliation. They are advocating that the election machinery and all the institutions of the State be taken over by this small, militant, misguided group. Incidentally, these are the same people I referred to a moment ago that came into this Capitol and sat down outside of a committee room in the hallway and refused to move. They stayed there, as I recall it, overnight.

Mr. Speaker, I say I am concerned not about the State of Mississippi alone, but I am concerned about all of the 50 States of this Union. I am concerned about how far we are going to permit this type of thing to go on.

How much appeasement is it going to take? How many billions of dollars must be fed out to them in order to bring about a cessation of their activities, if in fact, such can ever be done?

Mr. Speaker, I come back to the legislation. This is merely a bill that would increase the penalties, increase the jurisdiction of the authorities to prevent such things as I have just mentioned a moment ago, such as the shooting up of this Chamber by the Puerto Ricans and these other invasions.

Mr. Speaker, under the old law, what is the penalty now? A $10 fine. When these people moved into the gallery here just a few weeks ago, they were required to post a $10 bond. Then, of course, they never paid that. One of the great, good brothers, someone, whoever he is who finances these things, paid the bond or covered the forfeiture of such bond.

Mr. O'NEAL of Georgia. Mr. Speaker, will the distinguished chairman of the Committee on Rules yield?

Mr. COLMER. I am delighted to yield to the distinguished gentleman from Georgia.

Mr. O'NEAL of Georgia. Mr. Speaker, I

appreciate the distinguished chairman of the Committee on Rules yielding to me at this time because I have a question to propound to the gentleman.

I would like to know if the chairman of the Committee on Rules understands the provisions of this bill in the same manner in which I feel I understand them?

I am a little bit disturbed about the language which appears on page 4 of the bill itself, that language which appears in lines 15 and 16, wherein the proposed legislation, if adopted, would make it a violation to parade, demonstrate, or picket within any of the Capitol buildings.

Mr. COLMER. I am sorry but I did not get the gentleman's citation.

Mr. O'NEAL of Georgia. This language appears on page 4 of the bill, in lines 15 and 16.

Mr. COLMER. Yes.

Mr. O'NEAL of Georgia. My question is this: If this bill becomes law, would it be a violation of the law to picket on the Capitol Grounds?

Mr. COLMER. To picket?

Mr. O'NEAL of Georgia. To picket on the Capitol Grounds. There is stated language which appears on page 4 at line 16 of the bill as follows: "to parade, demonstrate, or picket within any of the Capitol buildings."

Mr. COLMER. Yes. Perhaps, I should yield to the distinguished author of the bill since the gentleman from Maryland has made a far more thorough study of the facts involved and the language contained herein.

Mr. FALLON. Mr. Speaker, in response to the interrogation of the gentleman from Georgia as propounded to the gentleman from Mississippi, "to parade, demonstrate, or picket within any of the Capitol buildings" is new language. However, to parade on the Capitol Grounds is now against the law.

We are merely adding this to the law. If this language is adopted it would prevent parades, demonstrations, or picketing within any of the Capitol buildings.

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

Mr. COLMER. Of course, I yield to the gentleman from Florida.

Mr. CRAMER. On page 10 of the report, section 7 thereof, there is set out the following language:

> It 's forbidden to parade, stand, or move in processions or assemblages in said U.S. Capitol Grounds.

And so forth.

That is now the law. This makes the penalty apply to similar actions within the buildings themselves.

Mr. O'NEAL of Georgia. Mr. Speaker, if the gentleman from Mississippi will yield further, it probably would not hurt to add to the clarity of the section and the language which appears at page 4, line 16 of the bill, to say "or Capitol Grounds"?

Mr. COLMER. If I understand the answer of the gentleman from Maryland and the response of the gentleman from Florida [Mr. CRAMER] correctly, that would be surplusage.

Mr. O'NEAL of Georgia. Mr. Speaker, if the distinguished chairman will yield, I notice that the language in the existing law in section 7, as it appears on page 10 of the report, does not use the word "picket," but the new language in the bill does use the word "picket," but it simply refers to the buildings.

I just wondered if it would do violence to the bill—however, I now see they also use in the new language in the bill itself the word "demonstrate" for the first time. The word "parade" is in the existing law.

The words are "to parade, stand, or move in processions or assemblages." That is in the existing law, but the new law as proposed would add the words "demonstrate and picket," but would leave out the word "grounds," and I just wondered if anybody would have an objection to adding the word "grounds" to the new language.

Mr. COLMER. Mr. Speaker, I yield to the gentleman from Maryland for a further answer to that question.

Mr. FALLON. Mr. Speaker, I thank the gentleman for yielding.

In the present law it is forbidden to parade, stand, move in processions or assemblages, or to display flags, banners, or devices designed or adapted to bring into public notice any party, organization, or movement. So I do not see how one could picket with the language in the law the way it is at the present time, or demonstrate.

Mr. O'NEAL of Georgia. Mr. Speaker, will the gentleman yield further?

Mr. COLMER. I yield further.

Mr. O'NEAL of Georgia. I agree with the distinguished chairman of the Committee on Public Works, but it was just a little unusual to me that they would use these words for the first time, and still leave out another very specific and significant word with reference to the grounds.

Mr. COLMER. May I suggest, in response to the statement made by the gentleman from Georgia, that this is an open rule, and when the bill is read under the 5-minute rule he may seek to further clarify it.

Mr. O'NEAL of Georgia. I thank the gentleman for yielding.

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

Mr. COLMER. Yes; I yield to the gentleman from New York.

Mr. RYAN. I am disturbed, Mr. Speaker, by the gentleman's reference to and broad-scale attack on the Freedom Democratic Party in Mississippi. I believe that this party was clearly formed because of the refusal of the white power structure in the State of Mississippi to permit Negro citizens to vote and participate in the democratic process; and I take exception to the suggestion of the distinguished gentleman that the Mississippi Freedom Democratic Party is bent upon a conspiracy to overthrow the Government of the United States.

I believe that that is not a warranted conclusion to be made on the floor of this House.

I might point out that, insofar as I know, the Federal jury in the Chaney, Goodman, and Schwerner case has not come in, but it has taken over 3 years to bring to trial the accused murderers of three courageous young people who were brutally murdered on June 21, 1964, in the State of Mississippi, and that State judicial system failed to indict anyone for murder——

Mr. COLMER. Mr. Speaker, I yielded to the gentleman from New York for a question, and I do not want him to take all of my time because I may want to make some comments on his comments.

Mr. RYAN. I appreciate the gentleman yielding, but I do believe that I should state my views for the RECORD on this matter.

Mr. COLMER. Will the gentleman yield to me?

Mr. RYAN. The gentleman has the floor.

Mr. COLMER. Will the gentleman reply to my question? I will ask the gentleman from New York whether the gentleman takes this kind of a position—and we do not take this kind of a position in Mississippi—if the gentleman believes in and subscribes to any group of people, the Freedom Democratic Party in Mississippi, or any other group in New York, or whatever designation he wants to give to them, putting out literature showing people how to make Molotov cocktails to kill people with?

Does the gentleman from New York believe in that?

Mr. RYAN. Surely the gentleman would not suggest that any Member of this House would condone violence or would condone any effort on the part of any person to attempt to manufacture any weapons of violence.

Mr. COLMER. Then I take it the gentleman does not approve of that?

Mr. RYAN. I do not know what the paper, which the gentleman holds, says, but I stand on my statement. That is not the issue.

The issue that I wanted to respond to is the gentleman's blanket indictment of the Mississippi Freedom Democratic Party.

Mr. COLMER. If the gentleman will permit, I indicted them for putting this literature out. The gentleman says he does not condone it.

Mr. RYAN. I do not concede that this organization put out the particular paper that the gentleman is holding in his hand.

Mr. COLMER. Let me just say this finally to the gentleman. The gentleman has been around this House now for about 4 or 5 years. It so happens, and I guess due to the fact that God and life have been good to me, that I have been around this House for 35 years. The House has witnessed the conduct of both of us, and I will leave it to the House to judge between our respective conduct and philosophy, and I do not yield further to the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I think as the distinguished chairman of the Committee on Rules has already indicated in his remarks, in effect, the very fact that we have to bring to the floor of the House today a bill dealing with the safety of the

Capitol Building and the grounds that surround it—and incidentally, of course, the safety of the Members who work in those buildings—is a rather sad commentary on the fact that even here in the Nation's Capitol we seem to dwell in the very shadow of violence.

There were some 1-minute speeches that I listened to a few minutes ago referring to the fact that we may see a further manifestation of that directed not so much against the Congress apparently as against the Department of Defense and the Pentagon. But we may nevertheless see a further manifestation of that predisposition toward violence take place here in our Capitol on Saturday.

There was a day when men and women came to the Capitol to stand and to gaze in reverence and awe at the beauty of this building and at the Capitol dome; or to visit quietly with their Representatives in the office buildings and here on these grounds.

But if you have read the report, you will realize that one or two of the court of appeals cases that have led to this legislation involve the fact that there are those today who are not satisfied with the right to peaceably assemble and petition.

One of these cases involved some students who came to this very building not many feet from where I stand today and castigated the distinguished Speaker of the House and who were not satisfied with the fact that he courteously received them and listened to their petition, but they proceeded to make some impossible and preposterous demands which he had to reject and as a result they laid down upon the floor and began to kick and scream and carry on in a boisterous, disorderly, and disgraceful fashion.

It is because the Committee on Public Works felt that the general statutes of the District of Columbia and the 1946 act which deal with the Capitol Grounds are not sufficient to deal with incidents of this kind that they have brought this bill before the House today.

I think they should be commended, frankly, for undertaking this task because, of course, as they inform you in the report, the court of appeals itself, in one of those two cases, suggested to the Congress that a thoroughgoing review of these statutes is necessary because of the confusion that exists today in the law with reference to their enforcement.

The very fact that you can have the anomalous situation where for the crime of disorderly conduct, one can be punished by a fine of $250 or a jail sentence of up to 90 days, if it occurred anywhere else in the District or any other public building, but that one can commit disorderly conduct in the Capitol itself and be fined no more than $50 indicates very clearly, I think, the confusion of the present state of the law and the fact that some changes and amendments are necessary.

That is all, I think, this bill undertakes to do. It does it by making clear that the 1946 act relates not only to the Capitol Grounds but also to acts committed within the Capitol Building itself as well as other buildings located on the Capitol Grounds. It further goes on and spells out in section 6 of the act of 1946, as revised, that it is a felony for anyone to come upon the Capitol Grounds with firearms, explosives, or death-dealing weapons of any kind.

Then it makes a misdemeanor of another category of offenses and penalizes them as such. If people come, either to this Chamber, or to the committee rooms of the Capitol, or to the Rayburn Building, or to the Marble Room of the Senate, and so on, in an effort willfully to obstruct business or otherwise interfere with activities going on there they are guilty of committing a misdemeanor.

It should be pointed out that there are some minority views that are attached to the committee report. They reflect concern on the part of at least one Member of this body that the language used in the bill was not perhaps as artful as might be the case; that there is some vagueness, which, of course, is normally to be avoided in drawing penal statutes, the point is raised that in confiding to the Capitol Police Board, which is the body made up of the Architect of the Capitol, the Sergeant at Arms of this body and the Sergeant at Arms of the Senate, the authority to issue regulations to exempt Members of Congress or members of the armed services, the Secret Service or the FBI—people who might necessarily, either in the discharge of their duties have to come upon the Capitol Grounds or enter these buildings with side arms or firearms, we have introduced an unconstitutional element.

We had one Member of this body appear before the Rules Committee and confess some alarms that he might, unless exempted, be subject to penalties under this act merely for having an 18th century dueling pistol as part of a collection of weapons which he kept in his office. I suppose, in an effort to meet that situation, there is that provision in the bill that the Capitol Police Board can exempt from the application of this statute Members of Congress and others who might have a legitimate reason to come upon the grounds or to enter these buildings with firearms.

I, myself, think that perhaps the language of the statute itself might have better specifically set forth those specific exemptions from the law, rather than confiding that jurisdiction to a police board to issue regulations. Frankly, if an amendment is offered to that effect, I would very gladly support it. But I think on the whole the committee has performed a useful and a necessary service in bringing this bill to us today under an open rule where it can be discussed and, if need be, amended to further assure the safety of the Members of this House and the other body and to insure the maintenance of decorum and order in the Capitol Building.

I reserve the balance of my time.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FALLON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol Buildings and the U.S. Capitol Grounds, and for other purposes.

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

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13178, with Mr. STEED in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. FALLON] will be recognized for 30 minutes and the gentleman from Florida [Mr. CRAMER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. FALLON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I feel the gentleman from Illinois [Mr. ANDERSON] and the gentleman from Mississippi [Mr. COLMER] did a splendid job in explaining just exactly what effect this bill will have.

Mr. Chairman, H.R. 13178, which is before this body today, is needed legislation. Recent incidents within the Capitol Building itself and on the Capitol Grounds indicate quite clearly why this bill should be passed today. Visitors from all over the United States coming to the Nation's Capital every year as well as the Members and employees of the Congress are entitled to go about their pursuits without any undue disturbance from those who would attempt to disrupt the orderly business of the Nation's Capital by such actions as we have seen in recent weeks. The Committee on Public Works believes this legislation, which strengthens existing law regarding the use of and the safety and order within the Capitol Buildings and Grounds, will provide the proper vehicle to prevent future disturbances such as we have seen in the recent past. The legislation specifically would prohibit certain dangerous, disorderly, and disruptive conduct within the Capitol Buildings. It further, and necessarily so, increases the penalties for engaging in such dangerous and disorderly conduct.

The bill, in essence, would amend existing law in the following manner. It places in the category of a felony the carrying, discharge, or transportation of weapons and explosives on the Capitol Grounds or in the Capitol Buildings and knowingly and with force and violence entering and remaining upon the floor of either House of Congress. In the category of a misdemeanor would be a wide range of disruptive or disorderly conduct. The penalty for felonious activities would subject the perpetrator to a fine of not more than $5,000 or imprisonment for not more than 5 years, or both. The penalty for engaging in any of the other prohibited acts would be a fine of not

more than $500 or imprisonment for not more than 6 months, or both.

The responsibility for prosecuting the violations under H.R. 13178 would rest with the U.S. Attorney for the District of Columbia. He strongly supports the enactment of this legislation. In addition, several recent court decisions affecting these problems within the District of Columbia pointed out that the general statutes applying to disorderly conduct in the District did not apply to the Capitol Buildings or Grounds. It further brought to light the need for legislation such as this which is before us today.

Let me say further that the legislation specifically gives to the Capitol Police Board, which is composed of the Architect of the Capitol and the Sergeants at Arms of the House and Senate, the authority to issue such regulations as it deems necessary for the proper control of order within the Capitol Buildings and Grounds. The committee pointed out in its report in answer to several questions raised by Members during the hearings on the legislation that, and I quote directly from the report:

> The committee expects that the Capitol Police Board in the exercise of this regulatory authority will, to the extent appropriate, exempt Members of Congress from these provisions, as well as officers and members of the Armed Forces, National Guard, Secret Service, FBI, and other police officers engaged in the performance of their official duties.

This language in the report plus the record we are making here today indicate quite clearly what the committee and I believe the Congress will intend by the legislation. I am certain the Capitol Police Board will follow what we have written into the committee report.

Let me conclude by saying, as I said initially, H.R. 13178 is needed legislation. I strongly recommend its passage.

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

Mr. FALLON. I am delighted to yield to the gentleman from Florida.

Mr. HALEY. As the gentleman is well aware, there are several Members of Congress who are collectors of guns, rifles, and so forth. If they were to keep these weapons in their offices or someplace on the Capitol Grounds, it is not the intent that they would be in violation of the law, is it?

Mr. FALLON. I believe the report and the legislative history we make today will show that the police board can exempt them from the prohibited acts of this law.

Mr. HALEY. It is not the intent of this legislation to prohibit that?

Mr. FALLON. It is not the intent to prohibit any Member from having a gun collection or making whatever use he may wish to make of them.

Mr. HALEY. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe this to be essential legislation. Some reasons for it have been discussed, such as the uncertainty at the present time as to under what statute those who are responsible for disorder on Capitol Hill would be prosecuted, what the fine would be, or who would do the prosecuting. This was very ably described by the gentleman from Virginia [Mr. POFF] in the CONGRESSIONAL RECORD for August 22, 1967, which explained in detail the need for this legislation.

The need for this legislation also is stated, and there is an invitation for Congress to act, in the case cited at the end of the report, the Smith case, as it appears on page 26. In that case the court stated:

> What we said in *Feely, supra*, applies here. These appellants were entitled to know with certainty the offense with which they were charged and the possible penalty threatened. Under the circumstances they were entitled to a definite reference to the law which they had allegedly violated. In view of the confusion apparent in the enforcement of these and related statutes we commend to executive and legislative authorities a review of this entire area of the law.

This is precisely what the legislation intends to accomplish.

Mr. Chairman, I have been in this Chamber at a time when up in one of the galleries a member of the Nazi Party handcuffed himself to one of the railings, after he threw a swastika in this House Chamber. It could have been a Molotov cocktail.

I was also in this Chamber when right out of the door to my left there appeared a complete stranger in a white sheet, spewing hatred, who came right here in the well of this House spewing his hatred. He was not a Member and not an employee, not entitled to be on the floor. He was obviously attempting to disrupt and obstruct the operation of this legislative body, which I personally believe to be the most important and effective legislative body in the entire world.

I understand also that fellow under that sheet was a member of the Nazi Party, and I have heard rumors that he was the one who shot George Lincoln Rockwell. It is a good thing he did not have shooting in mind the day he appeared on the House floor.

I also have in mind the Puerto Ricans, who were here in 1953 and who did actually shoot a number of Members—one of whom was our respected chairman, the gentleman from Maryland [Mr. FALLON].

I also have in mind those who sat in the gallery of the other body in recent days and tried to disrupt their business.

It is my opinion, it is essential that Congress act as it relates to Capitol Hill, just as much as I felt it essential for Congress to act as it related to the antiriot bill and violent civil disturbances throughout this Nation.

I am glad to see the bill here. It passed the Senate without any substantial disagreement or votes against it whatsoever. I believe it is time that we on Capitol Hill provide the necessary deterrent and do away with the loopholes which now exist in some instances and which no penalty other than a $10 forfeiture for those who are guilty of civil disturbance on Capitol Hill.

We should make certain that disorderly conduct within buildings is punished, and we should serve notice at this time to those "peaceniks" who are invading Washington, reportedly this weekend, that on Capitol Hill the Government's business as it relates to the legislative branch—and, yes, in all buildings, public buildings, as well—these buildings are off limits, and the business of governing the people of America must go on, and no one in the name of any objective will be permitted to stop that Government business.

I would like to say as an aside that I am deeply disappointed as well, that there is not on the lawbooks at the moment as a reception for those coming to Washington to demonstrate this weekend, H.R. 421, the antiriot bill, which I introduced and which passed this House by a vote of about 5 to 1, 349 to 70. I am sorry that so far it is bottled up in the Committee on the Judiciary of the other body. If that law were on the books, and if in fact civil disturbance results, then they would be subject to the necessary and stiff penalties of that bill. Unfortunately, there is no similar protection in the District of Columbia. I think it is a crying shame that that bill is not law at the present time. I sincerely hope and pray that there will be no violent civil disturbance this weekend, but I think on Capitol Hill we have a duty to pass this bill so as to serve notice that Capitol Hill is off limits.

I do not need to remind my colleagues of these disgraceful episodes. I might say no one more strongly supports than I do the constitutional right of American citizens to freedom of speech, to petition of Government, redress of grievances, to demonstrate peacefully in opposition to or in favor of Government actions. I support these, but I insist that there must be reasonable limitations on the manner in which these rights can be exercised. Individuals and groups must be afforded the freedom to express views but not in such a way as to obstruct or impede the orderly procedures of governing nearly 200 million Americans. We must have a balance between the interests of our citizens and our Government, protecting the Government on the one hand and the individual right to freedom of expression on the other hand.

This bill accomplishes that. It has been very carefully drafted. Our distinguished chairman has discussed basically what it attempts to accomplish. I want to debunk some of the bunk, if I can, that is being said, and possibly will be discussed in the markup of the bill in just a few moments. I would like to do so in advance. Here are some questions that have been raised.

Is prohibition of parading, demonstrating or picketing as provided in the bill unconstitutional? My answer is "No." Section 7 of the act approved July 1, 1946, already prohibits these activities on the Capitol Grounds. The constitutionality of section 7 of the act approved July 31, 1946, 40 U.S.C. 193g, was upheld by the District of Columbia Court of Appeals in the case of Dianne Feeley against District of Columbia decided on June 17, 1966. In that case, the court stated,

> The Capitol Grounds statute has for its obvious purposes the noninterference with the work of the legislature, the maintenance of free and undisturbed movement of tour-

ists and visitors into and around the seat of our nation's government, and the protection of the landscape. It is clear and nondiscriminatory on its face and prohibits any and all groups from parading or assembling in a certain defined area. As such, we feel it is a permissible exercise of congressional power.

This bill, H.R. 13178, simply extends this prohibition to Capitol buildings. Aside from the constitutionality of prohibiting these activities on the grounds, it seems such prohibition within the buildings where the legislative processes take place is clearly and unquestionably constitutional.

The second question is, Would the bill impede Members and staff members from carrying out their official duties? The answer is "No." Subsection (c), section 6 of the 1946 act, as it would be amended by H.R. 13178 expressly provides that "Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof which is performed in the lawful discharge of his official duties." Also, this is pursuant to the rules of the House as it appears on page 8 of the report.

The next question is: Would H.R. 13178 prevent Members of Congress from transporting firearms to their offices, or retaining them there, whether for the purpose of display, protection, or sporting use?

Answer: No, possession or transportation of firearms is unlawful except as authorized by regulations which shall be promulgated by the Capitol Police Board. The House report on the bill—House Report No. 745—at page 7 expresses the intent that Members of Congress and others be exempted to an appropriate extent, from this provision.

Next we come to the question of whether delegation of authority to allow exemptions from prohibitions of criminal laws is invalid.

Answer: No, the general authority of the Congress to delegate authority is too well established to require citations. A few examples of precedents for the delegation of authority to allow exemptions from the prohibitions of criminal statutes will suffice:

Exemptions by Secretary of the Treasury against transportation of firearms or communication, in favor of banks, public carriers, and so forth—49 U.S.C. 1472, misdemeanor.

Exemption from hunting, fishing and trapping laws by Secretary of the Interior—18 U.S.C. 41 et seq., misdemeanor.

Exemptions by Postmaster General from prohibition against mailing firearms—18 U.S.C. 1715, felony.

Exemption by Commissioner of Narcotics on importation of narcotic drugs and coca laws—21 U.S.C. 173, felony.

The next question is, Could congressional staff members and visitors to the Capitol innocently subject themselves to a criminal prosecution, without intent to violate the rules, or disrupt the Congress or its deliberations?

Answer: No, it has been said that reasonable discretion by the prosecutors will solve this problem. I believe this is a partial solution. But a more acceptable solution is the adoption of workable and meaningful rules by the two Houses of the Congress. It is on the assumption that such rules will be adopted that I favor this bill.

Mr. Chairman, it is clear in my opinion that legislative action is needed, and needed soon, in order to control disruptive activities on the Capitol Grounds. It is my opinion that H.R. 13178 meets this clear need. Therefore, Mr. Chairman, I cosponsored and shall vote for the bill, and urge my colleagues to do likewise.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. EDWARDS].

Mr. EDWARDS of California. I thank the distinguished chairman for yielding to me this time.

Mr. Chairman, there is much in H.R. 13178 that is reasonable and implicit in the right of the Congress to take necessary steps to enable it to carry out its constitutional function. Nevertheless, I must rise to urge that it be recommitted to the Committee on Public Works so that an issue of vital importance which this committee has failed to deal with can be afforded the airing it is entitled to.

We are told by the committee that it has given full recognition to the need to provide every legitimate opportunity for the public expression of dissenting views in a reasonable and proper fashion while giving equal attention to the need to provide and maintain necessary safeguards for protecting the conduct of public business in the Federal Legislature.

The committee has assured us that it has sought to accommodate both of these values. It is my strong conviction that the bill, as reported out by the committee and which is before the House, has failed to accommodate these values, to the detriment of the basic right of the people to assemble peaceably and petition their government.

Under existing law, the people are flatly banned from any demonstrations on the Capitol Grounds, however peaceful, however dignified those demonstrations may be. This ban was enacted in 1946 as section 7 of the Capitol Buildings and Grounds Act (40 U.S.C. 193(g)). It presently provides:

> It is forbidden to *parade, stand,* or *move in processions* or *assemblages* in said United States Capitol Grounds, or to display therein any flag, banner, or device designed or adapted to bring into public notice any party, organization, or movement, except as hereinafter provided in sections 11 and 12 of this Act. (Emphasis added.)

The enactment of H.R. 13178 as before us today would leave intact this unconstitutional and unconscionable restriction.

The committee's failure to act to repeal section 193(g) is the most convincing demonstration that it has not given full recognition to the need to provide every legitimate opportunity for the public expression of dissenting views in a reasonable and proper fashion.

The 1946 Congress acted unwisely, in my opinion, when it enacted section 193 (g). Yet it can be said for that Congress, in mitigation, if not in excuse, that it did not have the benefit of the declaration of the U.S. Supreme Court in *Edwards* v. *South Carolina,* 372 U.S. 220 (1963).

In that case, the Court recognized that a peaceful demonstration on the grounds of the South Carolina Statehouse was protected by the first amendment. Speaking for an almost unanimous court, Justice Stewart said:

> The circumstances in this case reflect an exercise of these basic constitutional rights in their most pristine and classic form. The petitioners felt aggrieved by laws of South Carolina. . . . They peaceably assembled at the site of the State Government and there peaceably expressed their grievances "to the citizens of South Carolina, along with the Legislative Bodies of South Carolina."

It appears clear to me that the thrust of this holding applies with equal force to a petition to the U.S. Congress. The committee tells us in its report that it exercised great caution and gave careful attention to the need for legislative constraint in this matter. It admirably declares:

> The nature of the legislative process, and the problems which now confront us as a Nation, are such that people with strong feelings must be assured of the rights of freedom of expression and of assembly and the right to petition their Government, but under no circumstances should the guarantee of these rights be extended to a license for a minority to delay, impede, or otherwise disrupt the orderly processes of the legislature which represents all Americans.

I agree that the Congress of the United States must not have its work interfered with or unduly disturbed. I agree that it can prohibit any dangerous, disorderly, or disruptive conduct. Therefore, Congress can and should prohibit demonstrations within the Capitol Buildings themselves, but that does not mean that Congress has the right to prohibit peaceful demonstrations on the Capitol Grounds. Even if picketers or demonstrators carry signs urging Congressmen and Senators how to vote on particular measures, this is no more than the right they now have by mail or personal visits.

I can only assume that the committee, in its failure to repeal section 193 (g), proceeded on the tourtured and dangerous presumption that any and all demonstrations on the Capitol Grounds would delay, impede, or otherwise disrupt the orderly processes of the legislature.

I recognize that a demonstration, however peaceful and however orderly its participants intend it to be, might indeed cause some inconvenience to the Capitol Police, might require the police to place more men on duty. Nevertheless, to continue this flat prohibition on this ground is to diminish the cherished first amendment right to the stature of a nuisance.

I do not say that a narrowly drawn regulatory statute evincing a judgment that certain specific conduct on the Capitol Grounds be regulated is not permissible. We could reasonably limit the periods during which the Capitol Grounds are open to the public, and place controls or where demonstrators could

march, so they would not unduly burden traffic or block access or egress to and from the Capitol. However, such regulation is a far cry from the present flat ban on demonstrators or picketing. As the Washington Post put it so eloquently in its editorial on October 17:

> Demonstrators must be peaceable to come under the First Amendment's protection. But they ought not to be discouraged or frustrated out of a fear that they will become disorderly. Only a clear and present danger of disorder can justify repression of the right to assembly and petition. That right, indeed, ought to be jealously guarded by Americans, for it constitutes one of the keys to national security. It is time enough to repress protest when it actually threatens public safety. Until then, it is an asset, not a liability.

Mr. Chairman, I urge that the bill be recommitted to the Committee on Public Works, and in the event the motion fails, I would urge a "no" vote on final passage.

Mr. CRAMER. Mr. Chairman, I yield myself 30 seconds so that I may answer the gentleman because I do not want his statement to be unanswered when it has nothing to do with the bill before us.

He is talking about the law that is presently in existence. This bill does not change the law that is presently in existence, which relates to the Capitol Grounds. This bill sets rules that relate to the Capitol buildings. So we are leaving the law basically as it is insofar as it relates to the grounds. His argument has no place in the discussion of this bill relating to the Capitol buildings. That is the typical red herring that is constantly dragged in with relation to the antiriot bill and other matters, and has no place in the discussion of this legislation.

Mr. FALLON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. WALDIE].

Mr. WALDIE. Mr. Chairman, I rise with some trepidation as a junior majority member of the committee. I am the only one who expressed a dissenting view to the particular bill before us. I do so not because I disagree with the objectives of the bill because I happen to concur wholeheartedly with the objectives of the bill. I disagree primarily because I believe the bill is aimed at one weekend—the weekend coming up—whereas the bill will be on the statute books from here on.

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

Mr. WALDIE. I yield to the distinguished Speaker of the House.

Mr. McCORMACK. I was hoping that no one would make that statement. But since the gentleman has made that statement, I want to assure him that this bill and the history behind this bill have no connection with the statement that the gentleman just made.

This bill was filed in the other body by the majority and minority leaders some few weeks ago. I can assure the gentleman that the introduction of this bill, and the reporting of the the bill by the committee, and the consideration of the bill in the House today is not because of any proposed or possible plans of certain groups or individuals in relation to next Saturday. I am sure the gentleman will accept my word for that.

Mr. WALDIE. Yes, Mr. Speaker, I do accept it.

Mr. McCORMACK. It might be just a coincidence, but there is no intention with respect to that nor is there any relationship to that.

This bill was introduced and it passed the other body and was reported out of our committee. A rule was obtained for its consideration and it is on the legislative program at this time for consideration—but not because of any plans of any group of groups in connection with the coming weekend.

Mr. WALDIE. I thank the distinguished Speaker. I accept his assurances completely and I apologize if I have misconstrued the facts, as I apparently have done.

Nevertheless, my objections to the bill have nothing to do with the objectives because I think the objectives of the bill are proper.

My objections to the bill stem from the fact that I think it is poorly drafted, and if I may point out some ambiguities, I think perhaps my objections to the bill might be better understood.

First, let me point out, as I understood the gentleman from Florida [Mr. CRAMER] to state earlier, that a refutation can be made to the assertion of any objections by stating they will be clarified when the regulations are adopted.

It probably can be stated with some certainty with reference to any objection that I make to this bill that the reply can be made, "Well that objection will be cleared up when regulations are adopted." But I do not know what those regulations are today and I will not have any part in the formulation of those regulations nor will the people I represent have any part in the formulation of those regulations.

All that I can pass on today is what is now in the provisions of this bill. There are these ambiguities that I want to point out that are in this bill that is before us today.

When we create acts that constitute a felony, we do not require a person who commits that felony to have knowledge that he is committing a felony or a crime. Whereas strangely enough, when the person commits a misdemeanor, we do require that the person should have knowledge.

I call your attention to line 7 on page 2 where in the introduction to the felony section, it says:

> It shall be unlawful for any person or group of persons—

Then it defines the acts.

When we are dealing with misdemeanors, however, it says:

> It shall be unlawful for any person or group of persons willfully and knowingly—

It seems to me if we are going to qualify their conduct in committing a misdemeanor as being willful and with knowledge, then their conduct in committing a felony should equally be so qualified, that is, that it should be done willfully and with knowledge.

Further, if you consider the section dealing only with felonies, as this bill is written—putting aside for the moment the adoption of any future regulations—if a Member of the Congress or his staff or a guest in Washington, D.C., believes because of conditions that he has been led to believe do here exist, and in my view perhaps their understanding may be incorrect—but if they believe that for their self protection it is desirable to carry a weapon, then they have committed a felony if they carry that weapon on Capitol Grounds.

If a constituent of mine from Contra Costa County, Calif., visits Washington in a camper—and many of them do—and he has the right for his protection to carry a weapon in that camper as he travels across the country—if that person parks his camper on the Capitol Grounds, he has committed a felony. He has not intended to do anything wrong but under the very wording and language of this bill, he has committed a felony, by mere possession of his rifle or gun. At a later date I shall offer an amendment in an attempt to correct that discrepancy.

Further on in the misdemeanor sections, if a man enters the floor of the House with force and violence, he still has to do it with knowledge. Line 24 states: "knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress." That seems to me to be absurd to require that he have knowledge when he enters the House with force and violence that he is doing so, and yet if he just enters the Rayburn Room, if he and his family are passing by the Rayburn Room, there is no door on that room, and there is no guard at that room; it is an inviting room. If they walk in that room and sit down to rest, they have knowingly entered that room. They have willfully entered that room, and they have committed a misdemeanor.

I know the argument can be answered, as the gentleman from Florida did, that there are two protections for this unfortunate family: First, there would be no prosecution, obviously, resulting from that act. I know there would not. But the mere fact that they are subjected to the indignity of having committed a misdemeanor and the insulting determination that no prosecution will result seems to me indicates that the bill is poorly drafted.

The second protection to this family stems from the argument that we can draft regulations which would prevent this from occurring to these people. But we should not be required to depend upon this independent body that is going to draft these regulations.

Finally, Mr. Chairman, I would add just one phrase on page 3, line 4, after the misdemeanor recitation:

> It shall be unlawful for any person or group of persons willfully and knowingly with intent to impede, disrupt, or disturb the orderly conduct of official business.

Then if they are entering these places with that intent, they have committed a misdemeanor and should be arrested.

We have provided that qualification in two of the seven proscribed acts. We say that if he enters a committee room "willfully and knowingly" he can be arrested only if he entered that room "with intent to impede or obstruct the

business of the Congress." If he enters the gallery as our guests do up here, if there is no man on the door and they enter the gallery, even when the Congress is not in session, you do not have to prove that they entered that gallery with intent to impede, obstruct, or disturb the Congress. They have committed a misdemeanor.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I thank the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, will the gentleman yield to me?

Mr. DENNEY. I yield to the gentleman from Florida.

Mr. CRAMER. I think the gentleman from California ought to be answered and this is the time to do it. Therefore, I have asked the gentleman from Nebraska to yield to me for a moment.

I understand the gentleman from California has raised the question of whether we should have the act require an intent to impede or disrupt as an element of the crime relating to the House floor and the House gallery.

Specifically, in committee we added the word—and it was on my recommendation—"knowingly," and already contained in the bill was the word "willfully."

Let us see what definition the legal dictionaries give to the word "willfully." "Willfully" is defined in case after case. One case states that the word "willfully" means not merely voluntarily but with a bad purpose. "Willfully" means with a bad purpose.

Further, it is defined time and again as to require the element of evil intent.

Here are a few of the cases. There is *State* v. *Bowers*, 228 N.W. 164, 165; 178 Minn. 589, a Minnesota case, in which it is stated:

> "Willfully" means with an evil intent or a bad purpose.

Here is another one, a Wisconsin case, *Humbird* v. *Fristad* (Wis.) 242 N.W. 158, 161: " 'Willfully' involves evil intent."

Here is one in Wisconsin: In criminal law, "willful" involves evil intent or malice. There is case after case. In *People* v. *Jewell*, 101 N.W. 835, 836; 138 Mich. 620 in Michigan:

> The term "willful" implies evil intent without justifiable excuse.

That completely answers the gentleman in his concern relating to a person innocently coming into the House Chamber or into the gallery. There has to be an evil intent in order for a violation to be committed. I think that completely answers the gentleman's objections.

Mr. WALDIE. Mr. Chairman, will the gentleman yield for a reply?

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

Mr. WALDIE. Mr. Chairman, may I ask the author of the bill, the gentleman from Florida, if that be so, why in the actions proscribed under sections 3 and 4 of the same subsection (b) to which we have made reference, is the qualification "with intent to disrupt the orderly conduct of official business"?

Mr. CRAMER. That is a good question, and there is a simple answer. I think the rule ought to be more strict under paragraphs (1) and (2), relating to the House floor, where we carry on our business, and where no one but Members and staff members are permitted. There should be a stricter rule as it relates to the floor than to the places listed under (3) and (4) and (5) and (6).

Mr. WALDIE. Further, is the gentleman suggesting the addition on line 4 of the wording "with intent to impede or disrupt orderly business" and not striking the word "willfully" lessens the impact and makes it less strict?

Mr. CRAMER. It makes it much less strict. It makes it less strict on the floor of the House, where the law should be more strict. The amendment of the gentleman, in my opinion, guts this section.

Mr. WALDIE. My amendment to add the words "with intent to disrupt or disturb the orderly conduct of business" guts the section?

Mr. CRAMER. Yes. That is my opinion. The gentleman asked me the question, and I have given the gentleman my answer.

May I add, to reply further to the gentleman, one reason is that under the proposed amendment there has to be proof of those specific elements, which is not necessary as it is presently worded.

Mr. WALDIE. With the use of the word "willfully" why would we have to prove evil intent and have to prove specific elements of intent?

Mr. CRAMER. We could carry this on indefinitely.

Mr. WALDIE. I am willing to do so.

Mr. CRAMER. The actions, if we adopt the gentleman's amendment, would be applied to disrupting and disorderly conduct.

Mr. WALDIE. Or to the actions which the gentleman is proscribing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FALLON. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I am concerned about several aspects of this bill. The gentleman from California [Mr. WALDIE] has raised a number of very significant questions concerning the draftsmanship. He has questioned the loose language of the bill and whether or not this bill would stand up constitutionally on the point of vagueness or inconsistency. I think his discussion was enlightening, and also I feel his minority views as contained in the report are helpful in considering this legislation.

Beyond the question of the draftsmanship of this bill, however, I would suggest that there is another aspect, and that is the civil liberties question, the question of infringement on the Bill of Rights' guarantees.

This bill continues a dangerous trend toward the erosion of the rights peaceably to assemble and to petition for a redress of grievances which are guaranteed in the Bill of Rights, and which are subject, at this time of intense national emotion and concern over the war in Vietnam, to the temptation to restrict them. We should resist this temptation wherever we see its shadow.

I would point out that the Washington Post in an editorial of October 17 stressed the issue of the right of peaceful assembly. The Washington Post also expressed regret over recent administrative regulations restricting the right of peaceful assembly in the area of the White House.

This raises the question, to what extent will the effect of this proposed legislation, in conjunction with the basic act which it amends limit the visibility of dissent in this country?

The gentleman from California [Mr. EDWARDS] pointed out that since 1946, when section 7 of the act of July 31, 1946, was enacted, the Supreme Court, in 372 U.S. 229, Edwards et al. against South Carolina, has struck down South Carolina convictions for demonstrating on the capitol grounds at the State capitol of South Carolina.

These questions are pertinent this afternoon. The present statute seems defective on first amendment grounds, and the committee might have seen fit to amend section 7 of the present law.

No one questions the need to protect both Houses of Congress from those who would willfully disrupt their performance of legislative functions. But I am concerned, first by a vaguely drafted piece of legislation, especially when it relates to first amendment guarantees and provides criminal penalties. Secondly, I view this as one more step in a series of bills brought before this House which will slowly compromise basic free speech guarantees. This tendency is a byproduct of the war which is increasingly being questioned by the American people, and the temptation to suppress dissent must be resisted.

Let us look at this legislation in the context of the national climate today.

Mr. BINGHAM. Mr. Chairman, I rise in opposition to H.R. 13178, which, while purporting to provide for the safety of the buildings and grounds of the Capitol, will in practice interfere with the freedom.s of many Americans who visit the Capitol to either sightsee or to present their grievances to the Congress.

I am well aware of the need to insure that Congress—both in its committee rooms and on the floor of the House and Senate—be able to carry out all its duties without fear of violence or any other kind of disruption which would interfere with the orderly conduct of its business.

On the other hand, I am deeply concerned about the broad scope, vague language, and possible interference with first amendment rights of the bill before us today. It was so hastily conceived and reported out of committee that no official views of the Justice Department or the District government were available. Moreover, there seems to be no disposition on the part of the bill's supporters to accept clarifying amendments such as those offered by the gentleman from California [Mr. WALDIE] which would remedy some of the most glaring defects, such as the lack of specific intent in the felony provisions.

Finally, I am most concerned about the general frame of mind and attitude of Congress reflected in such legislation. We have many, many thousands of quiet,

orderly, visitors in the Capitol each year. We have a small number who, sometimes with an excess of zeal are passionately concerned about presenting their grievances to their constitutional representatives. Are we to overreact to the newspaper headlines occasioned by the latter few by passing legislation which flatly prohibits all demonstrations and which may, by its broadly restrictive terms, limit the rights of those wishing to make their case to Congress? This seems to be a case of using a shotgun to eliminate a gnat.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

Mr. FALLON. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 13178

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first section of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a; D.C. Code 9–118), is amended by—

(1) inserting therein, immediately after the words "book 127, page 8,", the words "including all additions added thereto by law subsequent to June 25, 1946,"; and

(2) striking out the words "as defined on the aforementioned map".

(b) Section 6 of that Act (40 U.S.C. 193f; D.C. Code 9–123) is amended to read as follows:

"SEC. 6. (a) It shall be unlawful for any person or group of persons—

"(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

"(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or

"(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(C) to transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

"(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

"(b) It shall be unlawful for any person or group of persons willfully—

"(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

"(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

"(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

"(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

"(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings; or

"(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(7) to parade, demonstrate, or picket within any of the Capitol Buildings."

"(c) Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties."

(c) Section 8 of that Act (40 U.S.C. 193h; D.C. Code 9–125) is amended to read as follows:

"SEC. 8. (a) Any violation of section 6(a) of this Act, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding $5,000, or imprisonment not exceeding five years, or both.

"(b) Any violation of section 2, 3, 4, 5, 6(b), or (7) of this Act, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding $500, or imprisonment not exceeding six months, or both.

"(c) Violations of this Act, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this Act. Where the conduct violating this Act also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 6(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of this Act shall be in the District of Columbia Court of General Sessions. Whenever any person is convicted of a violation of this Act and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted."

(d) The proviso contained in section 12 of that Act (40 U.S.C. 193k) is repealed.

(e) Section 16(a) of that Act (40 U.S.C. 193m; D.C. Code 9–132) is amended to read as follows:

"SEC. 16 (a) As used in this Act—

"(1) The term 'Capitol Building' shall be construed to include all buildings situated upon the United States Capitol Grounds and all subways and enclosed passages connecting two or more of those buildings.

"(2) The term 'firearm' shall have the same meaning as when used in section 1(3) of the Federal Firearms Act (52 Stat. 1252, as amended; 15 U.S.C. 901 (3)).

"(3) The term 'dangerous weapon' includes all articles enumerated in section 14(a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also daggers, dirks, stilettoes, and knives having blades over three inches in length.

"(4) The term 'explosive' shall have the same meaning as when used in section 1(1) of the Act of October 6, 1917 (40 Stat. 385, as amended; 50 U.S.C. 121).

"(5) The term 'act of physical violence' means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property."

SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4–120, 22–3111), is amended by deleting "shall, upon conviction thereof, be fined not more than $50.", and inserting in lieu thereof: "shall be fined not more than $500, or imprisoned not more than six months, or both."

SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq.; D.C. Code 9–118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4–120, 22–3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment.

Mr. FALLON (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 3, line 2, immediately after "willfully" insert "and knowingly".

On page 5, line 18, strike out "shall" and insert in lieu thereof "may".

On page 6, strike out lines 1 and 2.

On page 6, line 3, strike out "(e)" and insert in lieu thereof "(d)".

The committee amendments were agreed to.

AMENDMENTS OFFERED BY MR. FALLON

Mr. FALLON. Mr. Chairman, I offer four technical and clarifying amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. FALLON: On page 4, line 11, strike out "or".

On page 4, line 16, strike out the quotation marks.

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

On page 6, strike out lines 11 through 14 and insert in lieu thereof the following:

"(1) The term 'Capitol Buildings' means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol power plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure."

Mr. FALLON. Mr. Chairman, these are technical amendments, merely to clarify the language.

The CHAIRMAN. The question is on

the amendments offered by the gentleman from Maryland [Mr. FALLON].

The amendments were agreed to.

AMENDMENT OFFERED BY MR. POFF

Mr. POFF. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POFF: On page 6, line 22, insert the following after the word "also": "any device designed to expel or hurl a projectile capable of causing injury to persons or property,".

The CHAIRMAN. The gentleman from Virginia [Mr. POFF] is recognized in support of his amendment.

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

Mr. POFF. I yield to the gentleman from Maryland.

Mr. FALLON. I have seen the gentleman's amendment. I believe it strengthens the bill. We will accept it on this side.

Mr. POFF. I thank the gentleman.

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

Mr. POFF. I yield to the gentleman from Florida.

Mr. CRAMER. I believe the gentleman has a sound amendment. It is needed. I agree with the amendment.

I referred to the gentleman earlier in my remarks, in the debate on the bill. I want to express to him my personal appreciation for the very fine research work he did relating to the confused state of the present law on this subject matter, as has appeared previously in the CONGRESSIONAL RECORD. It was a great deal of help to us in the committee and in the consideration of the bill, and in calling attention to the need for the bill.

The gentleman, one of the finest lawyers in the House, is to be congratulated for that service.

Mr. POFF. Mr. Chairman, in response to that most generous statement, may I say first of all thank you, and then, in order to be utterly honest, let me pause to pay tribute to the member of the staff of the Committee on the Judiciary of the House, Mr. Don Santarelli, who did the basic background research work which made the memorandum which appeared in the RECORD possible.

Mr. Chairman, just briefly, by way of explanation, this amendment is simply designed to include in the weapons which would be prohibited in the Capitol of the United States not only firearms but those guns which are discharged by use of compressed air or carbon dioxide or a spring mechanism or the zip-type gun or the so-called sling-type gun.

Mr. Chairman, I am grateful to the gentleman from Maryland [Mr. FALLON] and the gentleman from Florida [Mr. CRAMER] for accepting the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. POFF].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WALDIE

Mr. WALDIE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALDIE: On page 2, line 8, insert after the word "persons," the word "knowingly."

On page 2, line 15, insert after the word "device" the following: "with intent to injure any person or property."

On page 2, line 23, insert after the word "device" the following: "with intent to injure any person or property."

On page 3, line 4, insert after the word, "knowingly," the following: "with intent to impede, disrupt, or disturb the orderly conduct of official business."

On page 3, line 22, beginning with the word "with," strike out all through "business," on line 23.

On page 4, line 3, beginning with the word "with," strike out all through "thereof" on line 8.

Mr. WALDIE. Mr. Chairman, the strike-out portions of the amendment merely reflect the fact that the qualification "with intent to disrupt the orderly conduct of official business" will no longer be required if my amendment is adopted, in items 3 and 4 on pages 3 and 4, because we repeat that phrase at the beginning of that section and require that specific intent for every one of the proscribed acts, in other words, that there be found "an intent to impede or disrupt or disturb the orderly conduct of official business."

It would seem, Mr. Chairman, these are the things we are seeking to prevent by this bill; namely, to prevent an impeding, disrupting, or disturbing of the orderly conduct of official business. I believe our use of the Capitol is restricted to the orderly conduct of official business and our right to control those visitors who visit our Capitol should similarly be limited to the fact of preventing them from impeding, disrupting, or disturbing the orderly conduct of our official business. This act goes much further than that. The actions of our visitors which are not intended to impede, disrupt, or disturb the orderly conduct of official business can be prohibited under the present bill. It seems that the Capitol belongs to the people of the United States as well as the Representatives of the United States.

The other amendment deals only with a section relative to a felony.

We use the word "willfully"—and as the gentleman from Florida explained—when described in terms of a misdemeanor, it carries with it the connotation of an evil intent being found. We do not demand that in terms of actions which are designed to constitute a felony. We do not even demand that they know they are committing a felony. All we say is if they know they have committed these specific acts, then they come under the definitions which constitute a felony. We should make this delineation so that no one makes a mistake when they do walk onto the Capitol Grounds, and should be sure that they know in having done so that they have committed a felony if engaged in the activities covered under the bill.

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

Mr. WALDIE. I am happy to yield to the gentleman from New York.

Mr. McCARTHY. Mr. Chairman, I support this bill, but in the language which is contained in the report we are undertaking to set up dual standards by exempting Members of Congress from carrying firearms even into their offices, or here.

Also, it seems to be anomalous that here we are rushing to get this thing through in order to protect ourselves. But, there is no such rush coincident with this to protect the public.

Mr. Chairman, by passing the administration's firearms bill to protect the public, we would be accomplishing something in their behalf. However, we are certainly hurring to protect ourselves.

Mr. WALDIE. I think that the remedy would be insured with the adoption of these amendments relative to the use of guns. The present law reads that if you discharge any gun within this area that constitutes a felony, no matter what the intent is and I believe that to be proper. But, with my amendment, if you are carrying or if you are transporting a gun you have to be found guilty of the charge that you are carrying it or transporting it with the intent to injure a person or property.

Mr. Chairman, all that this amendment is designed to do is to insure that every single action described as being evil in this legislation is, in fact, evil. It it to prevent innocent people from becoming ensnared in this situation.

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

Mr. WALDIE. I am delighted to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Chairman, in relation to one of the amendments which has been offered by my distinguished friend, the gentleman from California [Mr. WALDIE], the words "willfully and knowingly" appear.

However, if someone should walk through that door there or come in through the door here—if they should do so—and if no one were at the door and they walked on in, there is nothing "willfully" or "knowingly" inherent in that. I am talking about while the House is not in session.

As Speaker, I have allowed and have followed the practice of permitting Members to bring their friends and groups into the House Chamber. In my opinion this represents a wonderful and certainly stimulating and interesting experience. However, I can assure the gentleman from California, based upon my own knowledge of the law—having been before I came to Congress very active in trial cases, particularly criminal cases—the Government has to prove its case beyond a reasonable doubt as to the elements of "knowingly and willfully." And, if some individual or if some little family happened to stroll into this Chamber and if there is no one at the door to tell them that it is against the regulations and you cannot do this, that would not constitute a violation.

But, if it were someone who came through that door as happened a year or so ago and who rushed right into this Chamber, that would be a violation, of course. I have given considerable thought to this matter. Suppose he had a gun in his pocket; suppose he had a bomb on him? Who knows the instrumentalities of potential death which one carries with him?

Mr. Chairman, in connection with that amendment, I can assure the gentleman from California—at least I will join with

the gentleman in the statement that no one would undertake to prosecute someone who walked in here under totally innocent circumstances. However, if someone walked in here with a gun in their pocket, I am sure that the gentleman would agree that would represent a different situation?

Mr. WALDIE. Yes.

Mr. McCORMACK. Mr. Chairman, if the gentleman will yield further, this would be true even if the House were not in session.

However, I see groups out here and individuals from all parts of the country whom I am so glad to see. I upon occasion say to them, "Well, have you been in the House Chamber?" I give them permission to go in and upon occasion I come in with them. I think it is stimulating, especially when there are children involved. I say, "Well, I hope you will sit in the Speaker's chair; some of you youngsters might have the good fortune to be here some day." In my opinion that is productive of good results. I say, however, "When you sit there, remember it is not an electric chair, but sometimes there is an awful lot of electricity around it." Of course, I say this in a joking way and in making conservation with these people.

Mr. Chairman, the term "willfully and knowingly" would not cover anyone who happened to stray into the Chamber, if there were no guard or if there were no assistant doorkeeper or policeman at either one of these doors to prevent them from doing so.

Mr. WALDIE. Mr. Speaker, I am pleased to receive the assurances you have given me, but let me tell the Speaker what prompted my concern. I asked that question of the representative from the Department of Justice before the committee, I posed the very hypothetical question the Speaker posed to me about the family that walked into the Rayburn Room.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. McCORMACK, and by unanimous consent, Mr. WALDIE was allowed to proceed for 5 additional minutes.)

Mr. WALDIE. Mr. Chairman, I thank the Speaker for his courtesy in yielding me this time.

As I started to say, I posed that very hypothetical question, Mr. Speaker, to the representative of the Department of Justice before the committee. I said to him "What would happen to this family that visits me from Contra Costa County that accidently wanders into the Rayburn Room, assuming, No. 1, they intend to walk into the Rayburn Room and, No. 2, they knew it was the Rayburn Room." I said "Have they committed a crime?" and he said "Yes, they would have committed a crime, but no one would ever prosecute the people."

And I acknowledge that they would not prosecute them, but my objection is that those people would have been subjected to this insulting determination.

I am more inclined to accept the Speaker's version on what is criminal law than that of the Department of Justice, but my concern is that the Department of Justice apparently is not as certain as the Speaker is that "willfully" constitutes a situation that is not covered by the hypothetical question I posed.

Mr. McCORMACK. Of course, the gentleman asked the question if they willfully and knowingly walked into the Rayburn Room——

Mr. WALDIE. No. No.

Mr. McCORMACK. In violation of the law, but not if they happen to walk into the Rayburn Room.

Mr. WALDIE. Mr. Speaker, the very question I posed to the Department of Justice representative during the committee hearing—and if the report were before the Speaker he could see that I was talking about this family from Contra Costa County with one child who wandered down the hall, and there is no guard or policeman in the Rayburn Room, and it is an inviting room, and they walk into it. They knowingly walk in, and it is willful, they know it is the Rayburn Room. The representative of the Department of Justice said that under the wording of this bill they would have committed, of course, a crime, but he said "Do not worry. We would not prosecute them."

Mr. McCORMACK. If it is a willful matter——

Mr. WALDIE. They were tired.

Mr. McCORMACK. I believe the Rayburn Room is designed for the benefit of the Members, primarily. Is that correct?

Mr. WALDIE. That is correct, Mr. Speaker.

Mr. McCORMACK. All right. Rather than having your constituents out in the corridor, when the east wing was built the room was built so as to have Members meet their constituents under an atmosphere of respectability, and it is not only for meeting constituents and friends, but they have conferences in there.

Now, there is a corridor down the east side of the building, and my district offices are there. I come along that corridor and every once in a while I see a sign saying that the public is barred. I take that sign and put it inside the Rayburn Room, because it belongs inside the Rayburn Room, not out in the corridor. So I just move the sign back because I do not like to see a sign there saying to the public that they cannot walk down that corridor. That corridor goes over to the Senate side, and the sign properly should be in the Rayburn Room, geographically it should be in the Rayburn Room, so I move it back when I see it.

But if someone walked in there accidently, there is nothing willful or knowing about it. I can see them walking down that corridor, and they might step into the Rayburn Room, but there is nothing knowing or willful about that.

Mr. WALDIE. I accept the views of the Speaker, but the Department of Justice——

Mr. McCORMACK. With all due regard to the Department of Justice, they have not always been right.

Mr. WALDIE. I absolutely agree. I could not concur more. That was the reason why I thought if we included this phrase then the interpretation of the Speaker would be unmistakably correct.

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

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

Mr. HANNA. Is it not the point of the gentleman that knowing and willful can be interpreted without what the criminal courts say is an inference that there is more or less an evil intent that is coupled with knowing and willful?

Mr. WALDIE. I certainly believe that to be so.

The gentleman from Florida in his research has determined that the inclusion of the word "willful" in a criminal statute requires a feeling of evil intent. My only reason for including this is to clarify the wording with the intent to impede and obstruct the business of the Congress; that is the only thing we are trying to prevent. So, whatever the evil intent was, if they prove these facts it does not matter how evil it was, these are easily provable, and it is a lot more difficult to prove it without this standard. Under the criteria the gentleman from Florida set up on his definition of "willful," then you have to prove some mystique, something very mysterious, some evil intent. And it seemed to me that this proposed amendment strengthens the act.

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

Mr. WALDIE. Yes, I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. Chairman, I believe the gentleman has performed a very useful service in the colloquy that he has had with the Speaker. I say to the gentleman that I have some sympathy with his purposes and his objectives in connection with this language, but I do believe in light of the legislative history that has been written, with the very strong statement as to the requirement for the definition of "willful" and "knowingly" supported on both the majority and the minority sides of the House, that the need for the limitation which the gentleman seeks to add has been eliminated, and I believe we can proceed to adopt this bill without the dangers the gentleman fears.

Mr. WALDIE. That colloquy dealt only with the "misdemeanor" portion of the bill, but it sheds no light on the ambiguities contained in the felony section.

Mr. FARBSTEIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, insofar as the proposed amendments to page 2, it would seem to me that the mere possession of a firearm irrespective of what the person may have in his own mind should be sufficient to make it a misdemeanor. Hence, I am sorry but I must disagree with the proposed amendment.

As has been stated by the gentleman from Oklahoma and also with relation to the colloquy that took place, I think that rather clearly explains the intent of the Congress, to the effect that before there can be any conviction there is the presupposed fact that the language, as contained in the bill, so far as willfully and knowingly, as concerend it is required that the person must be shown

to have intended to impede and disrupt official business.

As I said earlier, I think the gentleman is wrong so far as the mere possession of the weapon is concerned.

In the State of New York, we have what is known as the Sullivan law. Under that law the mere possession of a weapon, a dangerous weapon, is a crime. It is a misdemeanor unless the person has a license. I think the gentleman should take that into consideration, although I am in complete accord with the clarification that he seeks to make in connection with this legislation.

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

Mr. FARBSTEIN. I yield to the gentleman.

Mr. WALDIE. I think there is a misunderstanding on the gentleman's part. Under the present wording, without the amendment, the mere possession of firearms is a felony and not a misdemeanor. The mere possession of a firearm with no intent to use it for any improper purpose is a felony.

A family that goes through the Capitol grounds in a camper or trailer with a weapon in that camper and accessible to them has committed a felony under the wording of this act.

Mr. FARBSTEIN. It would seem to me, may I say in answer to the gentleman, that the onus is upon the individual who carries the weapon. If there is anybody who has to be careful and cautious about a possible violation of law, it is the one who carries the weapon.

Mr. WALDIE. The only reply that I would make to the gentleman is that there is no defense possible. The person could say that he carries the weapon because he has a permit to carry it and is carrying it across the country for the defense of his family. But that is no defense because the mere possession is a felony. There is no prescribed intent in the bill as it is written. The amendment I propose would give them a defense.

Mr. FARBSTEIN. I would be satisfied to go along with an amendment to make it a misdemeanor and to say that no intent is necessary. But I do believe that the mere possession of a dangerous weapon should be treated as a crime. As I said earlier, any explanation or any onus should be upon the one who carries the gun. We should not be compelled to prove that he was carrying it for any purpose other than an ulterior purpose.

So, as I said earlier, I think if there is to be any amendment, it might be in the sense that mere possession of a dangerous weapon should be a crime although it may well be a misdemeanor.

Mr. FALLON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not believe the language offered by the gentleman from California is necessary. In fact, it would have a tendency to weaken the bill.

Mr. CRAMER. Mr. Chairman, I rise in opposition to the amendment. I merely wish to cite for the RECORD the Supreme Court case of *Felton* v. *United States*, 96 U.S. 702, in which the Court discussed the meaning of the word "willfully" and its construction saying that it implies evil intent. There is no question about it. The State courts overwhelmingly have taken the same position. "Willfully" clearly includes bad intent. So what the gentleman is attempting to accomplish is already accomplished in the bill by the word "willfully." But it does not limit it to actually disrupting the House, as it appears in the bill. The gentleman's amendment would limit it to actually intentionally disrupting the Chamber. If some comes in and steals that dictionary or cuts up the paintings on the wall, they are not necessarily intentionally disrupting the conduct of business, but they are doing something with an evil intent. They come in here with an evil intent.

So as the bill is written, it is much broader, and the Supreme Court has stated time and again that principle as have the State courts. I think the amendment ought to be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13178) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds, and for other purposes, pursuant to House Resolution 944, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 336, nays 20, answered "present" 1, not voting 75, as follows:

[Roll No. 323]

YEAS—336

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bennett
Berry
Bevill
Biester
Blanton
Boland
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Cunningham
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Galifianakis
Gardner
Garmatz
Gathings
Gialmo
Gibbons
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammer-schmidt
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kazen
Kee
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pucinski
Quie
Quillen
Randall
Reid, Ill.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roush
Ruppe
St Germain
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Ullman
Vanik
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—20

Bingham
Bolling
Burton, Calif.
Cohelan
Curtis
Eckhardt

Edwards, Calif.	McFall	Ryan
Gallagher	Nix	Scheuer
Gilbert	Ottinger	Teague, Calif.
Hawkins	Reid, N.Y.	Waldie
Kastenmeier	Roybal	

ANSWERED "PRESENT"—1

Van Deerlin

NOT VOTING—75

Abbitt	Fuqua	Purcell
Ashley	Gettys	Railsback
Bell	Hanley	Rarick
Betts	Hansen, Wash.	Rees
Blackburn	Hébert	Rhodes, Pa.
Blatnik	Henderson	Rosenthal
Boggs	Herlong	Rumsfeld
Bolton	Holland	Sandman
Brademas	Hull	St. Onge
Broomfield	Jones, Mo.	Sisk
Brown, Calif.	Jones, N.C.	Stephens
Button	Keith	Teague, Tex.
Carey	Kornegay	Tenzer
Cederberg	Landrum	Thompson, N.J.
Celler	Latta	Tuck
Conyers	Leggett	Udall
Culver	Macdonald, Mass.	Utt
Daddario	Matsunaga	Vander Jagt
Dawson	Michel	Watts
Dwyer	Moorhead	Williams, Miss.
Edwards, La.	Morgan	Willis
Flynt	Moss	Wilson, Charles H.
Ford, Gerald R.	Patman	Wright
Fountain	Pickle	Wyatt
Frelinghuysen	Pryor	
Fulton, Tenn.		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Pickle for, with Mr. Van Deerlin against.

Mr. Hébert for, with Mr. Rees against.

Mr. St. Onge for, with Mr. Conyers against.

Mr. Boggs for, with Mr. Rosenthal against.

Until further notice:

Mr. Carey with Mrs. Bolton.

Mr. Celler with Mr. Gerald R. Ford.

Mr. Kornegay with Mr. Betts.

Mr. Jones of North Carolina with Mr. Utt.

Mr. Brademas with Mr. Frelinghuysen.

Mr. Thompson of New Jersey with Mrs. Dwyer.

Mr. Daddario with Mr. Cederberg.

Mr. Leggett with Mr. Keith.

Mr. Charles H. Wilson with Mr. Broomfield.

Mr. Tenzer with Mr. Bell.

Mr. Matsunaga with Mr. Rumsfeld.

Mr. Henderson with Mr. Wyatt.

Mr. Hull with Mr. Button.

Mr. Patman with Mr. Latta.

Mr. Fountain with Mr. Michel.

Mr. Culver with Mr. Railsback.

Mr. Landrum with Mr. Sandman.

Mr. Teague of Texas with Mr. Blackburn.

Mr. Moorhead with Mr. Vander Jagt.

Mr. Morgan with Mr. Moss.

Mr. Pryor with Mr. Fuqua.

Mr. Gettys with Mrs. Hansen of Washington.

Mr. Hanley with Mr. Herlong.

Mr. Tuck with Mr. Wright.

Mr. Macdonald of Massachusetts with Mr. Flynt.

Mr. Edwards of Louisiana with Mr. Udall.

Mr. Watts with Mr. Williams of Mississippi.

Mr. Willis with Mr. Blatnik.

Mr. Sisk with Mr. Stephens.

Mr. Holland with Mr. Dawson.

Mr. Brown of California with Mr. Ashley.

Mr. Purcell with Mr. Rarick.

Mr. Rhodes of Pennsylvania with Mr. Abbitt.

Mr. HAWKINS changed his vote from "yea" to "nay."

Mr. ECKHARDT changed his vote from "yea" to "nay."

Mr. VAN DEERLIN. Mr. Speaker, I have a live pair with the gentleman from Texas [Mr. PICKLE]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. FALLON. Mr. Speaker, pursuant to House Resolution 944, I call up from the Speaker's table for immediate consideration the bill S. 2310.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. FALLON

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

The Clerk read as follows:

Motion offered by Mr. FALLON: Strike out all after the enacting clause of S. 2310, to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the United States Capitol Buildings and the United States Capitol Grounds, and for other purposes, and insert in lieu thereof the provisions of H.R. 13178, as passed, as follows:

"That (a) the first section of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a; D.C. Code 9–118), is amended by—

"(1) inserting therein, immediately after the words 'book 127, page 8,', the words 'including all additions added thereto by law subsequent to June 25, 1946,'; and

"(2) striking out the words 'as defined on the aforementioned map'.

"(b) Section 6 of that Act (40 U.S.C. 193f; D.C. Code 9–123) is amended to read as follows:

"'SEC. 6. (a) It shall be unlawful for any person or group of persons—

"'(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

"'(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or.

"'(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"'(C) to transport by any means upon the United tSates Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

"'(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

"'(b) It shall be unlawful for any person or group of persons willfully and knowingly—

"'(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

"'(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

"'(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

"'(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

"'(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings;

"'(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"'(7) to parade, demonstrate, or picket within any of the Capitol Buildings.

"'(c) Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties.'

"(c) Section 8 of that Act (40 U.S.C. 193h; D.C. Code 9–125) is amended to read as follows:

"'SEC. 8. (a) Any violation of section 6(a) of this Act, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding $5,000, or imprisonment not exceeding five years, or both.

"'(b) Any violation of section 2, 3, 4, 5, 6(b), or 7 of this Act, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding $500, or imprisonment not exceeding six months, or both.

"'(c) Violations of this Act, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this Act. Where the conduct violating this Act also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 6(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of this Act *may* be in the District of Columbia Court of General Sessions. Whenever any person is convicted of a violation of this Act and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for violation of which the defendant is convicted.'

"(d) Section 16(a) of that Act (40 U.S.C. 193m; D.C. Code 9–132) is amended to read as follows:

"'SEC. 16. (a) As used in this Act—

"'(1) The term "Capitol Buildings" means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol Power Plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure.

"'(2) The term "firearm" shall have the same meaning as when used in section 1(3)

of the Federal Firearms Act (52 Stat. 1252, as amended; 15 U.S.C. 901(3)).

"'(3) The term "dangerous weapon" includes all articles enumerated in section 14 (a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettoes, and knives having blades over three inches in length.

"'(4) The term "explosive" shall have the same meaning as when used in section 1(1) of the Act of October 6, 1917 (40 Stat. 385, as amended; 50 U.S.C. 121).

"'(5) The term "act of physical violence" means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property.'

"SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4–120, 22–3111), is amended by deleting 'shall, upon conviction thereof, be fined not more than $50.', and inserting in lieu thereof: 'shall be fined not more than $500, or imprisoned not more than six months, or both.'

"SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq.; D.C. Code 9–118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4–120, 22–3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment."

The SPEAKER. The question is on the motion offered by the gentleman from Maryland [Mr. FALLON].

The motion was agreed to.

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

A similar House bill (H.R. 13178) was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FALLON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

OBSTRUCTION OF CRIMINAL INVESTIGATIONS

Mr. ROGERS of Colorado. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 676) to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States.

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

The motion was agreed to.

IN COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 676, with Mr. STEED in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Colorado [Mr. ROGERS] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, the purpose of the proposed legislation is to amend chapter 73 of title 18, United States Code—relating to obstruction of the administration of justice—by adding a new section prohibiting the obstruction of Federal criminal investigations.

Sections 1503 and 1505 of chapter 73, title 18, presently prohibit attempts to influence, intimidate, impede, or injure a witness or juror in a judicial proceeding, a proceeding before a Federal agency, or an inquiry or investigation by either House of the Congress or a congessional committee. However, attempts to obstruct a criminal investigation or inquiry before a proceeding has been initiated are not within the proscription of those sections.

The proposed legislation would remedy that deficiency by providing severe penalties for attempting to obstruct the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law, thus extending to informants and potential witnesses the protections now afforded witnesses and jurors in judicial, administrative, and congressional proceedings.

Subsection (a) of the bill would amend chapter 73 of title 18, United States Code, by adding a new section, section 1510, at the end thereof.

Subsection (a) of the new section 1510 would prohibit willful attempts, by means of bribery, misrepresentation, intimidation, or force or threats of force, to obstruct, delay, or prevent the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law. The subsection would also prohibit injuring any person in his person or property on account of his communicating such information to a criminal investigator or on account of such communication of information by any other person—a relative or friend, for example. Both proscriptions would apply to protect the communication of information to a Federal criminal investigator at any time from the commission of a criminal violation or conspiracy until the institution of judicial proceedings within the meaning of sections 1503 and 1505. The penalty provided for a violation of the section is a fine of up to $5,000 or imprisonment for up to 5 years, or both.

Subsection (b) of the new section 1510 defines "criminal investigator" to include any person authorized by a department, agency, or armed force of the United States to investigate or prosecute violations of Federal criminal laws. This includes Federal prosecuting attorneys, as well as Federal criminal investigators, within the group of persons to whom the communication of information is protected.

Subsection (b) of the bill would make the necessary technical amendment to the chapter analysis of chapter 73 of title 18, United States Code.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise in support of S. 676, a bill to prohibit the obstruction of criminal investigations. My distinguished colleague, the gentleman from Colorado [Mr. ROGERS], has ably described the provisions of the bill. I do not wish to repeat what he has already said, but I do wish to underscore the importance of this legislation, particularly in view of the rising tide of crime.

The President's Crime Commission focused nationwide attention, as did recent issues of Life magazine, on the sinister and ever-growing power of organized crime. We are all aware of the great obstacles which confront prosecutors in the successful prosecution of organized criminals. The code of silence that shields participants in organized criminal activity is notorious. Bribery, intimidation, and the use of force are also employed by the crime syndicate to thwart criminal investigations and prosecutions. The successful utilization of the code of silence, bribery, and force virtually precludes prosecution and conviction of organized criminals.

But it is not only in organized criminal activity that the harassment, intimidation, or bribery of potential witnesses occurs. The problem permeates every phase of illegal or unlawful activity—prosecution and conviction is almost impossible to obtain when witnesses are subject to such pressures, and law enforcement officials are powerless to prevent the application of such pressures.

This bill would provide Federal law enforcement officials with the effective and long-overdue tool to control and prevent persons who willfully endeavor by means of bribery, misrepresentation, intimidation, or force, or threats thereof, to obstruct, delay, or prevent the communication of information relating to Federal criminal laws by any person to a Federal criminal investigator.

There has been raised some objection to this bill by the argument that the legislation could be used by criminal investigators to harass or threaten an actual witness. The report by the Committee on the Judiciary in both the House and the Senate makes very clear that such could not occur. It is the unequivocal contention of the members of both committees that the prohibitions in this bill would be applicable only to persons who procure another person by the means listed in the act to obstruct, delay, or prevent the communication of information. It is only the procurer that we seek to prosecute and not the actual witness.

The legislation has been strongly supported by the President's Crime Commission, the Department of Justice, the Judicial Conference of the United States, and law enforcement officials throughout the country. It is my hope that we may act promptly on this part of the war on crime.

Let me add that witnesses who testi-

fied before the Senate Judiciary Committee included Charles Siragusa, executive director of the Illinois Crime Commission; the Special Assistant Secretary of the Treasury, David C. Acheson; the Attorney General; and other witnesses; all of whom supported this legislation.

Let us provide law enforcement officials with this greatly needed weapon. I urge every Member's support of S. 676.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, I am sure all of us are equally concerned about crime and are willing to do what we can to combat the crime situation which confronts the Nation today.

This bill has a very worthwhile purpose, and I find myself in support of the purpose of the legislation, but I do believe it should be amended.

In the subcommittee of the Judiciary Committee which originally considered this legislation and which conducted the hearing, a majority of the subcommittee members voted to delete the word "misrepresentation" which appears on line 8 of page 1. When the bill came before the full committee the word was reinserted into the bill.

A few days ago, when the legislation came to the floor of the House, I suggested that I would offer the amendment to strike the word "misrepresentation," whereupon the chairman of the full Judiciary Committee said in open session that he was agreeable to accepting this amendment.

I am now advised that the chairman of the Judiciary Committee cannot be with us today, but that the gentleman handling the bill is not agreeable to accepting the amendment.

If Members have had the opportunity to look at the report, they have found that there is a very fine argument made for the proposition that there should be Federal legislation to prohibit attempts to influence, intimidate, impede, or injure a witness or a juror, or to prevent such conduct where a crime is under investigation.

It is said on page 2 of the report that the need for this legislation was to plug a loophole in the protection that the Government can now provide to its own witnesses and informants. This loophole results from the fact that presently it is not a Federal crime to harass, intimidate, or assault a witness who may communicate information to Federal investigators prior to the case reaching the court.

Well, we are in sympathy with that, and certainly we should have a loophole plugged.

Mr. HAYS. Mr. Chairman, I make the point of order, in view of the importance of what the gentleman is saying, that a quorum is not present. I think the Committee ought to hear what he is saying:

The CHAIRMAN. The Chair will count.

Seventy-four Members are present, not a quorum. The Clerk will call the roll.

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

[Roll No. 324]

Abbitt	Flynt	Patman
Ashley	Ford, Gerald R.	Pickle
Bell	Fountain	Pool
Betts	Fulton, Tenn.	Pryor
Blackburn	Fuqua	Purcell
Blatnik	Gettys	Rarick
Boggs	Hansen, Wash.	Rees
Bolton	Hébert	Resnick
Brademas	Henderson	Rhodes, Pa.
Broomfield	Herlong	Rumsfeld
Brown, Calif.	Holland	Sandman
Button	Hull	St. Onge
Cederberg	Hungate	Sisk
Celler	Jones, Mo.	Stephens
Conyers	Jones, N.C.	Teague, Calif.
Corman	Landrum	Tenzer
Culver	Latta	Thompson, N.J.
Dawson	Leggett	Tuck
Diggs	Long, La.	Udall
Dingell	Martin	Utt
Downing	Matsunaga	Vander Jagt
Dulski	Moorhead	Watts
Dwyer	Morgan	Williams, Miss.
Edwards, La.	Mosher	Willis
Everett	Moss	Wright
Evins, Tenn.	Nedzi	Wyatt

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 676, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from North Carolina had 7 minutes remaining. The Chair recognizes the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, as I was saying prior to the quorum call, it seems to me this bill would be much improved by the deletion of the word "misrepresentation" on page 1, line 8. The committee report language is rather interesting in several respects, and I would ask that we might read on page 3, the last paragraph before the analysis of the bill. Also, prior to that, the committee says:

> This committee wishes to make it abundantly clear that this legislation cannot be used by a Federal investigator to intimidate or harass a potential witness or informant by reason of his giving false or misleading information about a criminal violation.

I do not quite follow that language in the committee report.

Then the committee goes on to the other paragraph to which I referred, and I have been trying to understand this one for several weeks. It says:

> Your committee wishes to make abundantly clear the meaning of the term "misrepresentation" as used in this act. It is our intention that the actual procurement by a party of another party's misrepresentation or silence to a Federal investigator would be covered even though such procurement was not achieved by any misrepresentation. At the same time, it is also our intention that procurement of a witness' communication or silence to a Federal investigator by means of a misrepresentation on the part of the procurer is also covered under the act.

If a court looks at that explanation by the committee as to what it means, and understands that, it will be endowed with that degree of wisdom which many courts seem to hold they have already. I personally do not understand that explanation.

In a case in Nebraska—and there are many cases dealing with this, and I just happened to pull this one out of a reference in the library, Corpus Juris, in a Nebraska court, in Pasko against Trela—they said this:

> "Misrepresentation" means any manifestation by words or other conduct by one person to another that under the circumstances amounts to an assertion not in accordance with fact.

I do not know about that; misrepresentation by words or other conduct." It seems to me this gets us into a little problem here.

Then, in Webster's Third New International Dictionary, on page 1,445, the word "misrepresent" is defined as follows:

> Misrepresent: to represent incorrectly.

I can see, under the language of this bill, that a Federal investigator—and that includes all Federal investigators, practically—could go into a man's office under the guise of a general investigation. Perhaps it would be revenue, or food and drug, or many other types of things which may be either civil or criminal investigations. But at the time this investigator comes in, so far as this bill is concerned, he does not have to say, "Well, now, we have information that you have committed a crime and we are investigating that crime."

He could come in as a Federal investigator under the definition here of a criminal investigator, being "any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

So this man may come there as one of the types of investigators I have mentioned. He could be a wages-and-hours investigator coming in very quietly, just to make a friendly investigation, doing his job. In the course of the thing the individual might make a statement which is later shown to be incorrect, or might cause some employee to make one that was incorrect. When the trial came on for the main offense, a jury might well acquit the man, but the Federal prosecutor could then come back with this bill, if it becomes the law, and say, "You were acquitted on the principal offense we were investigating, but you caused one of your employees to make a misrepresentation of fact when we were investigating, and it made our investigation harder to accomplish. It obstructed and delayed us in our investigation. So you may think you are smart because the jury turned you loose, but we are going to indict you under this law and you could get up to a $5,000 fine or 5 years in prison."

My friends, I do not believe any of us want to do that.

I know there are a lot of arguments here by lawyers that this does not do what I say it does. But I want to say that over a period of 11 years it was my responsibility to send bills of indictment to the grand juries regularly.

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

Mr. ROGERS of Colorado. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. WHITENER. Mr. Chairman, if I had had a defendant for whom I had to send in a bill of indictment to the grand jury under this proposed law, under the term "misrepresentation," I would have said that "on or about a certain date the said John Doe did willfully endeavor by means of misrepresentation to obstruct, delay, or prevent the communication of information relating to the violation of a Federal criminal statute" and I would name the statute, "to a criminal investigator, one Richard Roe, an agent of the Department of Labor," or "of the Food and Drug Administration."

That would be the indictment one would send under this.

I say to my colleagues that we should not make every mother who might tell an investigating officer that her son is not hiding in the closet or that her son is out of town when she knows he is around the corner subject to imprisonment for 5 years.

Mr. McCLORY. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. POFF].

Mr. POFF. Mr. Chairman, in the interest of economy of time, I shall not make a formal speech which would be appropriate in response to the point which has been so eloquently registered by the gentleman from North Carolina, but, rather, I will reserve my comments to the 5-minute rule when his amendment is offered.

Mr. POFF. Mr. Chairman, the obstruction-of-investigation bill is related to the obstruction-of-justice statute which has been on the law books for many years. That is the statute which makes it a crime to corrupt or injure a witness or a juror before a court, executive agency, or a congressional committee.

It might be thought that this statute is sufficient to protect those who potentially may become witnesses; namely, those who supply information to investigators. However, the courts have ruled that since criminal statutes must be strictly construed, the obstruction-of-justice statute applies only after the judicial proceeding has commenced and not during the period of investigation. The Department of Justice has recommended this legislation. The President's Crime Commission has endorsed it. And the President himself in his February 6, 1967, message on crime urged its adoption.

Simply stated, this bill would make it a crime to corrupt or injure a potential witness or informant who desires to communicate information to a criminal investigator. It not only protects the informant himself but members of his family and others close to him who might be the target of unlawful influence or injury.

It should also be understood that this bill applies only to the investigation of violations of Federal criminal statutes and to Federal criminal investigators.

Some dispute has arisen with respect to the thrust of subsection (a). The dispute is bottomed upon conflicting interpretations of the language. And in this particular, I concede that the syntax of the sentence is awkward. The gentleman from North Carolina [Mr. WHITENER] fears that this subsection would make a wife who makes a misstatement concerning the whereabouts of her husband a criminal.

This fear arises only if the clause "by any person" is taken to modify the clause "violation of any criminal statute." Because the sentence structure is misarranged, such an interpretation is possible. However, a reading of the subsection as a whole demonstrates clearly that the intent is that the clause "by any person" be taken to modify the clause "communication of information." Accordingly, the proper interpretation of subsection (a) might be paraphrased as follows: "Whoever endeavors by certain means to obstruct the communication of certain information by another person to a criminal investigator is guilty of a crime."

To appreciate fully what subsection (a) does, it must be understood that the new statute envisions three central actors—the investigator, the informant, and the obstructor. The first two, the investigator and the informant, might be called "supporting players." The third, the obstructor, is the principal player. The sanctions of the new statute apply only to the conduct of the principal player. The purpose of the new statute is only to penalize the person who attempts to frustrate the cause of justice by preventing the communication of information by informants to investigators. It does not penalize the informant. Thus, in the hypothetical case posed by the gentleman from North Carolina, the wife who misrepresents the whereabouts of her husband is not guilty of a violation of this statute.

Obviously, there are many ways in which the obstructer can prevent the communication of information by the informant to the investigator. He might use force or threats of force. He might resort to other forms of intimidation. He might attempt bribery. In addition to all of these, the obstructor can successfully prevent the communication of information by misrepresenting material facts to the informant. He may also successfully accomplish his evil purpose by persuading or forcing the informant to misrepresent the facts when he talks with the investigator. In either case, the obstructor obstructs the investigation and society's right to protection and vindication is denied. In neither case is the informant guilty of a criminal purpose. He is either the innocent victim or the frightened victim of the obstructor. This statute does not intend to penalize the victim.

Mrs. REID of Illinois. Mr. Chairman, I rise in support of S. 676, and wish to commend the Committee on the Judiciary for their prompt and favorable consideration of this legislation.

S. 676 is similar in objective to my own bill, H.R. 6387, which I introduced early in this session. I sponsored this measure because, to me, any frustration or obstruction of criminal investigations is inimical to our system of justice—and when this happens, all of our citizens are injured.

Organized crime is reported to be a flourishing business today; and it affects every individual, whether it is the innocent victim who is ruthlessly exploited or the ordinary citizen who must bear the tax burden of the growing cost of law enforcement. It is evident to me, and I believe to a great majority of those I have the privilege to represent in the Congress, that more realistic laws to deal with crime are necessary—and S. 676 is an essential step in that direction.

The greatest impact of this legislation will be felt where it is most urgently needed—in the prosecution of cases involving organized crime and racketeering. As the committee has pointed out in its report, it is in this area of investigation that witnesses most often refuse to cooperate with the prosecution because of threats or other kinds of intimidations directed at them or their families. This bill strikes at the very source of the power of racketeers, which is the ability of organized crime to impose silence on its members and thereby protect both the leaders and the membership in its organization.

Under the present law, it is not a Federal crime to harass, intimidate, or assault a witness who may pass information to Federal investigators prior to the prosecution stage. Experience has shown that potential witnesses or their families are often intimidated, threatened, and even injured during the investigative preliminaries to a criminal prosecution.

This bill, however, will provide protection for such witnesses by prescribing Federal penalties for any willful attempt by means of bribery, misrepresentation, intimidation, force, or threat of force, to obstruct, delay, or prevent the communication to a Federal criminal investigator of information relating to a violation of a Federal criminal law. I would hope, however, that the House could further clarify the terms "misrepresentation" and "criminal investigator" in order that there be no misunderstanding as to the intent of the Congress so that these terms would not be interpreted too broadly by the courts.

Mr. HORTON. Mr. Chairman, the bill which is now before us is identical in purpose to ones which I have sponsored in both this Congress and the 89th Congress. I am pleased to rise in support of this bill. As I am sure most of our colleagues realize, the present Federal law protecting jurors and witnesses in Federal judicial proceedings and congressional investigations has been narrowly construed by the courts. It has been interpreted to extend its protection only after the initiation of a formal proceeding. The result is that the Federal Government is frequently unable to effectively protect its own witnesses.

The measure before us would make it a Federal criminal offense for anyone to obstruct, delay or prevent the communication of information concerning a Federal crime to a Federal investigator by means of bribery, misrepresentation, intimidation or force. This measure would allow the Federal Government to better

protect its witnesses and prosecute those who attempt to silence such witnesses.

Organized crime in particular benefits from the present law, for organized crime typically resorts to the most brutal methods, including murder, to prevent the success of investigations which threaten its existence. In his testimony before the Senate Judiciary Committee Mr. Katzenbach referred to "dozens of cases of witnesses beaten with baseball bats and tortured with acetylene torches." He observed further that "for every identifiable case of intimidation or attack, there are many more cases of sudden, unexplained silence" on the part of witnesses or potential witnesses.

The recent report of the President's Commission on Law Enforcement and Administration of Justice talks about the difficulties faced by law enforcement agencies in getting people to testify against organized crime. "Even the true victims of organized crime," the report reads, "such as those succumbing to extortion, are too afraid to inform law enforcement officials." If law enforcement officials are able to develop informants, despite this fear, members of the criminal organization use "torture and murder to destroy the particular prosecution at hand and to deter others from cooperating with police agencies. Informants who do furnish intelligence to the police often wish to remain anonymous and are unwilling to testify publicly."

It would not be hard to continue with evidence of organized crime's willingness to employ drastic measures to obstruct justice. What concerns me is that gangsters and other criminals are actually being protected from punishment by our Federal law, because there is no statute to prohibit them from threatening or harming witnesses in order to prevent the initiation of court proceedings. There is no doubt in my mind that, as Attorney General Clark observes, "This frustration of criminal investigations is inimical to our system of justice. And when justice is frustrated, all of our citizens are injured."

This much needed legislation has already been approved by the Senate and I urge my colleagues to join me in supporting it today.

Mr. BINGHAM. Mr. Chairman, S. 676, aimed at the obstruction of federal criminal investigations, is obviously needed legislation for the reasons pointed out in the committee report and in the debate.

I regret that the word "misrepresentation" was not omitted as proposed by the gentleman from North Carolina [Mr. WHITENER] and I would have supported a motion to recommit to achieve this improvement in the bill. However, in the vote on final passage, I am constrained to vote in favor of the bill, rather than to have no bill at all.

Mr. ROGERS of Colorado. Mr. Chairman, I have no further requests for time.

Mr. McCLORY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

S. 676

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 1510. Obstruction of criminal investigations

"(a) Whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats thereof to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator; or

"Whoever injures any person in his person or property on account of the giving by such person or by any other person of any such information to any criminal investigator—

"Shall be fined not more than $5,000, or imprisoned not more than five years, or both.

"(b) As used in this section, the term 'criminal investigator' means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

(b) The chapter analysis of chapter 73, title 18, United States Code, is amended by adding at the end thereof the following new item:

"1510. Obstruction of criminal investigations."

Mr. ROGERS of Colorado (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 1, line 8, strike the word "misrepresentation."

Mr. WHITENER. Mr. Chairman, I have no desire to take any further time. I have already tried to outline my position. There is one other statement that perhaps I should have made. That is, that under existing law one who perjures himself under oath on the witness stand is subject to prosecution and punishment now. I do not think you ought to create an offense today which you might refer to as extra-judicial perjury, as this bill would do.

Mr. Chairman, I hope my amendment will be adopted.

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

Mr. WHITENER. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Chairman, what the gentleman is trying to get at here is the real crooks, as I understand it, who, by bribery, threats or intimidation, or bodily injury, and so forth, keep from investigators and others from the courts information for the proper prosecution of criminals. When you get into the realm of misrepresentation, I think that the gentleman in the well has pointed out that there is a lot of room for abuse of this particular thing. Also, when you get into misrepresentation with intent, if there is any doubt in someone's mind then you subpena them under oath and then prosecute them for perjury.

I think that the gentleman has a good amendment and it should be adopted, because it will make this a good bill.

Mr. WHITENER. I thank the gentleman from Texas, who was a distinguished and able judge in the courts of Texas for many years before coming to this Congress.

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

Mr. WHITENER. I yield to the gentleman from New York.

Mr. RYAN. It is not often I find myself in agreement with the gentleman from North Carolina, so I hasten to say I think he has made a very persuasive case.

Mr. WHITENER. I hope the gentleman will not shake my faith in my amendment. I thank the gentleman.

Mr. POFF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first let me pay sincere tribute to the distinguished gentleman from North Carolina. It has been my privilege to serve in this body with him now since he first came here, and I have nothing but the highest personal esteem and professional regard for the gentleman from North Carolina.

Mr. Chairman, the point which the distinguished gentleman from North Carolina makes, he makes in all sincerity, and he does so most persuasively.

However, I most respectfully take exception to the position which the distinguished gentleman has assumed.

Mr. Chairman, the dispute which arises, I think, has to do with differing interpretations of the same language. In this particular I can say that the syntax of the first sentence of subsection (a) is awkward. The gentleman from North Carolina senses, in essence, that this subsection would make a wife, when interrogated concerning the whereabouts of her husband, subject to the provisions thereof. The theory arises, Mr. Chairman, only if—and I invite your particular attention to the bill—the clause "by any person" is taken to modify the clause "violation of any criminal statute." I say this, Mr. Chairman, because the sentence structure here is inartfully drawn.

It is possible, by a stretch of interpretation to reach the conclusion which has been postulated by the gentleman from North Carolina, and yet I suggest that the proper interpretation of this language is to assume that the clause "by any person" modifies, rather, the clause "communication of information." This is how it was intended. Therefore, if it is so interpreted, it is impossible to draw the interpretation which the gentleman from North Carolina has drawn.

This intent is made abundantly clear in the committee report. This intent is made abundantly clear in the committee report of the other body. This intent is made abundantly clear by the witnesses who testified in support of the bill, including the witnesses from the Department of Justice—and, parenthetically, in that context, permit me, Mr. Chairman, to remind the members of the Committee that this legislation has the wholehearted support of the President of the United States, the Department of Justice, the Judicial Conference of the United

States, and the President's Commission on Crime.

I think it is important that we deal with this legislation, if possible, without adopting any definitive amendment, in order that we may move expeditiously to lay this bill on the President's desk.

If the amendment now pending should prevail and if a conference should be called for, I say that the delay which would ensue would not serve the best interest of the investigative branch of the executive establishment of this Government.

I think, Mr. Chairman, it would be unfortunate to allow the RECORD which we are writing today to stand without a refutation of the interpretation which the gentleman has offered

It has been said that judges sometimes do not read the legislative committee reports and judges sometimes are not influenced by the legislative history which is written in the course of debate on the floor of the House and upon the floor of the other body.

Mr. Chairman, if this is criticism, then it is a sad commentary upon the judicial system, and I do not choose to assume that those who hold in their hands the power to decide the liberty or the imprisonment, the life or the death, of the American people are so careless in reaching their conclusions in law. Rather, I think they are careful. I think Mr. Chairman, it would be a mistake to linger over this amendment.

Accordingly, I respectfully urge that this body reject the amendment. I say to my distinguished friend, the gentleman from North Carolina [Mr. WHITENER], that he should not be too disturbed that the chairman of the Committee on the Judiciary has withdrawn the acceptance which he registered, tentatively, when his acceptance was so registered.

I suggest that if the gentleman will rethink the matter and discuss it with the officials of the Department of Justice, the gentleman will find why the chairman withdrew his acceptance. I commend him for his openminded posture which permitted him to do so.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the amendment. Very briefly, I would like to direct a question to the distinguished gentleman from Virginia which I was trying to do when the time of the gentleman ran out. The question I would like to direct to the distinguished gentleman from Virginia is that, having introduced this bill back in 1961, and again in this session, I am very much interested in seeing it become law. My interest is strong because I believe it is essential in fighting organized crime, as I understand it, to include in this legislation the word "misrepresentation." That word was put in for several specific and important purposes, and these have to do with the fact that one of the basic problems is that in the Mafia and the Cosa Nostra, the membership in those organizations alone would not be sufficient——

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I would say to the gentleman that I would prefer that he let me finish. I have not even finished my question.

As I say, membership in those criminal organizations alone could not necessarily be the basis of proof of participating in intimidation or threats of force and coercion, and, additionally, those are not usually the reasons for failure to obtain testimony. That failure is too often due only to a code of silence or loyalty. That is why "misrepresentation" was put in, specifically, intentionally, and purposely, to make certain that those situations where a member of the Mafia or Cosa Nostra is involved as a witness or a procurer of a witness will be covered. And that is why "misrepresentation" is included.

Is that not correct?

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

Mr. CRAMER. I yield to the gentleman from Virginia.

Mr. POFF. It is entirely correct.

May I pause parenthetically to say that the President's Crime Commission, when it endorsed this concept, gave specific reference to the bill that was introduced by the gentleman from Florida several years ago. If any tribute is due any individual for this legislation, it is due primarily to the gentleman from Florida. I commend him and congratulate him on the work he has done in this matter.

Mr. CRAMER. That was not the answer I was seeking, but I thank the gentleman.

But I do not want to see the Cosa Nostra and Mafia members, by striking "misrepresentation," excluded from this legislation, and therefore I oppose strongly the language in the amendment.

Mr. POFF. Will the gentleman yield further?

Mr. CRAMER. Yes, I yield further to the gentleman.

Mr. POFF. May I say I believe the gentleman is entirely correct, and I believe it should be understood, in order to understand the full impact of what the gentleman says, that this legislation deals primarily with three actors, first the investigator, second the informant, and third, the obstructor, in the conveyance of information to the investigator, and this legislation applies in its criminal sanction only to the obstructor and never to the informer.

Mr. CRAMER. I agree with the gentleman.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been impressed with the position of the gentleman from North Carolina of the misrepresentation aspect of this bill. I find it difficult to believe that the law enforcement agencies of our land have no other way to deal with the Cosa Nostra—if there be such, and I assume there may well be—than to pass this legislation that affects every single American. Including "misrepresentation" in this bill, coupled with the very broad definition of "investigator" gives me cause for grave concern about the constitutional liberties issues involved in this proposal—in its present form.

Now, if the investigators were limited to the FBI I suspect my concern would not be so broad, but this permits just about anyone in the Federal Establishment, presumably under the cloak of authority, to just go on a fishing expedition, prying into the lives and conduct of the American people. And because of the very broad definition of "investigator" there is all the more reason to be very cautious in terms of what we are going to include as a definition of what I understand to be felonious conduct if this legislation becomes law.

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

Mr. BURTON of California. I yield to the gentleman.

Mr. ROGERS of Colorado. I might point out to the gentleman on page 2, line 9: "agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States."

Those persons who have given that authority under the statutes are the ones who are covered.

I have a complete list of them and I would be happy to include them in the RECORD.

Mr. BURTON of California. I would appreciate it if the gentleman would be so kind as to have them detailed at this point in the debate.

Mr. ROGERS of Colorado. I will do that. They are as follows:

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation.
Immigration and Naturalization Service.

TREASURY DEPARTMENT

Internal Revenue Service: Alcohol and Tobacco Tax Division; Intelligence Division.
Bureau of Customs.
Bureau of Narcotics.
Secret Service.

POST OFFICE DEPARTMENT

Office of Chief Inspector.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration.
Social Security Administration.

LABOR DEPARTMENT

Office of Labor Management and Welfare Pension Reports.

DEPARTMENT OF TRANSPORTATION

Coast Guard.

DEPARTMENT OF DEFENSE

Air Force: Office of Special Investigations.
Army: Criminal Investigations Division; Counterintelligence Corps.

CORPS OF ENGINEERS

Navy: Navy Intelligence; Navy Inspector General and Provost Marshal.

Mr. BURTON of California. If I may interrupt the gentleman, I have so little time left and the list is so long. But I do want to thank the gentleman for making my point. I hope that the gentleman will complete his listing of the rather awesome number of Federal agencies that are now going to be, in effect, cloaked with this additional authority. I would hope that the gentleman would at this point seek unanimous consent that they may all be entered into the RECORD.

Mr. ROGERS of Colorado. I will have to revise and extend my remarks in opposition to the gentleman's motion and include this as part of my remarks.

Under unanimous consent, I insert at this point the list of the Government departments authorized to conduct criminal investigations and the statutes under which such investigations are conducted and the fields covered by same.

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation: All criminal statutes not otherwise specifically assigned.

Immigration and Naturalization Service: Immigration and naturalization matters.

TREASURY DEPARTMENT

Internal Revenue Service:

Alcohol and Tobacco Tax Division: Liquor law violations; national firearms acts; tobacco tax.

Intelligence Division: Income tax and withholding tax violations.

Bureau of Customs: Customs violations.

Bureau of Narcotics: Narcotic laws.

Secret Service: Counterfeiting, threats against the President.

POST OFFICE DEPARTMENT

Office of Chief Inspector: Mail fraud and other postal violations including burglary, robbery of post offices, embezzlement of mail, lotteries, obscene material sent through mail.

HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration: Drug laws.

Social Security Administration: False claims.

LABOR DEPARTMENT

Office of Labor Management and Welfare Pension Reports: Investigates violations of Welfare and Pension Plans Disclosure Act, and Labor Management and Disclosure Act.

DEPARTMENT OF TRANSPORTATION

Coast Guard: Explosives shipment by water, navigation and shipping violations, security and safety of harbors and water fronts.

DEPARTMENT OF DEFENSE

Air Force, Office of Special Investigations: Criminal investigations.

Army:

Criminal Investigations Division: Criminal investigations.

Counterintelligence Corps: Intelligence.

Corps of Engineers: Water pollution.

Navy:

Navy Intelligence: Intelligence matters.

Navy Inspector General and Provost Marshal: Criminal investigations.

INTERIOR DEPARTMENT

Federal Petroleum Board: Connolly "Hot Oil" act.

Fish and Wildlife Service: Fish, game, and bird acts.

Bureau of Land Management: Grazing Act, trespass on public lands, timber depredations.

Branch of Investigation, Division of Inspections: Irregularities of employees in performance of duties.

Mr. BURTON of California. Mr. Chairman, in the brief time that I have left, I would like to state that the gentleman from Colorado has effectively buttressed one of the points I was trying to make, to wit, that this bill contains a very broad definition of an "investigator" and we ought to proceed therefore with the utmost caution.

For this reason, I intend to resolve the benefits of any doubt that I have in this regard in favor of proceeding more slowly rather than precipitously. Therefore, I intend to support the amendment of the gentleman from North Carolina.

Mr. CASEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is true we find some strange bedfellows so to speak on this particular legislation. But I must say that the gentleman from Virginia and the gentleman from Colorado and the committee are deeply concerned, and rightfully so, about a hard-core segment of the criminal element of this country. But bear in mind that it is a minority of the people of this country. Let us not sacrifice the freedom, rights and privileges of the vast majority of the people of this country by placing this power in the hands of all of the agents in the list that the gentleman read—and he did not even get to finish the list—under this penalty.

You have a good bill in my opinion except for this one world, misrepresentation. You are placing too much authority in the hands of these agents.

Mind you, everyone of these agents or investigators is a human being. They get mad. They get their toes stepped on. They sometimes get over inflated about their work and they are inclined when they are not fully cooperated with, in their opinion, to file charges. Let us not give them that authority. You have a good bill except for this one word. When it comes to "misrepresentation"—if you have any idea that someone is giving you the runaround—if you have a major crime or there is a major investigation, you can certainly bring him in, put him under oath, and if he lies to you, put him away for perjury.

But let us not sacrifice all the rights and freedoms of the people of this country and put this country under a police state with this one word. I refer to the Agriculture Department. You listed them. You had a long list. When you mentioned those words as to the departments you were talking about, you knew that there are thousands of investigators in every one of those departments. The gentleman knows my position on guns. Some people want to penalize every law-abiding citizen who owns a gun in order to get at the criminal element. You are going to do the same thing in this bill. Do not do it.

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

Mr. CASEY. Certainly I yield to my friend from Colorado.

Mr. ROGERS of Colorado. I do not think the gun bill has anything to do with it.

Mr. CASEY. It is the same principle. There are those who want to penalize all the law-abiding citizens. They want to put them under a police state to get at the hard-core criminal element.

Mr. ROGERS of Colorado. The gentleman's statement of my position may be inaccurate, but I want to point out that in regard to the statement you made about calling people in and putting them under oath, an investigator does not have that authority in every instance.

Mr. CASEY. No; and let us not permit him to get that authority. He is just an ordinary investigator.

Mr. ROGERS of Colorado. May I say to the gentleman that we are not giving him that authority in this bill. The only thing we are doing here——

Mr. CASEY. I will not yield any further. You may not be giving him the authority to interrogate under oath, but if someone gives him some information that he thinks—and I emphasize, he thinks—is misinformation, he can file a charge. All right. It may be fruitless. It may be innocent. But he has the authority to make everyone in this country to whom he talks, if he has any idea that they are giving him misinformation, the object of a charge which he might file against him. Do not shake your head, because he would have that authority. He would have the right to file a charge.

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

Mr. CASEY. I yield to the gentleman from Virginia.

Mr. POFF. He would not have the authority to file a charge if he knows in fact that the man is innocent.

Mr. CASEY. He has the right to file a charge.

Mr. POFF. If he has some doubt——

Mr. CASEY. If you give him the proposed authority, there will be more charges filed than you think.

Mr. POFF. Mr. Chairman, will the gentleman yield further?

Mr. CASEY. I yield to the gentleman from Virginia.

Mr. POFF. If he files a charge without proof that the information is misinformation, he makes himself vulnerable to a suit.

Mr. CASEY. I did not understand what the gentleman said.

Mr. POFF. He makes himself liable for a charge of false arrest or false prosecution.

Mr. CASEY. Do not give me that stuff. They do that all the time. How many false arrest charges have you seen filed recently?

Mr. POFF. I say again that unless the prosecutor or the investigator has information that is convincing to him that the information imparted by the informant is misinformation, he would never make the charge.

Mr. CASEY. You are ascribing to the investigators a great deal of intelligence that they do not have, and you know it. You have lived in this world long enough to know some of these investigators. The gentleman has a good amendment, and we ought to knock out that word for the benefit of the majority of the people.

Mr. McCLORY. Mr. Chairman, I rise in opposition to the amendment. I wish to point out that this legislation supplements the obstruction-of-justice legislation which is already on the books. The obstruction-of-justice law provides that whoever corruptly endeavors "to influence" witnesses, jurors, or officers shall be subjected to punishment. The present legislation does not go any further than the obstruction-of-justice statute when it seeks to get at the procurer of a person who misrepresents, the procurer of a misrepresentation.

Since this measure is aimed at organized crime, the syndicate, or Cosa Nostra, we must recognize that such criminal elements do not always use the tools of bribery or threats. Sometimes they use the code of the syndicate in which they procure testimony or silence, and such thwarting of an investigation does not necessarily follow a threat or a bribe.

Nevertheless, it does procure a misrepresentation which thwarts a criminal investigation.

I also want to point out that this measure relates to a criminal investigation which may extend over a long period of time. That is another reason for the need of this legislation. In such situations, there is no pending proceeding to which a person can apply for relief, but there is only an investigation going on, with all its ramifications with regard to organized crime. Such an investigation may extend over a long period of time. That is the thing we are trying to get at. We must not lose sight of the objective. Let us not release the organized criminals involved in this great network because of some technical arguments that may be made here, especially when the committee has made itself clear, not once but many times, and on the floor of the House we have made ourselves clear, too.

We are not trying to get at the person who makes a misstatement. We are trying only to get at the criminal who procures the misstatement. That is eminently clear in this report and in the debate on the House floor. I think it should be clear to everyone.

I would just like to point out that all the testimony, including all the witnesses who appeared before the Senate committee in support of this legislation, were aiming their attack at organized crime. That is what this is intended to get at. So let us give this weapon to the Attorney General in the fight against crime. Let us not preclude him from having it.

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

Mr. McCLORY. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, I would like to give the gentleman a situation that happens virtually every day from California to the Gulf of Mexico. The border patrolman or the Immigration Department people come to a home and ask, "Do you have an alien working here who does not have a proper passport?" Of course, they do not follow through with an explanation. They ask, "Do you have a 'wetback' living here?" And the employer says, "No, I do not." It could be at a home, a business, or on a farm. When the person says, "No, I do not," does he not come under this law and become subject to 5-year imprisonment or a $5,000 fine?

Mr. McCLORY. No, that would not be involved. In the case you have described the witness himself is making a misstatement or misrepresentation of fact. S. 676 covers only the criminal suspect who "procures" a misrepresentation.

Mr. WHITE. Why would they not be involved? It is a criminal offense to illegally cross the border.

Mr. McCLORY. This is aimed at the procurer of the testimony. It is not aimed at the person making the misstatement, even though it is willful. It might be a crime under another statute, but it is not under this.

Mr. WHITE. This is a criminal violation. They had come across the border. The investigator goes to the person who is employing the one involved. The investigator asks, "Do you have a person working for you illegally?"

Mr. McCLORY. What the gentleman is referring to is a person involved in making a misstatement in a pending criminal case or a criminal who may be asserting rights under the fifth amendment. But that is not involved in this bill. The example the gentleman is giving is not an example which relates to this legislation. It is probably an example relating to the fifth amendment, and we are not discussing this amendment today.

Mr. WHITE. I cannot see where it does not apply, sir.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is difficult to understand the response of the gentleman from Illinois [Mr. McCLORY] to the question posed by the gentleman from Texas [Mr. WHITE.]. This bill very clearly states in section 1510(a), "Whoever * * * by * * * misrepresentation"—on the face of it, this would apply to anyone who endeavors by misrepresentation to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute. So the example just cited would seem to fall within the statute.

Furthermore, I would make two other points. If the objective of this legislation is to reach organized crime, then I come back to the issue raised by the gentleman from California [Mr. BURTON]: Why is it necessary to extend the scope of the bill to a broad range of criminal investigators? It would seem to me, if the objective is to reach organized crime, sufficient to limit its application to the Federal Bureau of Investigation, the Internal Revenue Service, the Treasury Department Narcotics Bureau, and similar law-enforcement agencies, and not include every department and agency of Government, which may authorize individuals to act as "criminal investigators." The bill does not require that the person designated as a criminal investigator be a regular employee.

My final point briefly is this. This act would make criminal and punishable by a fine of $5,000 or 5 years imprisonment, or both, not a completed act, not an attempt as understood in criminal jurisprudence, but an "endeavor." The report on page 3 states that the word endeavor has been selected to avoid the "technical difficulties" involved in proving an attempt to commit a crime. I have yet to hear the justification for departing from well-established concepts of criminal law to create a brandnew form of felony.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. ROGERS of Colorado. Mr. Chairman, I have reviewed the amendment proposed to strike the word "misrepresentation." There is no need for this amendment. Both a careful reading of the bill and the committee report will show beyond question of a doubt that the intent is perfectly clear. I call your attention to the paragraph in House Report No. 658, on page 3 the following:

> This committee wishes to make it abundantly clear that this legislation cannot be used by a Federal investigator to intimidate or harass a potential witness or informant by reason of his giving false or misleading information about a criminal violation. The sole purpose of the act is to protect informants and witnesses against intimidation or injury by third parties with the purpose of preventing or discouraging the informants or witnesses from supplying or communicating information to the Federal investigator. The informants or witnesses cannot themselves be subject to prosecution under this act on account of any information they may furnish to the investigator.

There is no need to tamper with the language which has been studied by the subcommittee and the full committee. We must have this weapon against organized crime.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 36, noes 54.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. STEED, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 676) to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States, pursuant to House Resolution 933, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

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

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

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

The question was taken; and there were—yeas 276, nays 47, not voting 109, as follows:

[Roll No. 325]

YEAS—276

Adair	Baring	Brock
Adams	Bates	Brotzman
Addabbo	Battin	Brown, Mich.
Albert	Belcher	Brown, Ohio
Anderson, Ill.	Bennett	Broyhill, Va.
Andrews, N. Dak.	Berry	Burke, Fla.
	Biester	Burke, Mass.
Annunzio	Bingham	Burleson
Arends	Blanton	Burton, Utah
Ashbrook	Boland	Bush
Ashmore	Bolling	Byrne, Pa.
Aspinall	Bow	Byrnes, Wis.
Ayres	Brinkley	Cahill

Carey
Carter
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Cowger
Cramer
Cunningham
Curtis
Daddario
Daniels
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dow
Dowdy
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Foley
Fraser
Friedel
Fulton, Pa.
Gallagher
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Haley
Hall
Halleck
Halpern
Hamilton
Hammer-schmidt
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kupferman
Kuykendall
Kyl
Kyros
Laird
Langen
Lipscomb
Lloyd
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Minshall
Monagan
Moore
Morse, Mass.
Morton
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pucinski
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rostenkowski
Roth
Roudebush
Roush
Ruppe
St Germain
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Ullman
Van Deerlin
Vanik
Vigorito
Walker
Wampler
Whalen
Whalley
Widnall
Wiggins
Wilson, Bob
Winn
Wolff
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—47

Abernethy
Andrews, Ala.
Bevill
Broyhill, N.C.
Buchanan
Burton, Calif.
Cabell
Casey
Clark
Cohelan
Colmer
Conte
Davis, Ga.
Downing
Edwards, Calif.
Farbstein
Ford, William D.
Galifianakis
Gardner
Hagan
Hawkins
Hays
Jonas
Karsten
Lennon
McClure
McMillan
Mink
Montgomery
Morris, N. Mex.
Nichols
O'Hara, Ill.
O'Neal, Ga.
Roberts
Roybal
Ryan
Satterfield
Smith, Iowa
Taylor
Teague, Tex.
Tunney
Waggonner
Waldie
Watson
White
Whitener
Whitten

NOT VOTING—109

Abbitt
Anderson, Tenn.
Ashley
Barrett
Bell
Betts
Blackburn
Blatnik
Boggs
Bolton
Brademas
Brasco
Bray
Brooks
Broomfield
Brown, Calif.
Button
Cederberg
Celler
Conyers
Corbett
Corman
Culver
Dawson
Diggs
Dingell
Dulski
Dwyer
Edwards, La.
Eshleman
Fallon
Feighan
Fino
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Tenn.
Fuqua
Garmatz
Gettys
Gray
Hanley
Hanna
Hansen, Wash.
Hébert
Henderson
Herlong
Holland
Hull
Hungate
Ichord
Jones, Mo.
Jones, N.C.
Keith
Kluczynski
Kornegay
Landrum
Latta
Leggett
Long, La.
Macdonald, Mass.
Madden
Matsunaga
Michel
Mize
Moorhead
Morgan
Mosher
Moss
Nedzi
Nix
Olsen
Patman
Pickle
Pollock
Pryor
Purcell
Railsback
Rarick
Rees
Resnick
Rhodes, Pa.
Rivers
Rooney, Pa.
Rosenthal
Rumsfeld
Sandman
St. Onge
Sikes
Sisk
Stephens
Taft
Tenzer
Thompson, N.J.
Tiernan
Tuck
Udall
Utt
Vander Jagt
Watkins
Watts
Williams, Miss.
Williams, Pa.
Willis
Wilson, Charles H.
Wright
Wyatt
Yates

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Celler for, with Mr. Nix against.
Mr. St. Onge for, with Mr. Hébert against.
Mr. Fallon for, with Mr. Long of Louisiana against.
Mr. Boggs for, with Mr. Rarick against.
Mr. Garmatz for, with Mr. Henderson against.
Mr. Feighan for, with Mr. Kornegay against.
Mr. Morgan for, with Mr. Stephens against.
Mr. Tiernan for, with Mr. Jones of North Carolina against.
Mr. Tenzer for, with Mr. Fountain against.
Mr. Barrett for, with Mr. Rees against.
Mr. Dulski for, with Mr. Conyers against.

Until further notice:

Mr. Patman with Mrs. Bolton.
Mr. Madden with Mr. Gerald R. Ford.
Mr. Kluczynski with Cederberg.
Mr. Anderson of Tennessee with Mr. Michel.
Mr. Blatnik with Mr. Corbett.
Mr. Willis with Mrs. Dwyer.
Mr. Brasco with Mr. Fino.
Mr. Thompson of New Jersey with Mr. Frelinghuysen.
Mr. Charles H. Wilson with Mr. Utt.
Mr. Culver with Mr. Keith.
Mr. Moss with Mr. Betts.
Mr. Leggett with Mr. Broomfield.
Mr. Brooks with Mr. Bray.
Mr. Wright with Mr. Mosher.
Mr. Ashley with Mr. Latta.
Mr. Abbitt with Mr. Rumsfeld.
Mr. Pryor with Mr. Williams of Pennsylvania.
Mr. Gray with Mr. Bell.
Mr. Flynt with Mr. Watkins.
Mr. Fuqua with Mr. Button.
Mr. Gettys with Mr. Mize.
Mrs. Hansen of Washington with Mr. Railsback.
Mr. Holland with Mr. Taft.
Mr. Corman with Mr. Blackburn.
Mr. Rosenthal with Mr. Eshleman.
Mr. Rivers with Mr. Pollock.
Mr. Sikes with Mr. Sandman.
Mr. Brademas with Mr. Vander Jagt.
Mr. Landrum with Mr. Tuck.
Mr. Ichord with Mr. Williams of Mississippi.
Mr. Wright with Mr. Brown of California.
Mr. Dingell with Mr. Hungate.
Mr. Rhodes of Pennsylvania with Mr. Sisk.
Mr. Hull with Mr. Fulton of Tennessee.
Mr. Resnick with Mr. Diggs.
Mr. Moorhead with Mr. Macdonald of Massachusetts.
Mr. Nedzi with Mr. Edwards of Louisiana.
Mr. Hanley with Mr. Pickle.
Mr. Olsen with Mr. Udall.
Mr. Rooney of Pennsylvania with Mr. Herlong.

Mr. POAGE and Mr. BINGHAM changed their votes from "nay" to "yea."

Mr. MORRIS of New Mexico changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include therewith extraneous matter on the bill S. 676, just passed.

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

There was no objection.

APPOINTMENT OF CONFEREES ON S. 1788, AUTHORIZING SECRETARY OF INTERIOR TO ENGAGE IN FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, with a Senate amendment to the House amendment thereto, disagree to the Senate amendment to the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. JOHNSON of California, HALEY, EDMONDSON, HOSMER, and REINECKE.

LEGISLATIVE PROGRAM FOR FRIDAY, OCTOBER 20, 1967

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

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he will kindly advise us as to the program for tomorrow.

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

Mr. ARENDS. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I appreciate the distinguished acting minority leader bringing this matter up, because I do want to take this means of advising the House there will be a session tomorrow. We are adding to the program two bills:

H.R. 10442, to facilitate exchanges of Forest Service lands for public school use, with an open rule and 1 hour of debate; and

House Resolution 241, to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs.

Mr. ARENDS. Mr. Speaker, I thank the gentleman.

I might add for the information of the gentlemen here, these bills are not controversial, as I understand.

Does the gentleman have any information he can give us about next week, or would he prefer to wait until tomorrow?

Mr. ALBERT. I plan to announce the program for next week tomorrow. However, I advise Members that there will be considerable business next week. We will have conference reports and original bills also.

I believe right now we might expect a conference report on an appropriation bill on Monday.

Mr. ARENDS. On Monday. I thank the gentleman.

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

Mr. ARENDS. I yield to the gentleman from Indiana.

Mr. HALLECK. Have these bills been tried under unanimous consent? I have an idea that the bills scheduled for tomorrow would pass under unanimous consent.

Mr. ALBERT. So far as I know they have not been.

WHY WE NEED HIGHER THIRD-CLASS POSTAL RATES

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

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

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, the debates in the House yesterday underline the critical nature of the fiscal and economic situation confronted by the Nation today. I believe that many Members now see the importance of further raising the postal rates on third-class mail. Some extremely persuasive testimony was presented within the past few days to the Senate Post Office and Civil Service Committee by the Postmaster General and the Director of the Bureau of the Budget. Because this subject matter is so pertinent to the budgetary discussions which are now going on, I include the texts of these statements, as well as the text of testimony which I presented yesterday to the same committee:

STATEMENT BY POSTMASTER GENERAL LAWRENCE F. O'BRIEN BEFORE THE SENATE POST OFFICE AND CIVIL SERVICE COMMITTEE, OCTOBER 16, 1967

Mr. Chairman and Members of the Committee, I'm pleased to have this opportunity to speak to you about several matters that are of vital concern to the Post Office and to our Nation as a whole.

The fiscal facts that prompted the postal rate legislation now before this Committee are known to all of you. In brief, our deficit reached an all-time high in fiscal 1967, exceeding $1.1 billion. This year—even before we record the effects of possible salary increases—our loss will be more than $1.2 billion. The pay bill enacted by the House would add another $231 million to our deficit this fiscal year.

These burdensome deficits are reason enough to ask the Congress for a general rate increase. In fact, I would be neglecting my duties if I did not urge a rate increase to meet the requirements of the Postal Policy Act. The Postal Policy Act says that "postal rates and fees *shall* be adjusted from time to time as may be required" to make postal revenues approximately equal to operating costs, excluding the cost of the Department's public service responsibilities.

As my first chart shows, our operating deficit this year is about twice the level of public service costs authorized by the Postal Policy Act. In other words, the taxpayer is footing the bill for about $645 million of postal costs that should be paid by users of the mails.

Mr. Chairman, while these are indeed oppressive facts, I must emphasize that my request for a general rate increase was not prompted solely by parochial budget balancing aims. I have a much deeper concern. Unless we face up to the need for quick and far-reaching changes, our postal service may collapse under the weight of the fast growing demands heaped upon it.

Our postal system serves six per cent of the world's population, yet it sags under the weight of half the world's mail. (Chart No. 2.) Our system cannot take on three to four *billion* more pieces of mail each year without facing repeated threats of service breakdown.

Each day brings new and disturbing evidence that we have long insulated the postal service from the technological progress that has permeated nearly every other segment of our economy. The gravity of the problem we face calls for a massive modernization effort, an effort that will require average capital outlays of $1 billion *each* year over the next five years.

Facing facts realistically, we cannot expect the Congress to appropriate $1 billion per year for capital programs on top of more than $1 billion, each year, to meet our current operating deficits.

Most mail sorting today is still a peek-and-poke operation. Lines of pigeon-hole cases occupy most of the working space in archaic postal buildings. Over the next few years, we must catch up with a modernization lag that has left most of our postal operations and facilities 30 years behind current technology. As shown in Chart Number 3, of all the federally owned space we occupy, about 90 per cent was built in the 1930's or earlier.

Unless we modernize thoroughly and effectively, we cannot provide adequate service for a booming mail volume. If the rate of growth of the past 10 years is repeated, mail volume will top 100 billion pieces in 1976. And even this enormous figure may prove to be conservative, since the per capita use of the mail is increasing, as shown in Chart Number 4.

We now require more than 700,000 employees to do the job. In the near future, we will be well beyond the point where adding another army of postal workers can cope with our towering workload.

ZIP Code is bringing us to the threshold of the technological barrier we must crack. To pass across that threshold, our largest post offices and sectional centers must have a coordinated array of modern mail handling instruments: optical scanners, electronic sorting machines, and new materials handling equipment. Further, we must have buildings designed for streamlined postal operations, not buildings fitted merely for miles of pigeon-hole sorting cases.

Unless we modernize, I can see no way to slow the upward rise in postal costs and rates. Personnel costs account for more than 80 percent of our budget and even under the most improved operation our employees will remain our major cost as well as our most important resource. But with more capital equipment to share the work that men do today, staff growth will be slowed and future pay raises will be justified more by productivity gains than by increases in living costs.

Mr. Chairman, the House Postal Rates Subcommittee completed 21 days of public hearings on the Administration's rate bill. My staff provided me with a full account of each day's proceedings, all of which left me with one dominant impression: No one denied that the postal service is operating under the most burdensome deficit in its long history; yet, few mail-user groups conceded they contributed to that deficit in any significant way.

We have no illusory deficit. It is real and massive. And it must be ascribed to all patrons, despite the efforts of many who deprecate or brush aside the Department's cost figures.

Postal service is the most widely shared of all Federal services, but it is not shared equally by all taxpayers. Business generates about 80 per cent of all mail. (Chart Number 5.) Yet, while postal service is largely a business service, we ask all taxpayers to pay for postal deficits. It would be much fairer to ask those who use postal service to pay in proportion to their demands for such service.

In 1966 we delivered more than twice the volume of mail we delivered 20 years ago. There is evidence that unrealistically low postage rates were a factor in this rise.

Mail has its counterparts in other modes of communication, delivery, and advertising. Therefore, when postal rates are low in relation to other prices, mail volume rises rapidly. And when such growth adds to postal deficits, I believe we have a greater responsibility to charge them to mail users rather than to the taxpaying public.

Mr. Chairman, five months have passed since the House began its review of the rate proposals submitted by the President. Although I regret the need to postpone effective dates, these months were well spent. I am deeply grateful to the 26 members of the House Committee for their penetrating analysis of a massive volume of testimony. I trust their prodigious efforts, culminating in a comprehensive report and recommendations on all key issues, will lighten the burdens of this Committee.

We proposed rate increases yielding about $825 million, based on projected mail volume for fiscal 1968. The bill approved by the House carries a price tag of $890 million. Consequently, every week of delay means that about $17 million of postage costs that could and should be paid by users of the mail are being financed, instead, from general Treasury funds. Revenue from the House bill would exceed our proposal by about $35 million annually on single piece third-class mail, $30 million on air mail, $5.5 million on mass circulation commercial publications, and $4 million on nonprofit second-class publications.

Of the total additional revenue, some $568 million would flow from increases in letter postage. The remainder would be generated by increases ranging roughly from 20 to 30 per cent in other classes of mail.

Mr. Chairman, in discussing our rate proposals I feel little would be gained by retracing issues that are wrapped in controversies over the merits of out-of-pocket costs versus fully allocated costs. Therefore I will make no reference to cost coverage for the various classes of mail. Instead, I will discuss costs and rates about which there can be no dispute.

Certainly no one can dispute the statement that about 80 per cent of our expenditures are labor costs—and that each minute of productive labor time costs very nearly

7 cents per employee. Now, contrast that, if you will, with the fact that 94 per cent of our first-class letters are delivered for only one nickel. I challenge anyone to cite any commodity or service of comparable value that can be purchased at that low price.

Mr. Chairman, our first-class postal rates can honestly be described as a bargain. As Chart Number 6 shows, the average American worker now earns the price of a letter stamp in about one minute. It takes the average Canadian worker more than 1.3 minutes to earn the money for a stamp. It takes the British worker 2.5 minutes, the West German worker 4 minutes, and the average French worker must put in almost six minutes on the job to buy a stamp.

Let's go on with our contrasts. For most newspapers, our average postage is 1¼ cents; for magazines, 2½ cents; for advertising circulars, 2⅞ cents. And these are among our highest rates, except for parcels. To complete the contrasts, I would have to talk about the *one penny* we receive to deliver 8 rural newspapers or 8 publications of nonprofit organizations. I would also have to tell you about the nickel we get to make cross-country deliveries of as many as 4 circulars mailed by nonprofit organizations.

At nearly 7 cents per minute for postal clerks and carriers, can there be any reasonable doubt that all our rates are too low?

Since the Postal Policy Act states clearly that first-class mail must pay all its allocated costs, plus an additional amount representing the fair value of all extraordinary and preferential services, facilities, and factors relating to it, we are proposing a one-cent increase in first-class mail rates, including letters and post cards.

Compared with first-class rates, second- and third-class rates should be and are lower because mailers using these classes do much sorting and other pre-mailing work at their own expense and these classes do not receive the priority service of first-class mail. However, in view of the size and nature of the postal deficit I feel equity demands that the increases for these classes should be at least as large as for first-class mail.

During past debates over proposed rate increases, when doubts arose over the ability of second- and third-class mailers to pay higher rates they were usually resolved in favor of more moderate rate increases. In 1961, for example, warnings that the magazine industry was "in a precarious financial position" had a significant effect on the decision to enact a moderate postal rate increase phased over a 3-year period. According to magazine industry spokesmen, however, their financial situation has since changed from insecure to solid.

In view of the many reports of the health of the publishing industry, in sharp contrast with deepening postal deficits, we asked the Congress to approve an average 23 per cent increase—phased over three years—for regular-rate, outside-the-county mailings of second-class publications.

Of all rate issues, the one that has generated the most heat and controversy is third-class bulk mail. I will speak frankly on that issue. My reading of public sentiment indicates there is a widely held belief that bulk mail rates should be well above present levels, even higher than those we proposed to the Congress. I am also firmly convinced that the general public is willing to pay its fair share of higher postal costs. But the public is adamantly opposed to higher rates for letters unless bulk rate matter pays substantially more than its present postage.

I believe our proposal on bulk mail rates strikes a fair balance between the interests of the public and the mailers. It would substantially reduce the deficit attributable to the delivery of third-class mail, but it would not crush third-class mailers under an intolerable financial burden.

Yet, the severest reaction to our rate proposals has come from third-class mailers who protest they are being treated unfairly. Objections have been raised to the amount of the increase and to the fact that it isn't phased, as is the proposed raise for second-class mail.

Let's take up rate levels first. Second-class rates have always been much lower than rates for any other class of mail. Low rates for publications are rooted in the long-standing tradition of promoting the widest possible distribution of newsworthy and educational reading matter. Third-class rates, on the other hand, are higher because that service is primarily for advertising matter in direct competition with numerous other advertising media.

Our proposed rate increases average 31 per cent for bulk third-class and 23 per cent for regular rate second-class. The higher increase for third-class would compensate for the more favorable treatment it received in the 1962 rate law, when second-class was raised 25 per cent and bulk third-class only 15 per cent.

As to phasing, we can expect both second- and third-class mailers to pass on most, if not all, of their postage increases to their customers. But this cannot be done as quickly for newspapers and magazines as for direct-mail advertising. For much of their revenue, publishers depend on subscriptions which often run over periods of two to three years and longer. The three-year phasing would permit publishers to absorb higher rates gradually and to recoup their costs on new subscriptions as old ones expire.

Bulk rate third-class mail has been the most rapidly growing of all major mail services. From 1947 to 1966 its volume increased more than 250 per cent, compared to 80 per cent for all other mail. Even from 1953 to 1966, when most rate increases were effective, bulk mail rose 73 per cent. (Chart Number 7.)

There is no doubt that low postage rates have contributed to the extraordinary growth of direct mail. There also is abundant evidence that past rate increases have not disadvantaged either the direct-mail industry or the users of that advertising service. Since 1950, bulk mail volume—commercial and nonprofit combined—has grown faster than our economy. And direct-mail has held its 15 per cent share of the nation's advertising dollar despite higher postage costs and hard driving competition from television radio, and magazine advertising. (Chart Number 8.)

I found of considerable interest a published article highly favorable to direct-mail. It appeared in the January issue of *Postal Record*, the official publication of the National Association of Letter Carriers. That article reported:

"If there were no third class mail, the Post Office Department could eliminate about one-quarter of its clerical employees, and about one-fifth of its letter carriers."

Well, the cost of keeping that number of employees on our payrolls is about $780 million annually. In contrast, total revenue from third-class mail is only $682 million. So, right off, we have an out-of-pocket loss of nearly $100 million in just two personnel categories, to say nothing of the added costs for other personnel, transportation, space and equipment.

We do not object to the rapid growth of third-class mail. We recognize it as a sign of economic growth. However, we *do* object when that growth adds considerably more to our costs than to postal revenues and thus adds to the burdens of other mail users and taxpayers who must pay the costs of rapidly mounting postal deficits.

I want to stress that we appreciate the efforts of second- and third-class mailers to comply with ZIP Code pre-sort regulations. And we understand their desire for information on our savings from ZIP Code. But we could not calculate savings from a system still in its infancy. Even now, we hesitate to make premature estimates. But in view of the intense interest I will present our latest estimates, subject to revision in light of more complete data and experience.

Recent studies indicate ZIP Code pre-sort savings are averaging two-tenths of a cent per piece. Applied to our projected 1968 volume this would mean total annual savings of about $35 million for bulk rate third-class and $18 million for publishers' second-class mail. In other words, were it not for pre-sorted second- and third-class mail we estimate our expenses in 1968 would be $53 million higher.

Mr. Chairman, our proposals also call for increases in the rates paid by nonprofit organizations. On a percentage basis, these increases are steeper than other increases, but only because past rate adjustments for this category of mail have been unrealistically low. Even with the proposed increases, such organizations would still enjoy large and valuable postage preferences. Currently, the public service cost of handling nonprofit mail exceeds $200 million yearly—nearly 40 per cent of all public service costs. (Chart Number 9.)

Minimum rates for nonprofit organizations were not raised in 1962 when all other rates were raised.

Mr. Chairman, the bill approved by the House differs in some respects from the proposals submitted by the Department. I will discuss each difference where I feel major issues are involved.

My keenest disappointment stems from the omission of all references to surcharges for mail of hard-to-handle sizes and shapes. It is the will of the House that this subject be explored more fully before standards or surcharges become effective.

Accordingly, in the very near future the Department will have ready for submission to the Congress a new legislative proposal on this matter. We will recommend that the Congress set surcharges for lightweight pieces of first-class and air mail that cannot be processed readily by postal machinery and that the Department be directed to conduct a comprehensive study to determine the size standards on which the surcharge should be based. The surcharges would not become effective until two years after the size standards developed as a result of the Department's study have been published in the Federal Register. The mailing public would be given ample opportunity to comment on the size standards proposed by the Department before they are published in the Register.

We will not propose surcharges for third-class mail. However, I am taking this opportunity to advise the Congress and mailers of our intention to issue regulations governing pieces of odd size and shape. Our aim is to exclude from bulk mail all pieces that cannot be tied into bundles by letter carriers in the normal manner. These regulations will be issued, initially, as proposals with adequate opportunity for mailers to react and to adjust to final decisions.

There are a few other House departures from our own proposals that I believe merit some comment:

Air mail. We recommended a one-cent increase in the rates for air mail letters and postal cards. The House bill calls for a two-cent increase. In the interests of equity and the maintenance of a proper balance among the charges for the various levels of postal service, we feel a one-cent increase in the rates for air mail letters and postal cards should be enacted.

Second-class rates for non-profit organizations.—Our proposal called for a new postage principle of charging nonprofit publications slightly higher rates for advertising than for editorial content. The House accepted the principle and decided to raise nonprofit postal rates for advertising content—over a six-year period—to almost the same level as rates for advertising in commercial publications. The House bill makes nonprofit

and commercial rates identical up to the sixth zone, but for the sixth zone and beyond nonprofit rates would be 12 cents, while commercial rates would go up to 17 cents per pound for Zone 8. We do not object to equal rates for advertising content. If Congress favors this approach, we feel nonprofits should pay the commercial rates for all zones, not just the first five.

Air second-class.—The House bill would authorize air mail for second-class publications upon request on a space available basis, with the mailer paying the additional cost of the air transportation. To give us time to clear up the space problems this new service would create, we ask that it not start until six months after the effective date of the new second-class rates. Also, we recommend a minimum charge of four cents per copy for air second-class to discourage diversion from first-class mail. Without a minimum, some mail now being sent first-class could be shifted to air second-class and receive similar service at a rate that would result in a loss for the Post Office. The basic rate for second-class mail does not come close to covering the Post Office's cost in delivering it. Even if the full additional cost of providing air transportation is added to the basic charge, the rates for air second-class will still be below the break-even point for the Department. Unless a minimum charge is set, newsletters, for example, could shift from first-class to air second-class with a resulting drop in postal revenue from six cents per piece to as little as two cents.

Surcharge on mass-circulation publications.—As you know the House added a charge of three-tenths of a cent per piece on regular second-class publications that mail out more than 500,000 copies per issue. This provision was not in the Administration's recommendations. I am certain the Committee will be hearing the views of the magazine industry on what effect this provision would have on publications distributed through the mail.

Bulk third-class nonprofit rates.—Our proposal called for returning to the formula of setting bulk third-class rates for nonprofit organizations at half the commercial rate. The House adopted the principle but seriously weakened it by exempting from the increase mailings of groups with charitable, religious, or general health purposes or *any* nonprofit mailings consisting entirely of fund solicitations for these purposes. We estimate the exemptions may comprise 60 per cent of all third-class nonprofit bulk mail. We see no reason why a selected few of the eight types of groups which qualify for special low rates should be singled out for additional preferential treatment. We believe all nonprofit groups should pay a 1.9 cent minimum rate.

I have not tried to cite all the details of this far-reaching postal rate bill. Undeniably, the legislation before you encompasses a difficult set of problems. Nevertheless, we believe action must be taken soon so Congress may concern itself primarily with postal modernization and service improvement rather than operating deficits.

In my view, Mr. Chairman, the rate increases we proposed are the very least we need to maintain a viable, progressive mail service.

The American people are entitled to the finest mail service in the world. I believe that the intensified effort to move ahead through reesarch, and through mechanization and modernization, will bring us to the threshold of a new era in our postal history. My goal for the postal service of the future is one that I am sure I share with every member of this Committee; a postal service that operates at minimum cost and maximum efficiency; a postal service of which we can all be proud. I believe this new rate structure is a significant element in the attainment of that goal.

STATEMENT OF REPRESENTATIVE KEN HECHLER, DEMOCRAT OF WEST VIRGINIA, TO SENATE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, OCTOBER 18, 1967

Mr. HECHLER of West Virginia. Mr. Chairman, I am not a member of the House Committee on Post Office and Civil Service, but have attended most of the House and Senate hearings on postal rates and have read all the testimony before both the committees. For seven years, I have tried to familiarize myself with third-class postal rates and have had numerous discussions with Post Office Department officials, private industry representatives, and have carried on a wide-ranging correspondence with interested senders and receivers of third-class mail.

In 1962, I sponsored an amendment to the postal rate bill to raise the bulk third-class rate from 2½ cents to 3½ cents, which carried in the House of Representatives but was mangled in the conference committee and phased down to the current rate of 2⅞ cents. Had the House rate of 3½ cents prevailed in 1962, I feel that the postal service and the budget would both be in better condition today.

Mr. Chairman, I believe it would be in the best interest of the postal service, the American people served by it, and our national economy if the third-class bulk mail commercial rate were set at 4.5 cents, instead of 3.8 cents as contained in the House bill. I commend this committee for its breadth of interest in calling the Director of the Bureau of the Budget to testify, as he did yesterday, because postal rates are and should be related to the entire fiscal and economic situation. We are in an entirely new economic ball-game from early this year when the President proposed the 3.8-cent rate on third class bulk regular mail. Budget Director Schultze clearly pointed out in his testimony yesterday that serious consequences would flow from continuing to run up a mounting postal deficit, at a time when the Nation is already threatened with inflationary pressures and high interest rates.

All you have to do is to take the arguments advanced by both the Budget Director and the Postmaster General, and you have an excellent case for the 4.5 cents rate on bulk third class commercial mail. Even though they would not depart from the President's recommendation, the facts they presented are conclusive support for the 4.5 cent rate. For example, Postmaster General O'Brien stated on Monday: "When postal rates are low in relation to other p ices, mail volume rises rapidly. And when such growth adds to postal deficits, I believe we have a greater responsibility to charge them to mail users rather than to the taxpaying public." And Budget Director Schultze underlined yesterday "the importance of maintaining the basic principle that Federal activities which provide business-like services should cover the cost of those services in the rates they charge, and not throw the cost on to the shoulders of the general taxpayer."

I was further impressed by Budget Director Schultze's statement that "the general taxpayer not be asked to subsidize those parts of the postal operation—and they are by far the largest part—which simply provide business-like services to industries and individuals."

The current rate bill will produce, when its rates become fully effective in 1970, a total of $890 million in additional income. Postal pay rises in the House-passed legislation will eat up $711 million of this amount. This means that after raising rates all along the line, the net effect of this House-passed bill will be to reduce the annual postal deficit by $179 million.

When you subtract public service costs from the net annual postal deficit of $1.2 billion, we find, as pointed out by the Postmaster General on Monday, that "the taxpayer is footing the bill for about $645 million of postal costs that should be paid by users of the mails." Now, with a net operating annual deficit of $645 million, it stands to reason that if you bring in a rate and salary bill which only cuts the deficit by $179 million, this still leaves us $466 million a year in the hole.

Mr. Chairman, under the circumstances, I believe it is the duty of the Congress to raise the rates further on second and third class mail. The third class mailers are frequently criticizing the fact that I concentrate on the need for raising third class rates, whereas the cost coverage of second class rates is lower. I would point out that an amendment which I sponsored was adopted by the House, placing a surcharge on second-class publications, about which I shall say more later. Also, I sincerely believe that some attention should be given by this committee to making a slight and additional increase across the board on all second-class publications. I think this should be done to produce a balanced rate structure. I will not mention a specific figure for adjusting the second class rates upward, because I feel I can produce some more substantiating testimony on the subject of third class rates, which I have analyzed more thoroughly.

Third class mail volume now accounts for 27% of the total mail volume, but produces only 16% of the total postal revenue. Over one out of every four pieces of mail is now third class mail, whereas 20 years ago one out of six pieces of mail was third class. From 1947 to 1966, the volume of bulk rate third class mail increased more than 250% while all other classes of mail were increasing in volume only 80%. The testimony of Postmaster General O'Brien before this committee has shown that (1) the low third class rates have contributed to the vast growth of the volume of third class mail; (2) past rate increases have not hurt the direct mail industry or the users of that service; (3) since 1950, the bulk mail volume has grown faster than our economy; and (4) direct mail has maintained its share of the advertising dollar.

Mr. Chairman, the House-passed bill will bring in a total of $234 million of additional annual revenue from third-class mail. If the Senate sets the bulk third-class rate at 4.5 cents for commercial mail, instead of 3.8 cents as contained in the House bill, and if comparable increases are made in other categories of third-class mail, there will be produced $370 million of additional annual income from third-class mail alone. What this means is that my proposal will bring in $136 million of additional annual revenue above and beyond the House-passed rates on third class mail.

For the record, here are the specific comparisons between the House-passed bill and the third-class rates which I propose:

[In cents]

	H.R. 7977 as passed by House		Hechler proposal	
	Mailed prior to Jan. 7, 1968	Mailed after Jan. 7, 1968	Mailed prior to Jan. 7, 1968	Mailed after Jan. 7, 1968
Individual piece	6	6	6	6
Additional ounce	2	2	2	2
Books, catalogs, etc	12	16	12	18
Other matter	18	22	18	24
Bulk rate, regular	2⅞	3.8	2⅞	4.5
Nonprofit	1.25	[1] 1.3	1.25	2.25

[1] For religious, health, charitable organizations and for fund-raising; all other nonprofit, 1.9 cents.

At this point, Mr. Chairman, I would like to discuss cost coverage for third-class mail. Assistant Postmaster General Ralph Nicholson has supplied me with an analysis which is based on the volume for the fiscal year 1968, and is adjusted to include two factors:

(1) the ZIP code savings to the Post Office Department as a result of ZIP coding by the third class mail users; and (2) the cost coverage adjustments after taking into consideration the pay increases included in the House-passed bill. Factoring in the features, the House-passed bill provides 82 percent cost coverage for all third class mail, while my proposals would result in a cost coverage of 91 percent. This figure includes a public service allowance for non-profit third class mail.

NONPROFIT RATES

During the House debate, there are several effective measures which were taken to defeat the raise in third class rates which I proposed on the floor. First, there was some heavy administration lobbying on behalf of the original rates proposed by the administration, and several of those who told me they would support the 4.5-cent rate were changed over to back the 3.8-cent rate. Second, there was some effective lobbying by the third-class mail organizations, many of whom got their local permit holders to wire and phone in at the last minute. There was no organized counter-pressure on behalf of the recipients of third-class mail. Finally, there was some effective last-minute pressure and deep concern expressed in the closing minutes of the debate on the effect of my third class rate rise proposal on non-profit organizations.

I share the concern of the Postmaster General and the Director of the Budget that the third class non-profit rates are split in the House-passed bill, in such a way as to give preferential treatment to religious, charitable and health organizations and those concerned with fund-raising. It seems to me that equity and postal policy both dictate that these third-class rates should be maintained at a level 50 percent of the commercial rates, a time-honored principle which was established by the Congress as part of the Postal Policy Act of 1958.

The splitting of the non-profit third class rates means that there would be only a token increase in that category of non-profit third class mail which constitutes 60 percent of the total volume. There would be only a nominal increase in the classifications of religious, charitable and health, plus fund-raising, of from 1.25 cents a piece to 1.3 cents. This represents little more than rounding off the figures so that they come to one decimal point rather than two.

Mr. Chairman, it is high time that the Congress face up squarely and unemotionally to the problem of rates for third-class mail mailed by non-profit organizations. It is high time that Congress should take a cold, hard look at the facts.

Since third-class mail was established as a special category in 1928, when Calvin Coolidge was President, the rates for bulk third class mailings by non-profit organizations have increased exactly one-fourth cent from 1 cent which they were in 1928 to 1¼ cents which they are now. In sharp contrast, over the same 39-year period, first class rates have shot up from 2 cents to 6 cents as now proposed. So first-class rates will be increasing by 200 percent in a period when non-profit rates are rising only 25 percent.

Contrast this with the cost of other items. In 1928, you could buy a pound loaf of bread for 9 cents; today, the cost is about 22 cents. In 1928, you could have a quart of milk delivered to your home for 14 cents, today, the price has doubled to about 28 cents.

VOLUME INCREASES IN THIRD-CLASS MAIL

As the postal rates for non-profit organizations remained extremely low, more and more non-profit organizations began to take advantage of the situation through larger mailings. These organizations now account for 17 percent of all bulk-rate third-class mail, as compared with only 8 percent in 1952. In the same period, the volume of non-profit third class mail has shot up 250 percent—from slightly over 800 million pieces to nearly 2.9 billion pieces of bulk-rate non-profit third class mail. Now let's contrast that with other third-class mail. During the same period since 1952, commercial bulk-rate third class mail increased 58 percent, while the total mail volume was going up 52 percent over the same period.

In addition to the volume increase in third-class mail, many new organizations appear to be getting in under the "non-profit" umbrella. The law defines a "qualified non-profit organization" as "religious, educational, scientific, philanthropic, agricultural, labor, veterans or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual."

Many non-profit organizations are now mailing neckties, pins, souvenirs, and other items for which they are seeking monetary contributions. A number of these items are unsolicited. The increased volume of such unsolicited items slows the delivery of mail, and also competes with private enterprise firms forced to pay higher postal rates.

NONPROFIT RATES SHOULD BE 50 PERCENT OF COMMERCIAL RATES

When the commercial third-class bulk rate was raised from 2 to 2½ cents on July 1, 1960, the rate for other non-profit organizations went up from 1 to 1¼ cents.

But in 1962, when the rates for commercial mailings were raised in stages to their current bulk rate level of 2⅞ cents, the bulk rates for non-profit third class mailings remained frozen at 1¼ cents. In addition, the 1962 legislation actually *reduced* the non-profit bulk pound rates by about 40 percent. This was accomplished by reducing the pound rate on circulars mailed by non-profit organizations from 16 cents to 9 cents, and on non-profit books and catalogs from 10 cents a pound to 6 cents a pound.

I feel strongly that we ought to return to the policy established in the Postal Policy Act of 1958—that rates for non-profit organizations should be 50 percent of the rates for commercial mailings. That is why my proposal calls for a bulk rate of 2¼ cents a piece for non-profit organizations, and 4½ cents a piece for commercial bulk mailings.

Several critics have pointed out that percentage wise the rate increases for non-profit organizations are steeper than for commercial organizations. But that is only because these rates are initially so low. As Postmaster General O'Brien very fairly pointed out in his testimony on May 9 before the House Postal Rates Subcommittee: "Even with the proposed increases such organizations would still maintain large and valuable postal preferences. Currently, the public service cost of handling nonprofit mail exceeds $200 million yearly, nearly 40 percent of all public service costs."

ADVISORY PANEL ON POSTAL RATES

In 1965, the Advisory Panel on Postal Rates, headed by former Representative Robert Ramspeck of Georgia, made some very pertinent observations on postal rates for non-profit organizations:

"We question whether these subsidies should be intermingled with postal rates. If there is merit in these subsidies, they should be identified and included as direct payments from the budgets on the Federal agencies charged with overseeing public welfare activities. Since rate policy and subsidies are now commingled, the Postmaster General is in a position that compels him to propose rates based on extraordinary welfare considerations as well as on conventional value-of-service and cost criteria. . . . Funds for subsidies should be provided by direct appropriations, to the agency overseeing the welfare activity, rather than as a hidden cost in the postal budget."

Philosophically, the increasing subsidy to the non-profit organizations has disturbed thoughtful students. What it means is that the general taxpayer is forced to pay to make up the postal deficit due to causes in which he may not believe. "Why should I be taxed to subsidize someone else's religion?" pertinently asked a writer from Pittsburgh. The question well might be raised also whether the Post Office Department, with the prime responsibility of delivering the mail on time—which it increasingly finds difficult to accomplish efficiently and speedily—should also be burdened with extending assistance to all sorts of causes.

Many non-profit organizations send through the mail articles of merchandise and ask for a contribution. Mr. T. A. Hamilton of Louisville, Ky., probably spoke for a great many people when he wrote: "I have nothing against charitable organizations. However, I believe that our giving to such organizations should come from the heart, and should not be placed under the pressure of modern-day merchandising."

Under the current rates, it is really fantastic what and how much a non-profit organization can mail. Up to eight publications can be mailed by these organizations under the non-profit second-class rates for as little as one penny. Furthermore, there is no extra charge for long hauls. For one penny, the post office will take these eight publications mailed in New York and deliver them in Hawaii.

If a non-profit organization wishes to make a fund solicitation through third-class mail, the post office will deliver four fund solicitation letters for only a nickel. These rates have been the same since 1962, although other postal rates were raised in that year.

The postal deficit which is caused by third-class mail sent by non-profit organizations has been rising. The difference between fully allocated costs and the revenues received from non-profit third-class mailings was $58 million in fiscal year 1963. These costs rose almost 62 percent in three years for a total of $94 million is fiscal 1966, and are now estimated to be running at a rate of about $100 million a year. The deficit caused by second-class non-profit mailings has risen to about $110 million per year. This means that the annual deficit of second and third class non-profit mailings runs over $200 million annually.

I trust that the Congress will face up to this problem directly and raise the rates on non-profit mailings.

I have long been disturbed by the fact that our postal rate bills are fashioned with an eye to the mailers of third-class mail, instead of the recipients of third-class mail. There has been much comment about whether or not people like to receive third class mail. The direct mailers tell you that little old ladies would be lonely if they didn't receive such mail. I received one letter from a dear old lady who vigorously protested because she could not get her husband off the mailing list of several organizations despite the fact he had been dead for eighteen years. The lady lives in State College, Pa. She sent me a copy of the form letter she had received when she sent several requests to take her husband off the list. Her name and address were typed in at the top of the form letter, which stated that they had received her request and if she received future mailings would she kindly ignore these mailings.

Mr. Chairman, the impudence of these direct-mail organizations not only makes them a nuisance in their utter refusal to drop names from their mailing lists, but it further infuriates the taxpayer when he realizes that part of his taxes go to subsidize low third class rates. Also, the average user of the first class and air mail letter bitterly resents the fact that the first class mail user helps carry the third class mailer on his back.

There have been many statements about public opinion on this issue. One of the best was made before this committee on Monday when Postmaster General O'Brien noted: "My reading of public sentiment indicates there is a widely-held belief that bulk mail rates should be well above present levels, even higher than those we proposed to the Congress. I am also firmly convinced that the general public is willing to pay its fair share of higher postal costs. But the public is adamantly opposed to higher rates for letters unless bulk rate matter pays substantially more than its present postage."

The National Federation of Independent Business completed a nationwide poll in June of this year, specifically directed at my proposal to raise third class rates to 4.5 cents. A total of 82 percent supported my proposal, 15 percent were opposed and 3 percent were undecided. In its press release announcing these results, the National Federation of Independent business made this comment:

"It has long been held that third-class mail is the mainstay of the advertising activities of smaller business firms, thus the heavy support for raising the rates on this class is considered to be somewhat of a surprise."

There have, of course, been many statements and charges made that the rates which I propose would drive people out of work, close up and bankrupt businesses, etc. There is a full-page ad in Roll Call, April 13, 1967, entitled, "The Big Lie Technique", which states "Congressman Ken Hechler is leading the newspaper fight to price third-class mail out of the postal service. . . . By using Herman Goering's big-lie approach, certain publishers hope to convince the American people that direct mail advertising is not selling $40 billion worth of goods and services annually. They refuse to report the fact that the 275,000 third-class permit holders in the fifty states help keep from three to four million Americans profitably employed."

First, I would like to state that if this is indeed a $40 billion a year business, showing substantial profits, it should not expect to continue to receive subsidies from the taxpayers. Second, so far as the employees of the direct mail industry are concerned, I do not believe we should turn our postal service into a welfare agency whose function is to keep people employed; the function of the postal service should be concentrated on quick and efficient delivery of the mail. Third, so far as pricing third class mail out of the postal service, the record is replete with examples of how the dire predictions of the past failed to materialize. In 1958, before this very committee of the Senate, Harry Maginnis, head of the Associated Third Class Mail Users, predicted that if a rate of 2½ cents a piece went into effect "the annual volume of third class mail would not remain at 16 billion pieces. . . . It is my firm opinion that third-class mail volume would drop to 10 billion pieces under the impact of the $25 per thousand rate." The rate was hiked to 2½ cents, and third class mail volume, contrary to Mr. Maginnis' dire predictions, rose to 16.9 billion pieces in 1959, and 17.9 billion in 1960, and is now well over 20 billion pieces annually despite an even higher rate. Finally, I feel that we ought to measure well our words when we talk about concerns going out of business. What business in the world could survive the annual deficits being suffered by the Post Office Department, excluding its public services? Why should the taxpayers keep picking up the tab to keep the Post Office budget balanced, when tax dollars are really going into the coffers of the direct mailers? We ought to be more worried about the Post Office Department itself going out of business when it practices the outrageous economics forced on it by the direct mailers.

THIRD-CLASS MAIL AS VIEWED BY POSTAL EMPLOYEES

Senator Boggs raised some interesting questions yesterday concerning the impact of third class mail in smaller post offices. Not long ago, I asked a number of postmasters, clerks and carriers throughout West Virginia to write me their thoughts on how third class mail was handled. Out of approximately 250 replies, only three felt that the current rates and manner of handling third class mail were adequate, and a huge majority expressed themselves quite emphatically on the subject.

Fred T. Newbrough, Postmaster at Berkeley Springs, W. Va., writes: "I will soon start my thirty-fifth year in the postal service, which has included clerk, assistant postmaster, postal inspector and postmaster. . . . The delivery of third class mail does disrupt the service and I have not found a rural carrier who likes it. Furthermore, it is a cause of annoyance to about half or more of our patrons. Some request us to do what we cannot do: throw it in the wastebasket and not deliver it. Those who get mail through lock boxes stand in the lobby and sort out the circulars and throw them in the wastebasket. This is another time we handle it—at the incinerator."

Francis A. Atkins, Postmaster at Sutton, W. Va., writes: "To say that third class never interferes with or slows the delivery of first class is not correct. As a former postal clerk and mail dispatcher, I can personally say that I would much prefer to handle classes of mail I felt people wanted. To deliver a letter from a soldier in some faraway place to see the happiness in the eyes of a grandparent when they get a note from that grandchild who is just learning to write, that is personal satisfaction to postal people. In discussions with my clerks and carriers, I find that they feel they are not really serving the public and giving of themselves when working third class."

Donald M. Foley, rural carrier at Waverly, W. Va., writes: "I have been a rural carrier for 25 years. In more than 25 years, I have not heard a postal worker, other than one inspector who said there was no such thing as junk mail, say anything in favor of this class of mail. I am much in favor of letting the mailers pay the full cost of handling the mail. I mentioned this to one lady, who said she thought they should have to pay the full cost of handling the junk, and then pay her a little something for carrying it from her box and burning it."

A. A. Farmer, Postmaster at Bolt, W. Va., writes: "Today was a typical day of 'junk mail', so your letter of interest was very much appreciated. I would estimate that I worked 80 percent longer distributing the circulars to the various boxholders, then 15 minutes later the majority of the junk mail was deposited in trash cans for my disposal. The patrons appreciated my efforts so much that they let me burn their trash."

M. V. Finney, Postmaster at Dixie, W. Va., writes: "We have not learned to like such mailings, and find that extra time is consumed when we have to fold off-size pieces of bulk mailing before casing them."

Helen V. Horton, Postmaster at Slab Fork, W. Va., writes: "Third class mail requires as much and sometimes even more time than first class mail."

Donald O. Lewis, Rural Carrier on a Huntington, W. Va., route, writes: "Box-holder mail is, I guess, the worst kind of mail sent. I have received several letters from people on my route asking me to leave no more JUNK of this type in their box. Wish I could comply. Some in the extreme rural areas have asked me not to leave the slick kind; it doesn't wipe well. I have 600 boxes on my route, and am allowed only 24 minutes extra to deliver 'box-holder' mail. Sometimes I get disgusted the next day when I see these advertisements scattered along the highway."

Ray H. Maxwell, rural carrier, Friendly, W. Va., writes: "There are too many mailers who abuse the right to send third class mail, and there is no question that at least 50 to 75% of this class mail is never opened. All one has to do is look in the wastebaskets at the various post offices."

Cecil B. Niswander, Postmaster at Lesage, W. Va., writes: "Lesage is a country post office, and we have a good number of our patrons who come in every morning, and while they wait for their mail they talk. This is a subject that comes up daily for discussion. I am of the opinion that if the mailers of the advertising material could listen in on these discussions of their mail, there would be much less junk mail . . . I doubt that as much as 10 percent of this mail is read by these patrons. I notice that when we burn the trash most of it is still sealed . . . This mail does cause delay in the delivery of first class mail. The rural carrier could case all the first class mail that we receive here within an hour of receipt, but the third class mail takes more time than all the other classes combined. There is a lot of complaining from the carriers over the ever-increasing volume of junk mail."

SURCHARGE ON LARGE-CIRCULATION MAGAZINES

I would like to add a few words on the amendment which I sponsored and which passed the House to place a surcharge of .3 per copy on all magazines whose circulations reach 500,000. This surcharge starts with the 500,001st copy, and does not apply to nonprofit publications. Also, all copies at additional entry points would pay the surcharge. A calculation of the exemption will be made only at the post office of original entry. Thus if a magazine publisher deposits 1 million copies at the point of or final entry, he gets an exemption for 500,000 copies and pays a surcharge on the remainder. If his total mailing through all entry points is 1 million copies, but he mailed only 400,000 copies at the original entry point, the only exemption he gets is for the 400,000 copies at the original entry point.

The reason for this procedure is to avoid the administrative complexity of consolidating information from all entry points before assessing postage.

STATEMENT OF CHARLES L. SCHULTZE, DIRECTOR OF THE BUREAU OF THE BUDGET BEFORE THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE OF THE U.S. SENATE, ON POSTAL RATE INCREASES

Mr. Chairman and Members of the Committee:

I appreciate this opportunity to appear before the Post Office and Civil Service Committee to participate in your consideration of an increase in postal rates. In his Budget Message last January, the President stated: "To provide improved services, to cover proposed pay increases for postal workers and largely offset the remaining postal deficit, a postal rate increase is both necessary and desirable." Subsequent economic and fiscal developments lend even more urgency to that recommendation for rate increases than it had in January.

I do not profess to be an expert on postal rates, and therefore I will leave a discussion of the specific structure of the rate increases to the Postmaster General and his staff. My major concerns are two-fold:

First, the general economic consequences of continuing to run a very sizable postal deficit in a period when the Nation is already threatened with inflationary pressures and rising interest rates; and

Second, the importance of maintaining the basic principle that Federal activities which provide business-like services should cover the cost of those services in the rates they charge, and not throw the cost on to the shoulders of the general taxpayer.

CURRENT ECONOMIC AND BUDGET SITUATION

As I pointed out to the Committee earlier this month, when I testified on the Pay Bill, the fiscal situation has become much more difficult since the budget was transmitted last January, with the Federal deficit sub-

stantially larger than originally estimated. At the same time, the economy is moving ahead sharply, and the signs indicate that its advance is accelerating, as we had originally projected.

The level of personal income has been rising rapidly in recent months. So, too, has the index of industrial production. Employment has been increasing and recently the workweek has been lengthening. Retail sales have been advancing at a healthy clip, and numerous other signs of an accelerating economy can be cited. Figures released last week showed that even with the Ford strike, the Nation's gross national product rose quite sharply in the third quarter of this calendar year, resuming a rapid upward advance after two quarters of much more modest increase.

The combination of a sizeable budgetary deficit and a rapidly advancing, fully-employed economy presents an inflationary potential that we clearly should not allow to become a reality. Rising prices, soaring interest rates, and a deteriorating balance of payments situation would place far heavier burdens upon the American people than will the measures needed to prevent their occurrence. These threats to the economic health of the Nation call for continuing expenditure restraint and control on the part of both the Administration and the Congress, coupled with the tax surcharge the President has proposed.

The continuation of a large postal deficit would contribute to the general economic problem facing the Nation in two ways:

1. By adding to the overall Federal deficit in a period of high-level and sharply rising economic activity, the postal deficit contributes toward an overheating of the economy, and consequently toward the building up of excessive wage and price increases.

2. By swelling the amount which the Treasury has to borrow from the public—at a time when private borrowing is itself very large—the postal deficit contributes toward tight money and rising interest rates. In turn, when credit tightens and interest rates on short- and intermediate-term securities increase, funds which would otherwise flow into savings institutions serving the housing market tend to be diverted to other uses. Home-building, as we witnessed last year, is especially vulnerable to rising interest rates. On the basis of last year's experience, it is entirely possible that a continued rise in interest rates could easily reduce the building of new homes by one-half a million units.

This is not a time for the Government to be running a large postal deficit when there is a reasonable alternative.

POSTAL RATES AND THE EFFICIENT OPERATION OF GOVERNMENT

The Post Office plays a dual role in affairs of our Nation. *First*, it is one of the Nation's most important business activities, providing a vital and irreplaceable Nation-wide communications network for both industry and individual consumers. With annual sales now approaching $6 billion, it ranks in size with the very largest corporate giants. *Second*, the Post Office has also been a means by which the Nation has subsidized the costs of certain educational, non-profit, and other activities, by providing its services at below-cost rates to designated groups.

Although the postal establishment performs certain public service functions (roughly 10 percent of total operations in terms of costs), it is also a giant business whose operations are completely interwoven with operations of our whole national economy. It is difficult to conceive of any activity in our economy that does not find the services of the Post Office essential. Its relationship to the operation of the national economy is indicated by the fact that 80 percent of the mail is generated by businesses or institutions.

The Postal Policy Act recognizes the dual public service-business role of the Post Office by providing, on the one hand, for contributions from general tax revenues in support of specifically designated public service activities, and, on the other hand, for postal rates, collectively, which will produce revenue approximately equal to the remaining costs of postal operations.

It is possible for reasonable men to disagree with particular aspects of the Postal Policy Act and the manner in which the Act should be implemented—for example, the particular designations of public services, the amount of public service subsidy, the distributions of rate burden, etc. However, I believe that the general concepts stated in the Postal Policy Act are sound, and should be strongly supported.

Where the Congress has decided that specific subsidies to particular users of postal services are in the broad national interest, then it is indeed perfectly proper that the deficit in postal operations on account of such subsidies should be borne out of general Treasury funds, and shouldered by the general taxpayer—exactly on a par with subsidies or assistance of other kinds which the Congress has enacted.

At the same time, it is equally important that the general taxpayer not be asked to subsidize those parts of the postal operation—and they are by far the largest part—which simply provide business-like services to industries and individuals. The heart of our free enterprise system is the market price mechanism.

It is generally the most efficient means society has yet devised to regulate the production and distribution of goods and services. We often find it desirable to modify this mechanism for sound national purposes—for example, by providing low-interest-rate loans for rural electrification, or food for the poor through the Food Stamp Program. But it is neither efficient nor equitable to require the taxpayer to underwrite below-cost services in *general*—we do not provide a general subsidy for everyone's electric bill, or food bill, or his haircuts and shoe-shines. In short, the principle of charging full cost for *general*, business-like services, and providing subsidies for *specific*, carefully designated public objectives is an eminently sound one. It is consistent with both a progressive social policy and a sound, business-like economy. Continuation of a large, general subsidy to mail users violates this principle and introduces serious distortions into the use of economic resources.

Failure of the postal rate structure to cover its non-public service costs not only distorts economic efficiency in the short run; it is also a heavy deterrent to long-run improvements in postal service. A losing business is seldom the most attractive place to invest one's money. And the general taxpayer ought not to be asked to do so.

As an essential and integral part of our business and institutional activity, it is imperative that the Post Office perform its mission as efficiently and effectively as possible. There is no denying the fact that the Post Office today is not operating at optimum efficiency. In large part, this is due to a lag in accommodating postal operations to modern technology and in providing adequate facilities for the processing of mail. Certainly, no one recognizes the defects in the postal system more clearly than the Postmaster General, and he is initiating energetic and imaginative action to correct these defects.

However, correction of postal deficiencies will require major infusions of capital for research, equipment, and facilities, which can be provided only through appropriations from general tax revenues. The Postal Policy Act contemplates that capital investment in the postal system will be recovered through annual depreciation charges included in the costs upon which rates are based. If rates are not set at levels which provide revenues sufficient to cover costs, as defined in the Act, the Post Office Department is in the difficult position of asking for large appropriations for capital investment at the same time an appropriation must be made to cover a postal deficit.

In view of the many demands upon our tax resources, and the clear commitment to recover postal costs from mail users, the existence of a large postal deficit can only have an adverse effect upon the level of appropriations for capital investment, and make it more difficult to overcome the deficiencies in the postal service.

When postal rates are not sufficient to cover costs, we are asking the general taxpayer to invest his tax money with the certain guarantee that he will take a loss. I see no more reason for him to be willing to do this than he would want to invest in a steel mill, a telephone company, or a trucking firm whose prices were set below cost.

In brief, long-run improvement of the postal system—both the quality of its service and the efficiency of its operations—requires capital investment. Establishment of rates sufficient to cover costs should significantly improve the chances of securing the needed investment funds. In turn, these funds can contribute toward an increase in postal efficiency, and thereby reduce the magnitude of rate adjustments in the future.

CONCLUSION

To sum up, I believe the current situation calls for strong efforts to dampen inflationary trends—the "inflation tax" which the President has called "the cruelest tax of all." As part of these efforts, we must have responsible fiscal action to avoid an excessive budget deficit. Enactment of the proposed postal rate bill will contribute importantly to this end.

From the standpoint of the postal service itself, failure to charge rates sufficient in the aggregate to cover non-public service costs can only lead to a distortion of sound economic principles and a misallocation of scarce national resources. Equally as important, the continuation of large postal deficits makes it exceedingly difficult to provide for improvements in postal service and efficiency. By this route, failure to cover today's postal deficit helps to create still further deficits tomorrow.

I hope the Members of the Committee will act promptly and favorably on the postal rate legislation before you.

CONFERENCE REPORT ON APPROPRIATIONS FOR THE DEPARTMENT OF TRANSPORTATION

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

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

There was no objection.

Mr. EVANS of Colorado. Mr. Speaker, I rise to deplore the omissions I find in the conference report on appropriations requested by the Department of Transportation. I am particularly concerned that we find ourselves where we were every year in the past when it comes to allocating funds for development of a workable transportation system.

The bill is heavily weighted in terms of development of air and highway travel. I do not object to the Federal involvement in air and highway transportation, but I do protest the tremendous inequity that is present in this conference report.

We are near the billion-dollar mark in annual expenditures to fill the air with jets and the countryside with jetports. Another $142 million is in this bill for the development of a supersonic transport.

On the highways we are spending nearly $150 million annually, not counting the nearly $4 billion in highway trust funds pumped into the roadbuilding program every year.

Yes, I agree most of this is necessary in a country that is still experiencing fantastic growth. But, I raise the question, "Are we right in overfilling airspace and jamming the countryside with roads and highways, while we ignore the mass movement of passengers by rail?" I know we are looking into mass transit facilities for urban areas, but there is also the problem in the intercity area which is going largely unnoticed.

This is clearly evident in the report of the conference committee. In 1965, under the High-Speed Ground Transportation Act, we embarked on a major program to revitalize and restore ground transportation, including the railroads, to a point where the public would patronize the service. The goal, as I recall, was to move forward in transportation on all three modes—air and highway, which we do with expensive regularity, and by ground transportation, which until 1965, was left to survive on its own.

Most of you know railroad passenger service is not surviving. Withdrawal of most first-class mail from passenger trains has set off a new round of train discontinuance cases. If your mail is like mine, you are well aware of the problem. I might say that it is a problem that this Congress must be prepared to face and soon.

My attention today is directed toward the deletion of all funds from the Department of Transportation's development of an auto-on-train service in the Office of High-Speed Ground Transportation.

Very briefly, the auto-on-train project involves the carrying of autos and passengers on specially constructed rail cars. Passengers ride in the automobiles or in special entertainment or dining cars in the train. Cost of the movement of a family of at least four and their cars would be $100 from Washington to Jacksonville, Fla. We have already invested $2 million in the project, but the Office of High-Speed Ground Transportation will have to hold off on any further planning and development.

I personally hope that this same issue is presented to us again next year. I see in it a positive approach to solving the passenger train problem, and to me it makes a lot of sense. A family of four or more could go to Florida, California, the Northwest, and maybe even to Colorado, if they had the advantage of low-cost rail travel and use of their own car at their destination. Thousands of people and hundreds of cars would be on trains and off the highways.

The $3.5 million requested for the program by the Railroad Administration would pave less than 2 miles of interstate highway or build part of a jet runway. It is indeed a tragedy that we cannot spend a few dollars to upgrade railroad passenger service—to give it a new look and new interest to the traveling public. To do so would make every dime we spend on highways and airports that much more meaningful, because highways and airports would then be able to handle the number of cars or people they were designed for. I ask that you keep an open mind on the question of improving ground transportation so that when we next consider the problem—and I am sure it will be an issue before us—you will remember that there are immediate answers to the upgrading of rail service. My last concern is that we—in not acting today to keep the auto-on-train program alive—may be too late when another 50 or 100 passenger trains are no longer in operation.

SOVIET EXPLORATION OF SPACE

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

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

There was no objection.

Mr. MILLER of California. Mr. Speaker, yesterday morning the news was flashed across the world that the Soviet Union has successfully soft-landed a spacecraft on the surface of the planet Venus.

Following close behind is our own Mariner Venus capsule, guided to pass today within approximately 2,500 miles of the planet, then to go into solar orbit.

Mr. Speaker, I want to point out to the Members of the House as forcibly as I can that the Soviet Union has accomplished a feat in the exploration of space which is truly a demonstration of great technological capability.

That event should dispel any notion in the mind of any Member that the Soviet Union is retarding the tempo of its program of space research.

This achievement makes it unquestionably clear that we are still in a contest of scientific research and applied technology with Russia in which we enjoy no permanent advantage.

The Soviet engineers were able to launch a 2,438-pound spacecraft that traveled for 4 months through space and traversed over 213 million miles.

They were able to pinpoint a target 43 million miles away with a diameter of less than 8,000 miles, and then land the payload gently on the surface.

That nation has obviously developed the components and the electronics that are able to furnish and transmit data in a very hot environment.

The Soviet Union is processing data on the planet this Nation has not yet been able to obtain, and which is revolutionizing the knowledge of Venus and the solar system.

With a gross national product of approximately half of this Nation, that country is spending about the same amount of money on space exploration we are.

This is a measure of the importance that nation attaches to space research and the development of space technology.

In commenting on the outstanding Soviet achievement, the Administrator of the National Aeronautics and Space Administration, James E. Webb, said:

> The Soviet announcement that they have made a soft-landing on the planet Venus represents an accomplishment any nation can be proud of.
>
> To go from Sputnik I to Venus IV in 10 years illustrates the powerful base of technology being developed in the Soviet Union.
>
> The fact that this has been accomplished in connection with the 50th anniversary of the Communist revolution is intended to encourage those in and out of the Soviet Union who believe the use of rocket technology to master and use the newly opened environment of space can become a major factor in the balance of technological power among nations.
>
> In my view, this accomplishment will convey the intended message.

I feel it most important, most urgent to remind this House that scientific research in space demands the development and creation of unprecedented capabilities in areas of major technologies.

I also want to point out to the House that the changes of political climates, that a reduction of Soviet truculence toward the Western World has not altered one iota their principal aim—the destruction of democracy and the elimination of the capitalistic system.

We cannot, to our peril, allow our arch competitor to enjoy an advantage in a field of major technology that we cannot match or counter.

We must not, through default or because of transitory, shortsighted judgments, fail to support adequately our programs of space exploration.

I leave these thoughts with you to think over in the months to come.

Budget considerations for the coming fiscal year are not very far away.

Mr. Speaker, I hope the Members will think long and hard with regard to our national stake in our space program and its vital importance to our future in this deadly competition.

There are no consolation prizes for the loser.

AMBASSADOR EDWARD A. CLARK

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

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

There was no objection.

Mr. PICKLE. Mr. Speaker, at no time in the history of Australian-American relations have the ties between our two countries been closer.

American and Australian servicemen in Vietnam are fighting a common peril and threat to the free world at large.

In commerce and industry, in agriculture and exploraton of natural resources, in the relations between the Governments and the peoples themselves—never before have two nations been closer than ours for their mutual profit, prosperity, advancement, and, indeed, survival.

There is no doubt in my mind that the prime architect of this significant intensification of collaboration between the United States and Australia at this time has been my fellow Texan U.S. Ambassador Edward A. Clark.

It was most pleasing, therefore, to read in the Sunday New York Times Magazine a recap of Ambassador Clark's diplomatic mission since he was appointed to the post.

This excellent article was written by Harry Gordon, assistant editor of the Melbourne Sun, and graphically details the hard work Ambassador Clark has poured into his responsibility.

I insert the article at this point in the RECORD.

The article follows:

WHEN A TEXAS-STYLE DIPLOMAT HITS AUSTRALIA

(By Harry Gordon)

CANBERRA.—The bus pulled up outside the large red-brick Georgian building, and the driver called out, "Okay, then. Everybody out for the American Embassy." The tourists spilled across the sidewalk and into the marble-floored entrance, between framed replicas of the Declaration of Independence and the Bill of Rights. They emerged on the other side of the hall, trooped across a formal garden and reached another front door. A rich Texan voice boomed: "Well, howdy, folks. I'm the Ambassador, and this here is Missus Clark. Just take your time looking around, and ask me anything you want. It'd make me very happy if you'd all accept a Texas yellow rose and some literature about my home state."

The Hon. Edward Clark, Ambassador for the United States of America in the Australian capital city of Canberra, was wearing a yachting jacket that day, with a yellow rose in the lapel and watch chain that carried a golden miniature map of Texas; when he lifted his arms wide or pointed to his treasures—"That there's a Pic-cass-ee-oh, and here's a chart showing all the oldest houses in San Augustine, Texas," he revealed bright blue, three-inch-wide braces, decorated with reindeer.

Afterwards, the tourists marched back to the bus, loaded with little yellow roses, bundles of booklets and a mild air of bewilderment. They had just been hit by Hurricane Ed, and this can be an overwhelming experience. He had kissed babies, posed for snapshots beside his elm tree ("Miz Eleanor Roosevelt planted that") and extracted sincere, puzzled promises from a bunch of Indonesian students that they would visit his home in San Augustine. Other passengers had been treated to a series of jokes ("So President Lincoln said, 'If you-all think General Grant's drinking too much, I just wish you'd find out what brand he's drinking . . . he's the only one we got who's winning' "), and still others now possessed recipes for mixing drinks from bourbon, a potion not easily available in Australia.

The next stop on the bus tour was at the Japanese Embassy, and the disembarking tourists were disappointed to find that nobody was waiting at the front door to greet them. "Where the heck's the Ambassador?" asked several passengers of a butler who had obviously been told to keep an eye on the silverware and the ashtrays, but the butler remained silent and inscrutable. Nor were the tourists howdied at the British, the French and the German Embassies. At the Soviet mission's building, the bus did not even stop.

The bus jaunt around Canberra's embassies that day in 1965 had been organized to raise money for the Red Cross, and it was quite successful. But it did not endear Ed Clark, the newly appointed United States Ambassador, to all members of the resident diplomatic corps. What was the man trying to do, some of them asked, turn the place into some kind of fairground stall? Did he think he was running for office? Today Clark grins proudly as he recalls that the man who was then Prime Minister of Australia, Sir Robert Menzies, took him gently aside and told him: "You keep that stuff up, Ed, and they'll throw you out of the ambassadors' union."

In fact, Ed Clark has kept up the practice of meeting tourist coaches; he is, of course, the only ambassador in Canberra to do so. He shook hands with nearly 2,000 on that first strenous, memorable Red Cross day, and his personal howdy-total (after two years in the job) is something over 14,000. So far, nobody has tried to throw him out of the ambassadors' union; indeed, most of his fellow diplomats have come to regard him with deep affection—although he is still apt to make the more pukka of them wince when he calls a greeting like "Howya, Charlie, y'ole hossfly," at a cocktail party.

Clark, at 61, is one of the United States Foreign Service's most unusual exports, and he is undoubtedly the leading character in the Australian national capital. Canberra (pop. 100,000) is a beautifully laid-out, rather staid city, which possesses a well-defined Establishment whose members come from the Australian National University, the diplomatic corps, the civil service and the Houses of Parliament. The pattern of living inside this Establishment is quite formal; with the bulky exception of Ed Clark, it has included only two really colorful ambassadorial characters in recent years. One was a Malaysian who disappeared mysteriously last year for nine days after striking up a friendship with a King's Cross (Sydney) stripper; the other was an Indonesian who insisted on performing somersaults in his garden each morning, clad only in a sarong. Both have now returned to their homelands, leaving Clark undisputed as the most refreshing personality in the rather pompous protol-conscious diplomatic round.

Clark is a large, 200-pound extrovert who rambles at formal functions through an apparently endless supply of folksy, cracker-barrel, Texas-flavored stories. He has been branded a clown by some critics, and "Mister Ed" (after TV's talking horse) by others. He has certainly talked a lot, often in Texan superlatives, and he has a formidable reputation as a backslapper; he has dropped a few diplomatic clangers, is reputed to own the loudest (and thus least diplomatic) whisper in Canberra, and has shown an almost pathological determination to view the world through yellow-rose-colored glasses. His obsession with that Texas bloom asserts itself in many ways; at a conservative estimate, he has handed out some 50,000 of them; he rarely is without one in his buttonhole; there is, in fact, a rumor that he wears a yellow rose in his dressing gown lapel. He has 850 yellow rose bushes in his 10-acre gardens at the embassy, and when these are out of season he goes to extraordinary lengths to keep up the supply—he has even had them flown, packed in ice, from Texas.

This past Aug. 26 he sponsored Australia's first Texas race meeting in Canberra. Events included the election of a Yellow Rose Maiden, the Lone Star Flying Handicap, the Texas Handicap, the San Augustine Improvers' Race and the Austin Progressive Handicap. The Ambassador and his Chinese butler Huong dispensed bourbon and yellow roses to special guests under a flagpole from which fluttered the flag of the Lone Star State. The winning jockey in the Texas Handicap received a decanter full of bourbon and the lucky horse a garland of 300 yellow roses flown specially from Texas. Some of them, it ate.

It would be wrong to describe Clark as a discreet conversationalist at cocktail parties. He has been heard to say of one nationality, "They're not like Australians . . . they put their hand out to you, but it's not for shaking." And again, "Y'know, if you were on fire, those guys wouldn't even bother to extinguish you." (In truth, he expressed this sentiment a little more bawdily.) He prefaces many remarks with "Shoot, man," says "you-all," refers to himself as "Ah" and shortens the word "mister" to "mist" or "mizzuh."

In a quiet way, he has managed to match his wardrobe admirably to his personality and his vocabulary. Not long ago he astonished natives in a New Guinea marketplace by arriving in a Stetson—and when he adjusts his bowler at a jaunty angle, low over one eye, he immediately takes on the look of an aging but enthusiastic vaudeville comic. He is not a wild dresser; but in striped pants, cutaway, silk topper and other formal gear, he always gives a mischievous, Groucho Marx impression of someone who has been playing at dressing up.

All of these things would seem to make Ed Clark rather unlikely ambassadorial material—and there is no doubt, frankly, that he is. He has been the target of a good deal of unsympathetic criticism. It is significant, though, that most of the criticism occurred soon after the Ambassador's arrival, when the general impression was that this was a noisy, over-jovial extrovert who had blundered, by reason of a close friendship with President Johnson, into diplomacy. Some of his most vehement early critics are now quite fervent admirers.

The most blistering early attack came from Douglas Brass, editorial director of Australia's only national newspaper, The Australian, and a columnist for that paper. A month after Clark presented his credentials in Canberra, Brass wrote: "He obviously has a heart of gold, but there's no disguising that the new American Ambassador to Australia is something of a disappointment. The general impression in the capital is that if Mr. Edward Clark has any talents to match the significance of his post, he does his genial best to conceal them. It is grossly undiplomatic to say these things—but diplomacy is no more my business than Mr. Clark's; and I think it tragic that the United States Administration should have so little regard for us as to send a folksy gladhander to Canberra at a time of mutual delicacy, in war, investment and trade. . . ."

Exactly six months later, Douglas Brass wrote about Ed Clark again. He recalled his charges that the Ambassador was a folksy gladhander with no talens for what should be an important job, and then he went on: "I eat my words now. Mr. Clark, though he still loves to clown in public, has endeared himself to Canberra as a very shrewd operator and genuine friend of this country. I can do no more than acknowledge it, and nobody has asked me to do it."

In the past couple of years, many revised their first unflattering opinions of Ed Clark, and it is no exaggeration to say that he is now regarded as the most successful Ambassador the United States has ever sent to Australia. The Premier of the state of Victoria, Sir Henry Bolte, says candidly: "No other American representative has attempted to learn about the country and know the people the way Ed Clark has. Never before has the U.S. been so well represented—and with our alliance in Vietnam, our closer trade ties and the growing U.S. investment in Australia, that representation has to be good."

How has Clark, the clown in the Stetson, done it? By displaying a massive appetite for work and a determination to see every one of Australia's 3-million square miles, by being totally sincere, by being closer to his head of state than any ambassador in the

country. He has surrendered none of his flamboyance, and his extravagant behavior still causes a few shudders among the professional diplomats; but his overall performance has been so impressive that a member of his staff was recently moved to remark, "If this guy's not a professional, I just hope he never loses his amateur status."

It is hard, of course, to estimate the quality of an ambassador's work. His basic jobs are to feed information back to his government and to build goodwill between the two countries concerned. While there is no reliable gauge available to assess the quality of Clark's reports, it is known that last year, when President Johnson asked his ambassadors to poll the governments to which they were assigned on whether the U.S. should bomb Hanoi and mine the North Vietnamese port of Haiphong, Clark's reply was reported to be on the President's desk 10 days before the next reply was received.

In the field of goodwill, there is no doubt that the man has been immeasurably successful. Along with all the homilies, the platitudes and the Texas hokum that he dispenses comes a great deal of genuine warmth—and Australians, who normally distrust wordiness have reacted well to him. They know that he has become a potent salesman in America for Australian trade, travel and investment.

"I asked the President just before I came out here what I was supposed to do," says Clark. "The President, he says, 'I want you to spread yourself around, Ed. Don't get stuck in no martini belt. Don't confine yourself to the striped pants circuit. I want you to go out and meet these people. And I want you to tell us everything about Australia . . . what they're thinking, what they're doing, how stable they are, how friendly they are.'"

That Clark has followed the President's advice can be little doubt. He may indeed have followed it too well, from the Australian point of view. Washington columnist Leslie Carpenter, whose wife Liz is press secretary to Mrs. Johnson, recently speculated that Clark may soon be named a White House "trouble-shooter"—the latest in a spate of speculations that he will shortly be moving on, now that he has served a two-year stint in Canberra.

But Clark professes to be astonished by the report. He will be in Washington this week, but the visit, he says, "was my idea, not with the Departments of State, Defense, Intheirs. I have a number of matters to discuss terior and Agriculture on matters concerning Australia—but I'm not looking for any trouble to shoot. If the President has any plans for me, I just don't know about them." He adds that he intends to be back in Australia in time for the Melbourne Cup, the nation's most famous horse race, which will be held Nov. 2. "I've picked the last two winners," he remarks, "and I intend to keep picking 'em."

An example of Clark's thoroughness in following the President's counsel has been his unprecedented record in going out and meeting the people. He has really "spread himself around." He flew 154,000 miles in 1966 and has flown another 110,000 miles this year—crisscrossing every Australian state, visiting as far north as New Guinea and as far south as Australia's Antarctic base. He has talked all the way, averaging a formal speech every five days, working a circuit that embraces churches, schools, Rotary and Lions clubs and all sorts of professional and trade organizations; his aides say that he has made far more speeches than any ambassador from any country, in the capital.

More important Americans have visited Australia during Clark's term of office than ever before; mostly they are personal friends, and they seem to respect his judgment entirely. He is credited by many Canberra observers with having been responsible for the visit last year by President Johnson—the first to Australia by any American President-in-office. He has worked hard to promote American investment in Australia.

Clark is known to have intervened on Australia's behalf when U.S. Government authorities were discussing capital outflow restraints and possible restrictions on American investments overseas; several U.S. corporations were being questioned about programs involving the investment in Australia of sums of between $15-million and $250-million. "That's when I got into the act," Clark confesses. "The authorities who were doing the questioning backed off . . . maybe just to get rid of me." He induced a 14-man Texas business delegation (most of them wearing cowboy hats) to tour Australia in July, and recently persuaded leaders of two New York banks and representatives of the oil, steel and aluminum industries to offer to put up the money for the establishment of what may be Australia's first postgraduate school of business administration. He has worked hard this year at getting the U.S. Armed Forces to buy supplies for American troops in Vietnam and the Pacific in Australia.

Undoubtedly, Clark's great advantage over all other ambassadors in Canberra is his ability to communicate immediately without recourse to formal diplomatic channels, with his President. He has done this quite often. One such instance came before Vice President Humphrey visited Australia and Asia last year; when his itinerary arrived from the State Department, it showed that Humphrey was due to have a half-day in Canberra, then two days in Manila, two in Bangkok and longer periods in other Asian capitals. Other ambassadors would have had no option but to accept the itinerary, even though the shortness of the Australian stay might have been construed as a small snub to the Australian Prime Minister; Clark was counseled by his own professionals not to take any official action.

According to Canberra newsmen, Clark ignored the advice. He telephoned the President and told him, "It's not good enough, Mr. President. You can't wipe these people off like that . . . it's an insult! If half a day is the best you can do, I suggest the Vice President doesn't call here at all." The itinerary was changed, and Humphrey stayed in Canberra for two days. The Australian Prime Minister, Harold Holt, who had been in office only a short time, was extremely grateful to Clark.

Ed Clark's direct route to the President has been the cause of some embarrassment. One veteran Canberra newspaperman met the Ambassador recently in a crowded lounge at the city's airport. "Waal, fancy meetin' you," Clark called. Then Clark lowered his voice to a gentle roar: "Y'know, I was talkin' 'smorning' to the President, and . . ." Suddenly the lounge was hushed; 500 people craned forward to hear what the President of the United States had been thinking. "Whatever it was, it was pretty insignificant," says the reporter. "But when Mister Ed decides to drop a name, he does it from a great height."

The Mister Ed label was first applied maliciously, but now it is used with total affection. Sometimes it appears in newspaper headlines, and reporters who attend conferences at the American Embassy have christened the cocktail he serves them—an old-fashioned with a bourbon base—"Mister Ed's drink." His relationship with local newspapermen has been particularly affectionate ever since he played host at a press conference for Pierre Salinger, the late President Kennedy's press secretary. After the formal questioning had ended, Clark said to Salinger, who is an excellent pianist: "Hey, Pierre, what about you play a few tunes for the boys?" Salinger obliged, and somehow the affair developed into a singsong, with newspapermen, Clark and embassy aides grouped around the piano singing tunes like "Chicago" and "Give My Regards to Broadway."

Clark's nature is so aggressively jolly and his desire to be loved so obvious that it would be easy to underrate the man. But even while he's telling Texas jokes, indulging in Texas reminiscences and generally behaving like a Texas caricature, the eyes behind his rimless glasses are operating independently. They are cool, level, calculating—the eyes of a very shrewd man. Just how shrewd might be gauged from the fact that he has built up, from a stake of $150 in 1932, a personal fortune in the region of $10-million. When he left Texas for Australia, he was chairman of the Capital National Bank and a board member of Texas Southern University; his law firm of Clark, Thomas, Harris, Denius and Winters has handled the affairs of the Lyndon Johnson family for many years. He has been active in Democratic party politics since the early thirties, and has been an active supporter of L.B.J. since the pair met in 1934. In 1937 Johnson stood for Congress, and his campaign was handled by Clark; then, in 1949, Johnson was elected to the Senate in a close and disputed contest.

In the legal wrangle which followed—there were charges of vote rigging and claims that Johnson had no right to stand for Senate office while he was still a Congressman—Clark acted as Johnson's senior legal counsel. "A lot of people think Ed owes a great deal, including this job, to L.B.J.," says one friend of the Clark family. "In fact, the truth is probably the opposite. Lyndon owes more to Clark than he could ever pay back." Whatever the case, there can be no doubt that the two men are very close; President Johnson is godfather to one of Clark's four grandchildren—three girls and a boy, all children of his daughter, Leila. (Clark is fiercely proud of the fact that these grandchildren are sixth-generation Texans: "My family arrived in 1842, when Texas was still a republic.")

In mid-1965, Australia had been without a United States Ambassador for exactly a year; the job was being held down very well by a charge d'affaires, but there were many Australians who regarded the absence of an ambassador as a considerable slight. Sir Robert Menzies, who was then Australia's Prime Minister, visited Washington.

"Sir Robert knows how to talk tough," says Clark. "He went to Washington and told President Johnson that Australia had waited long enough for an ambassador. The two countries had a lot of ties, and the Prime Minister made it obvious that he was getting ready to be offended. To be fair, the President had had a lot of things on his mind, and he simply hadn't gotten around to picking the right man.

"'All right,' says the President. 'What kind of man you got in mind?'

"'I want you to appoint a close friend,' says Menzies. 'Someone you've got confidence in . . . somebody who can ring you on the telephone and get straight through to you.'

"'How would you feel about a Texan?' the President asks, and the Prime Minister says, 'I think that would be great . . . as long as he's a Texan who knows you very well.'

"'Mist' Prime Minister,' says the President. 'I think I got your man.'"

On that summer day in 1965, Ed Clark and his wife Anne were driving from Washington to Austin, Tex. They arrived home to find a message asking Clark to ring the President immediately. "Ed," said the President, "I want you to come right back here and bring Anne with you."

"What's it for?" asked Clark. The President answered, "I can't tell you, Ed, but it's pretty important." That night Johnson introduced the Clarks to Menzies, and told him, "I think I've got your ambassador."

"We stayed at the White House that night and talked a lot more about the job at breakfast next morning," Clark recalls. "Then my wife and I went upstairs to talk it over. That Sir Robert was a very eloquent, persuasive man, but I had a lot of reservations. I kept telling my wife I was as busy as a bee with the law practice and the bank. I told her I felt I ought to keep working, and I said something about saving for a rainy day. 'As far as you're concerned, Ed Clark,' she said, 'it's raining right now. If you don't take this, you'll just keep on doing what you've been doing for the past 40 years.' I told her we'd better get on down, because we'd kept those two important men waiting a long time."

The couple went downstairs and had a cup of coffee; and suddenly Ed Clark, native son of Texas, banker, attorney, hamburger connoisseur and amateur breeder of bulls, was Ambassador-designate to Australia. "It all happened faster than a bull's blink," he says.

Recently, shambling amiably around his dining room, living room, "Texas Room" and garden, pausing often to point out the attractions (Steuben glass penguins, paintings, a husky-sled harness he brought back from the Antarctic, tennis courts—"Charlton Heston played there"—and a Texas pecan tree), Clark admitted frankly that he had been very nervous when he arrived in Australia. Interviewing the man is like standing under a waterfall: the torrent of words cascades all around, and it is utterly impossible to divert the flow. But when he talks about himself, Clark's honesty can be quite touching.

"I knew all the guys at the embassy here were professionals, and I was a rank amateur," he said. "I knew they'd look upon me as a political appointee, and I felt they would resent me. Yet I needed them so much. I didn't know a thing about diplomacy—I had no reason to. I didn't even know anyone in the Foreign Service. I knew it was important to have good manners, to be kind and considerate to people, but I didn't know when I was supposed to wear a cutaway or a silk hat. If I was due to call at some formal function, say an embassy party, I didn't know how long I was supposed to stay or who I was supposed to talk to or what I was supposed to talk about. I didn't know the rules of the game, and if they had wanted to make me look a fool, those professionals at the embassy could easily have done that. They turned out to be wonderfully loyal and cooperative, and they advised me well."

The loyalty has worked both ways. Ed Clark has 112 people on his embassy staff, and he has made some sort of history by entertaining all of them at barbecues and small lunch and dinner parties. He discusses every speech he makes and conference he attends with senior counselors, and is usually guided by their advice.

Mrs. Clark is a small, gray-blond woman whose gentle, rather shy and wry manner makes her an ideal foil for the gregarious Ambassador. She pretends to disapprove of Clark's almost belligerently friendly invitations—in back-country towns like Wagga Wagga and Coonabarabran he has been known to announce, "If you folks ever find yourselves in Canberra suffering from frostbite or snake-bite, just call in on Miz Clark and me for our bourbon cure." She chides him often about "talking too big," and tells him to remember that he is a foreigner in Australia. But they have been married for 39 years; she is intensely devoted and proud.

Mrs. Clark's gardening, church (they are Episcopalians) and needlework activities, plus a very catholic taste in books and magazines, give her a breadth of interests outside the embassy; Ed Clark has very few. A nongardener and nongolfer, he spends just about all his waking time in some form of embassy work, though he does keep in close touch with his Texas banking and legal interests, even to the point of staying abreast of all staff salary adjustments. Both send frequent tape recordings to their daughter and her family in Greenville, Mo.; they often show home movies (most of which happen to be about Texas) and entertain at barbecues which range from the intimate to the congested. One of the latter type was thrown on a cattle ranch owned by a friend during the Johnson visit; it was attended by 400 guests and a group of friendly kangaroos.

A couple of weeks ago, on a visit to Sydney to address the Institute of Engineers, Clark heard there were two American destroyers in town, fresh from Vietnam. He visited the ships, shook hands with everyone on board and asked his perennial question: "Anyone here from Texas?" There is always somebody there from Texas. This month Americans serving in Vietnam will begin taking short furloughs in Australia, and Ed Clark will be waiting to meet each planeload, watching specially for the inevitable Texan.

"People say to me, 'You're not the Ambassador for the United States; you're the Ambassador for Texas,'" says Clark. "I say, That reminds me of the guy who threw a rock at a cat and hit his mother-in-law. It ain't so bad after all."

How much longer Ed Clark will remain the Ambassador for the United States (and for Texas) is, as indicated, open to some doubt. "Just before I came out," he said recently, "I asked Senator Fulbright how long an ambassador usually stayed, and he said a man usually had the job during the pleasure of the President. Other people have said that about two years is the normal term." Clark's two years were up on Aug. 15; it is known that the State Department has offered him three other ambassadorships, but so far he has chosen to remain in Canberra. "I wouldn't take another diplomatic job just for the honor of it," he said, "but if the President told me that I might lighten his burden in some small way by accepting an appointment, I'd take it."

At this point his large face quarried itself into a broad grin. "I used to say that I didn't want to go any place where there was a language barrier," he said. "But my wife, a little unkindly, said, 'Let's face it, honey, wherever you go with that Southern accent, you gonna wind up with a language barrier.'" He dug his audience in the ribs, chuckled at some length and said good-by. Ed Clark is a trouper, and like all good troupers, he likes to leave 'em laughing.

TAX INCREASE AND SACRIFICES IN ORDER TO CUT SPENDING

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

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

There was no objection.

Mr. HICKS. Mr. Speaker, I have received a most thoughtful letter from a constituent who is an old friend, even though a dedicated Republican and a conservative. He is Harold W. Gloyde, president of the United Mutual Savings Bank, of Tacoma, Wash., a man with broad experience in financial matters and community affairs, and a highly responsible citizen.

It will be noted that unlike most of the letters many of us get from our people who want spending reduced, but in places other than at home, he is fully aware that such reductions must come at home if they are to come elsewhere, in areas that directly affect him as well as areas that affect someone somewhere else, and he is prepared to make the sacrifices that all must make when spending is to be cut. This, I regard as a high degree of responsibility.

He writes as follows:

Mr. FLOYD HICKS,
Member of Congress,
Washington, D.C.

DEAR FLOYD: I didn't think the time would come when I would write my Congressman urging that there should be a tax increase. However, I see that most of the mail is in opposition so here is my comment, for whatever it is worth.

In my view, this 10 percent surtax should, in fact, must be enacted into law. If it is not passed by Congress the effect will be, as the President has stated, "strangling tight money and a mortgage crisis." Of this, there is no doubt. Further, as stated by Chairman Martin of the Federal Reserve, if the tax increase does not pass, interest rates will, indeed, be a great deal higher than they are now.

Of course, the tax increase should properly be accompanied by a substantial reduction in spending. And that, in my view, means a cut in just about everything. Highway construction, foreign aid to everybody including Boeing customers, Housing and Urban Development including [some local projects are mentioned here], everything should be cut. Maybe it is time to find out if we can exist without federal aid for a while.

Concluding, this tax increase just has to be passed. And if space programs, military spending, and a few more things have to be pruned, it suits me just fine.

Yours truly,

HAROLD W. GLOYDE.

ROLE OF ARMED SERVICES COMMITTEES IN MARITIME POLICY

Mr. LENNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an address by the Honorable L. MENDEL RIVERS.

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

There was no objection.

Mr. LENNON. Mr. Speaker, during the debate this week on H.R. 159, to create an independent Federal Maritime Administration, the distinguished chairman of the Armed Services Committee pointed out the justification for this legislation. At that time I was reminded that he had recently addressed the convention of the Propeller Club of the United States on the same subject. Having been privileged to read his excellent address, I think it is appropriate that it be shared with Members of Congress and the public.

Mr. Speaker, I insert the following address by the Honorable L. MENDEL RIVERS at this point in the RECORD:

ADDRESS BY HON. L. MENDEL RIVERS, CHAIRMAN, COMMITTEE ON ARMED SERVICES, U.S. HOUSE OF REPRESENTATIVES, TO THE CONVENTION OF THE PROPELLER CLUB OF THE UNITED STATES, HONOLULU, HAWAII, OCTOBER 12, 1967

Mr. Chairman, ladies and gentlemen, I was highly honored when Ed Hood and Ralph Dewey asked me to speak to this illustrious organization, the Propeller Club of the United States, on the increasing role of the Armed Services Committees of the Congress in the formulation of maritime policy.

Since it seems to me that American sea power and our maritime policy are mutually dependent upon each other, I can certainly appreciate the implication.

Nevertheless, I was complimented by his suggestion that the Committees on Armed Services of both the House and Senate enjoy an ever-increasing role in maritime policy. But in acknowledging the possibility that this could be true, I don't want to deprecate in any way the outstanding efforts and accomplishments of the Merchant Marine and Fisheries Committee of the House.

Let me put the situation a little more bluntly. Our maritime industry is so badly off, it certainly can't do any harm for two committees of the House to take an immediate interest in your plight, and it might do some good.

Do you remember as a child, and I can remember this even in Charleston, making a snowman after a heavy snowfall and watching it melt as the sun rose high in the heavens?

A melting snowman is a somewhat pathetic but, paradoxically, a brave looking spectacle.

Usually, the broom in the snowman's hand is the first object to fall, and then parts of the face. The snowman continues to dwindle in size and usually, the melting continues until eventually there is just a puddle of water, two black stones that represent the eyes, a piece of wood for the mouth, the broomstick, and, of course, someone's old hat.

Well, that's about the situation that is going to face our merchant marine industry if we don't do something about it. In other words, you are going to be left holding your hat.

Eighty percent of the American merchant marine fleet is more than 20 years old. That's not bad for human beings, but it's catastrophic for the shipping industry.

It always concerns me when I recall that as we slide down the scale in merchant marine tonnage, the Soviet Union tonnage goes up.

Between 1951 and 1965, the merchant marine of the Soviet Union grew from less than 600 ships of 2.6 million dead weight tons to more than 1,250 ships of 9 million tons.

During this 14 year period, which saw America's gross national product increase almost arithmetically, the active U.S. maritime fleet dwindled from 1,950 ships, with over 22 million tons, to 1,000 ships of 15½ million tons.

I am told that since 1958, the Soviet Union has advanced from 21st to seventh place among the maritime nations. As a result, a good part of their shipping is modern and efficient.

I am further told that as of last year the Soviet Union was building or had on order 585 merchant ships, totaling almost 5,700,000 dead weight tons. At the same time, we had on order 39 merchant ships, totaling less than 550,000 dead weight tons.

By 1980, the Soviet Union will have a merchant marine twice the size of the United States, and long before that date, Mussolini's Mare Norstrum will become the Soviet's Nashe Morye (our sea).

If anyone doubts that the Soviets move into a vacuum—watch what happens in the Red Sea, the Indian Ocean and the eastern reaches of the Mediterranean.

Now, I am sure that there are some computers, or at least there are people who use computers in the pentagon, who will tell you that as our merchant marine gets older, and as our U.S.-owned tonnage decreases, our status as a maritime nation improves. Fortunately, I learned a different brand of arithmetic, so I don't understand this theory of strength through weakness. And I wouldn't believe it if I did understand it.

This nation of ours is one of the few in the world bounded by two vast oceans.

Whether we like it or not, we were destined, from the day Columbus landed at San Salvador, or the Irish landed in Newfoundland, to become a maritime nation.

In every war in which we have been engaged, including the war between the States, control of the seas has been the deciding factor. Just recall Yorktown and deGrasse's fleet; the battle of Lake Erie; Vera Cruz; the Northern Blockade; Manila Bay; two world wars; Korea, and now Vietnam.

Even though the aviation industry has made tremendous advances and the skies today are becoming crowded with aircraft, nevertheless 98% of all the cargo going to our troops in Vietnam is carried by ships.

But the day is not far off when we are going to be dependent upon other countries to carry this kind of cargo unless we decide to do something about it now.

This may sound strange coming from me, since I had a little something to do with our improved military airlift, like procuring the C-130's, the C-141s, and the C-5A—and let there be no mistake, I'm all for airlift—but a hand is worthless without a heart to sustain the body.

Now, before I continue this pessimistic appraisal of our maritime industry, let me compliment those of the industry who have ventured their own capital, some with and some without government subsidy, to build modern ships. I have particular reference to the *Sea Barge*, the *Seatrain* concept, fully containerized ships, and variations of the *Lash* program.

These companies have gambled on the future of the maritime industry in the hope that America will awaken to the need for a vastly improved merchant marine.

Now, while I would like to compliment industry for its efforts to build up our merchant marine, I want to also say that subsidization in its present form may require some extensive changes.

I don't profess to know enough about the technicalities of rate-making to make an intelligent suggestion, but I hate to see somebody pour ground glass in a good cup of coffee and that is just about what some of the labor unions are trying to do to our merchant marine. The only difficulty with that is that some of you have become so accustomed to that kind of treatment that you have learned to digest ground glass.

The only restriction, as I understand it, on passing wage increases on to the customer is the Maritime Administration, and they may or may not approve a wage scale after it is negotiated and a contract has been signed. I suppose industry gets stuck every once in a while, but it seems to me to be a strange way to run a shipping industry.

It occurs to me that there are some people in this nation, and perhaps some important people, who would like to nationalize the entire merchant marine. Perhaps that is one solution. It would probably stop all progress, but we wouldn't read about the problems quite as much.

I would prefer to think that there are enough intelligent people in this country who can sit down and analyze where we stand and come up with a solution. And it is not going to be an easy solution or an easy compromise.

There are going to have to be concessions made by lots of groups and lots of special interests, and there must be one concession in common from all who participate in such a discussion—an agreement that the security of this nation comes first.

Each group, whether it is labor, industry or government, is going to have to put its best and most patriotic minds to work or we are going to wake up some day and find ourselves completely dependent on foreign shipping. When that day happens, when we go from being the top dog in world affairs to an underdog, believe me there are going to be nations standing in line—nations who have been some of our most expensive dependents—waiting to kick us.

A partial answer to this problem is special purpose shipping.

I am not going to spend a great deal of time talking to you about the fast deployment logistic ship that was proposed by the department of defense this year.

Our committee and the Congress, as you know, did not approve the 30-ship program, and I think it safe to say that we still are not enamored of the total production package nor the strategic concept that accompanied the proposal.

But, I don't think anyone should conclude that our committee is opposed to the development of a fast deployment logistic ship. It does not necessarily have to be a ship owned and operated by the United States Navy, or the United States Army. It does not necessarily have to even be a ship built to a design paid for with Government funds.

It could be a ship now underway, or a ship already in existence, or it could be a combination of several ships.

What I personally would like to see is the construction of four or five prototype FDLs, not necessarily all built in the same yard. I'd like to think that improvements could be made as they are being constructed, from lessons learned from the ships that are being built by private industry for the privately-owned steamship companies.

It is quite possible that the sea barge and lash concepts may have marked advantages over the FDL, since they may be more cost effective than the FDL. These could be chartered to do much of the cargo hauling jobs for our overseas forces.

I strongly supported the announcement of a design winner for the FDL because I did not want to see more than $17,000,000 in Government funds—and perhaps another 8 to 10 million in private funds—wasted.

I'm confident that each of the studies submitted on the FDL were good. These have been paid for and should be available to everyone.

We should build four or five government-funded FDL's, compare those with the vastly improved ships now underway for private industry, and come up with a ship that will be flexible, multi-purpose, fast, efficient, and capable of meeting world competition through the use of improved operating techniques.

But, before our committee approves *any* FDL's, the Department of Defense must present to us, as we said in our report, an approved program for:

(a) The modernization of Navy shipyards.

(b) A strong new American merchant marine.

(c) The continued ironclad non-revocable assurance that none of the FDL's will be used in competition with what's left of our merchant marine.

And believe me, I am not kidding—which a lot of people have found out—the hard way!

I am interested in better Navy and private shipyards because they are vital to our security.

I am also interested in seeing us build new, modern, fast-moving cargo carrying ships capable of easy on-and-off loading, preferably by barges, as shallow draft as possible, and capable of long cruising range. They do not have to be pre-positioned in anticipated trouble spots of the world. There probably aren't enough ships in the world to meet that contingency.

This is the role of the navy's amphibious forces.

But, of course, some of the ships can be pre-loaded, others should have a fast unloading and reloading time, and be immediately available when called upon.

The merchant marine industry of this Nation must attain improved automation, faster speeds, and quicker turn-around capability to become cost competitive in order to regain our posture as a leading maritime nation of the world.

I have referred earlier to the need for closer

partnership between the military and the private sector in the design and construction of vessels adaptable both to commerce and defense.

Of equal importance, is the need for long term plans and priorities for the allocation of defense cargoes to all segments of the merchant marine.

The continued pace of private investments in ships in many of our essential trade routes depends squarely upon some form of programmed cargo volume for each stage of an emergency. We could very well lose our present U.S. flag position in cargo liner competition if the parcel lots of military cargo fluctuates widely back and forth from a period of feast to famine.

Procurement practices in military cargo must be regularized and the ground rules re-established, in order to insure continued availability of cargoliners when emergencies arise.

At the same time, and I say this with considerable conviction, the carriers who enjoy regular patronage of military cargoes in non-emergency periods, especially those who get subsidies, must respond with all possible ships and space in such emergencies.

The "respond" proposal, or some equivalent priority agreement, must be implemented without delay.

We must take advantage of those things we know best—mass production techniques—progressive standardization—and nuclear power. We must look at undersea towing possibilities, air cushion techniques, and polar routes. Air cushioned vehicles, for example, are practical and exist today. They should be explored further. The outstanding commercial advantages of the nuclear powered SS *Savannah* should be exploited and carefully analyzed by all who are engaged in the shipping industry.

And, above all, the Nation must be told over and over again that sea power is vital to our safety, vital to our existence, vital to our future, and is not a problem limited to the States that border the oceans.

A fast-moving merchant marine fleet is just as important to the State of Iowa as it is to the State of California.

A fast-moving merchant marine fleet is as much a part of sea power as our indispensable, incomparable aircraft carriers and nuclear submarines.

I have said in the past that we are not going to authorize any new major surface combatant vessels that do not have nuclear propulsion. This, of course, always raises the question as to what is a major surface combatant vessel.

Certainly, there will be no additional carriers authorized by our committee unless they are nuclear powered. What I will insist upon, and I am confident my committee will support me, is that we develop all-nuclear powered task forces.

It seems to me the height of absurdity to have nuclear carriers and not have nuclear powered guided missile frigates making up the task force.

At the same time, I know there is a crying need for additional destroyers, particularly general purpose destroyers.

If cost and, even more important, the availability of nuclear propulsion plants precludes the construction of a substantial number of nuclear powered general purpose destroyers, then of course we must authorize conventionally powered ships of this class in order to put on line the fire power necessary for the type of wars I can envision in the years ahead.

I think it is time that the Committee on Armed Services and the Department of Defense work out an acceptable formula for the proper mix of nuclear powered and conventionally powered ships.

The Congress has overwhelmingly approved the strong stand our committee has taken on nuclear propulsion for our major surface warships. This year we authorized construction of two nuclear powered guided-missile frigates in lieu of two conventional guided-missile ships requested by the Department of Defense. The Defense Authorization Act (Public Law 90-22) states:

"The contracts for the construction of the two nuclear powered guided-missile frigates shall be entered into as soon as practicable unless the President fully advises the congress that their construction is not in the national interest."

The Department of Defense can expect similar action to be taken in the future, if they continue to recommend that we build warships with obsolete propulsion systems.

It took a long time for some people to accept the fact that steam was better than sail.

As far as the House Armed Services Committee is concerned, it is not going to take the same amount of time to convince equally stubborn persons that nuclear power must replace conventional power. We have an advantage, and we must exploit it.

I think you all know one of the greatest living advocates of sea power—Admiral John Sidney McCain, Jr. He has given his lecture on sea power to our committee so many times that I think I can repeat a great deal of it. But he always impresses me when he says that, on any given day, there are about 2100 ships in the North and mid-Atlantic ocean.

I don't know what the figure is now in the Pacific, but it must be pretty substantial because we have a lot of ships carrying supplies to South Vietnam and the Communists have an awful lot of ships carrying supplies into Haiphong Harbor—supplies to be used against us. A pretty silly way to fight a war, I might add.

If someone really wants to test the importance of sea power, all they would have to do is measure the effect of a blockade of North Vietnam upon the economy and war-making ability of North Vietnam.

Of course, we might engender a little adverse world opinion with such a blockade.

Personally, I don't care what any other nation says. I'm not an isolationist, but I'm getting tired of being told that "world opinion" isn't with us. I prefer those words of Luke, Chapter 11:23—"He that is not with me, is against me."

We've learned, the hard way, that some of our most expensive dependents—like De Gaulle—certainly aren't with us.

There are all too few countries we can depend upon, with any real certainty, in a time of true crisis. And that's all the more reason why we must move quickly to shore up our merchant marine.

If we don't, we may one day become a have-not nation. It's that simple.

And yet, would you believe that at no time since I have been chairman of the House Armed Services Committee has the Department of Defense ever expressed grave concern about the decline of our merchant marine.

It is inconceivable to me that the people in the executive branch of government charged with the responsibility for the defense of our Nation have not come forth with a firm proposal to solve this problem. It is even more inconceivable to me that they have not consulted with the legislative experts in the Congress in this field, in this vital area.

Apparently, the Department of Defense will continue to adhere to its childish concept that the Congress cannot make any original contributions to the problems that confront our merchant marine in our national security.

What has happened to the old days when the Congress and the executive branch of government used to sit down together and work out solutions to the problems that confront the Nation?

And certainly there cannot be a greater problem than that which confronts our merchant marine, and the problems confronting us in the Far East.

I'm told that 98% of the trade of the Orient goes through the straits of Malacca, and that on any one day, 200 ships pass through those straits.

I'm told that 12,000 ships a year anchor in Singapore, and 10,000 in Indonesia.

I don't know how many belong to us, but I do know that tin, oil, rubber, tungsten, platinum, and many other vital raw materials are carried on these ships.

Our survival depends upon sea trade, sea lift, and sea power.

If our committee is playing an increasing role in the formulation of maritime policy—and I hope we are—it is because American sea power and our maritime policy are inseparable.

Thank you for inviting me here to speak before an audience that knows and loves the sea, in a beautiful state that is surrounded by the sea.

THE FEDERAL HOUSING ADMINISTRATION

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

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

There was no objection.

Mr. BARRETT. Mr. Speaker, for some time now the Federal Housing Administration has been subject to attacks from all sides.

It has been criticized for going too fast. It has been criticized for going too slow.

It has been depicted as the darling of the suburbs, and the culprit in the deterioration of our inner cities. It is either too conservative, or too liberal, depending on the identity of the last speaker.

Whatever the housing problem, the FHA at once becomes a culpable party in the eyes of some.

The continuing barrage is neither warranted nor justified.

The FHA has made mistakes in the past, in individual cases, and I would be surprised if there were none in the future. But its overall influence has been for the good, and it is now making the necessary transition to make it an influence for good in our specialized and socially pressing housing problems of today.

One of the principal aims of recent housing legislation has been to develop a public-private partnership to serve low-income families by coupling the resources of the Government with the initiative and imagination of private enterprise. It is only natural that the Federal Housing Administration, with its long experience in dealing with the private sector of the housing market, should be given responsibility for carrying out these programs.

With the tools that we in the Congress have given it, the FHA can be and is responsive to today's needs. This does reflect a change in policy and thrust, this does require change on the part of FHA personnel. These, however, are obstacles which have been overcome, and for those who would continue to overemphasize FHA's role in the suburbs, I can only ad-

monish them to take a look at what has happened and what is happening.

In 1934, when the Federal Housing Administration was first established, its primary purpose was to restore public confidence in the homebuilding and home financing industries in an effort to bring that part of the economy out of the doldrums of a severe economic depression.

This was accomplished and in the process, a whole new industry was formed. Homebuilding and mortgage lending on a large scale became possible. It was just as well, for FHA's big role was to accommodate the housing needs of returning World War II veterans.

This was a tremendous undertaking, one of great magnitude, and the FHA response was magnificent. Coupled with the outstandingly successful GI loan program of the Veterans' Administration, our veterans got their homes at terms they could afford, and our country was transformed into a nation of homeowners.

Today, nearly two of every three families own or are purchasing their homes, and a great deal of this is attributable either directly to FHA or to the influence FHA exerts on the mortgage market.

In the process of succeeding, however, the FHA earned for itself a reputation of being the midwife to suburbia.

Originally, that was a factual portrayal of the agency.

But the FHA has made a change and is adapting itself to the needs of today.

We in the Congress and in the Housing Subcommittee of the House Banking and Currency Committee, a subcommittee it is my honor and privilege to chair, have provided the FHA with new tools and programs to attune it to today's needs. We have given it programs to help those of greatest need—the low- and moderate-income housing program, the rent supplement program, a program for home ownership for low income families. It is to this stimulus the FHA is now responding.

The metamorphosis is not complete, and more change is needed. But an all-out effort is being made to have the FHA participate to the fullest extent possible in housing the poor and near poor families of our country.

For instance, Commissioner P. N. Brownstein recently told me the FHA was giving a broad interpretation to a 1966 legislative amendment which made possible mortgage insurance in riot or riot-threatened areas. As a result of this, in the past 2 months, the FHA committed on over 1,200 mortgages for homes in these areas.

This is a far cry from the false image painted of an FHA addicted to a well-ordered suburbia, and I believe it is time that we acknowledged this activity in improving housing within our Nation's cities. We desperately need a free flow of mortgage money into our central cities.

To go one step further, Commissioner Brownstein also told me that much of FHA's insurance business is in the inner city with much emphasis being given to rehabilitation.

In addition, the FHA also is showing an increase in business in the rural areas.

So we have a situation in which more home mortgage insurance is being written on either side of the suburb than in the suburb itself.

The housing in which some of our people are living is not good. It is totally inadequate by American standards and something should be done to correct this situation.

While I am certain each of us would like to see housing removed from the list of social problems, I believe it ill becomes any of us to criticize the FHA as the culprit responsible for this condition.

Let us face the facts on the root causes and not concentrate as some have done on finding a convenient whipping boy. We then can get on with the business of trying to find workable solutions, and I have the faith and confidence in the FHA to know it will be in the vanguard of those acting responsibly.

This is not to say the FHA is perfect, nor that some criticisms are not deserved. However, I know the dedication that Commissioner Brownstein has to the correction of program deficiencies and in carrying out the programs in the manner contemplated by the Congress.

The FHA has been extremely useful to the American people in the past. It has done an excellent job in expanding the building industry, and in providing homes for our returning servicemen. The task ahead, that of rebuilding our inner cities, and making good standard housing available to all, is probably the most complex of all the housing tasks faced by any organization.

I believe the FHA will be equal to its role in that task and will help us to do the job that we in Congress want done.

PASSPORT RESTRICTION BILL

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

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

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, within our concept of ordered liberty there exists the constitutional protection against the deprivation of life, liberty or property without due process of law.

This protection extends by implication to a citizen's right to travel abroad. Any arbitrary or capricious restraint on such travel is not consistent with our concept of a free society, and would be a deprivation of liberty without due process.

This right to travel, however, is not absolute, but rather must be balanced against other provisions of the Constitution governing the conduct of the United States in her relations with other nations.

It is crucial to our foreign policy and because of the changeable and explosive nature of contemporary international relations, it is imperative that the executive department, and especially the Department of State, be given stronger measures by which travel to foreign countries may be regulated when such travel is not in the best interest of the United States.

The bill I am introducing today will make it a crime for anyone to travel without a passport to, in or through a country for which a passport is not valid, or for refusal to surrender his passport upon proper demand.

This bill will fill a gap in the existing law which now permits a person to obtain renewal of his passport merely by declaring that he will not again go into a country for which his passport has not been validated.

The law as it exists now provides no penalty for travel to unauthorized countries except forfeiture of the passport or, in the case of "willful use" of the passport in violation of travel bans, 5 years in prison and/or $2,000 fine. It is almost impossible to prove use because passports are not stamped by the Governments of North Vietnam and Cuba.

Thus, a person who violates travel restrictions imposed by the State Department only has to offer a promise of "good faith" that he will not again violate the ban and his passport will be renewed.

Just 2 weeks ago six persons received new passports by promising that they would not again go to a country not named in the passport.

One of those six individuals is David Dellinger, editor of the leftist publication Liberation magazine. He is also national chairman for the National Mobilization Committee To End the War in Vietnam and is currently planning a march on the Pentagon this Saturday, October 21.

Dellinger has been convicted for violation of the selective service law and traveled to North Vietnam in 1966 as an alleged member of an "investigating team" for the so-called Bertram Russell War Crimes Tribunal.

His passport was revoked on January 5, 1967, but just 2 weeks ago he was issued a new passport on his sworn promise that he would not again violate the restrictions. His new passport has been validated by the State Department for travel to Cuba as a "journalist."

Others who have just been issued new passports are: Herbert Aptheker, an admitted Communist and director of the American Institute for Marxist studies; Lena Greene, American-born wife of British journalist Felix Greene; John Christopher Kock, New York radio announcer; Harold Supriano, an unemployed California social worker; and John Gerassi, not otherwise identified.

We are now asked to believe that they will not violate the passport restrictions. Such promises have in the past been "illusory."

If these people do go to a restricted country, the only existing punishment is loss of their passports, only again to have them renewed upon a promise of "good faith."

The laws of this country should be accorded more respect, and if the laws of this country are not sufficient to deal with the problem, then they should be amended and made stronger. This is my intention in introducing this bill.

"TIGER" TEAGUE—NEW GOALS IN SPACE

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

this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DORN. Mr. Speaker, the Russian soft landing on Venus emphasizes the urgent need for new goals and more money in our own space program.

We can point with pride to the leadership of GEORGE MILLER, "TIGER" TEAGUE, and, the members of the Committee on Science and Aeronautics here in this House for their outstanding leadership and foresight in this field. They urgently need the backing and support of every Member of the Congress in facing this new challenge from Russia.

The General Electric Forum recently conducted an interview with our distinguished and beloved colleague, OLIN TEAGUE, chairman of the Subcommittee on Manned Spaceflight.

I commend this interview with Mr. TEAGUE to the attention of my colleagues and to the people of our country:

MEETING PUBLIC NEEDS

(By Representative OLIN E. TEAGUE, Chairman, House Subcommittee on Manned Spaceflight)

Question. Congressman Teague, you are recognized as one of the most knowledgeable space experts in the Congress. What do you see as the Nation's over-all direction in space exploration?

Answer. There can be three major areas of emphasis in our efforts to explore space and to utilize it for the benefit of mankind. These were outlined in a report entitled "Future National Space Objectives," which was prepared in 1966 by the House Subcommittee on NASA Oversight, which I chair.

The first area is near-earth orbital operations for scientific experiments and commercial utilization. For example, it has been estimated that by placing a telescope outside the earth's atmosphere, more information about the universe can be obtained in one year than has been previously accumulated in all of recorded history.

The commercial side, the use of weather and communications satellites shows great promise, and we can look for an extension of these programs in the years to come.

The second area is lunar operations. Merely landing on the moon is *not* our end objective. The real goal is to examine the moon to discover more about the origin of our own planet and to determine if the lunar surface may be made more habitable for extended astronomical observations and other scientific activities.

In the near future, a manned lunar laboratory program should be pursued, as well as an earth-orbital laboratory program. These programs will provide the basis for extending our manned lunar effort into the third area of emphasis—interplanetary activities—in the period beyond 1975. This extension, of course, requires the use of unmanned probes at first to gain sufficient information on deep space to allow man to venture forth into this relatively unknown and hostile environment.

One thing which intrigues me about probing deeper into the solar system, both in manned and unmanned vehicles, is the possibility that we will be able to understand better how nature functions here on earth, and what some of the mechanisms are which control our solar system and the many star systems of the universe. For instance, only a few years ago, we knew nothing about the Van Allen radiation belts around the earth, and relatively little about how activity on the sun affected the earth. Information from several space probes has greatly broadened our understanding of these important areas.

Question. When should we begin to work actively toward new goals in space beyond the Apollo lunar landing?

Answer. Right now. I say this with full awareness of recent (and current) Congressional concerns over the size of our national space budget. The House Subcommittee's report recommended that future major goals be set at the earliest possible time to assure our scientific and technological preeminence in the 1970's, and to provide a focal point for an orderly national space program.

If we don't start working toward new goals now, the sophisticated aerospace team built up for the Apollo moon program will begin to shrink away. NASA has estimated that by the end of this year, about 200,000 people—50 per cent less than at the peak—will be at work on the Apollo program. By the end of 1968, this figure will be down to about 100,000, and by the end of 1969, if the program is successful and going as it should, its employment will be nearing an end.

Question. In light of this year's close Congressional look at the space budget, what is the general mood of the 90th Congress toward space exploration beyond the Apollo man-on-the-moon program?

Answer. It is my view that Congress will continue to support the Apollo lunar landing program while continuing to take a hard look at new programs proposed by NASA.

Considering the fact that there are many pressures and possible alternative allocations of the resources available in the Federal government, including Vietnam, it is incumbent upon NASA to continue to make clear the value of these new programs in terms of economic advantage, technological progress, national security and scientific discovery. Within budget limitations, I personally believe that these new space programs should be pursued vigorously—if not this year, actively advanced when national budget conditions permit.

Question. What role does Congress play in overseeing the space program?

Answer. Primarily we represent the public voice in the amount of money spent and in the direction of the activities. It certainly isn't the job of Congress to run the day-to-day operations of the space program, but rather to examine periodically how well the work is being done and what return we are gaining in new knowledge and practical utility from the space program.

In addition to the annual authorization hearings where past performance and future planning are reviewed, our subcommittees travel to NASA centers and plants of the major industrial contractors to review their projects each year. We supplement these activities by conducting studies each year into those areas which appear to be most critical, such as our report on "Future National Space Objectives," mentioned earlier.

Congress must examine any new program not only on its own merits, but also on its relationship to other national goals. Each decision we make in the area of science and technology involves the setting of a relative order of priorities for the use of the Nation's resources for science and technology.

Given the feasibility and desirability of a particular program, it is the ultimate responsibility of Congress to determine when the program should start, when it should end, and at what funding level it should be pursued. Here are a few of the questions Congress asks about each space project:

Is the objective compatible with other national goals?

Is there a reasonable expectation of achieving the objective?

What will be the effect of the program on the welfare of the general public?

Are there desirable or undesirable international implications?

Are new concepts of science or technology required?

What will the program cost each year, and what will be the total cost?

Are the cost estimates realistic?

Can any portion of the program be modified to reduce costs and still realize the end objective?

What effect will the commitment of that sum of money have on other Federal activities?

Question. As you assess the public mood at this time, how much support is there for the space program?

Answer. I think there is general public support. Recently a public survey firm made available to me a set of questionnaires discussing public interest in the space programs, which indicated general support for it. Another barometer is the mail we receive on the subject. Less than one per cent of the mail I receive on a daily basis is unfavorable to the space program.

One of the problem areas we are facing is the need to keep the public informed. Here, I think both NASA and industry need to do a better job. There is a great deal of communication within the space industry on a daily basis, and through periodic meetings, and this is certainly important. But sometimes I think we lose sight of the fact that it is equally important to make this information available and understandable to the general public.

For example, I think it is important for leaders in the space industry to talk to local civic organizations, schools, and nonspace-related industries, and to distribute to these groups whatever information is necessary to allow them to make an intelligent and informed assessment of the space program on their own.

Question. What are the possibilities for improved international cooperation in space?

Answer. I'm convinced that in the years ahead international cooperation in space will increase. There is great potential in the use of space for human betterment, in such areas as earth-orbital agricultural surveys, international communications, and oceanographic surveys.

More than 60 per cent of the world's people, for instance, are protein-deficient today. If, by earth orbital surveys, in cooperation with the less-developed countries, we can improve that situation, our entire space program will have paid for itself many times over.

The problem in international cooperation, of course, is in finding the right mechanism. There is a major element of national security wrapped up in the development of advanced technology, so all nations are understandably cautious. But the gains can be so great if we can only find the mechanical means for cooperation.

Question. From your viewpoint as a representative of the people, why is it so important for the United States as a nation to set ambitious goals in space?

Answer. If we expect to continue the rapid progress made to date in this country, to compete in the world marketplace in the years to come, and to help other peoples improve their standards of living, we will need still more technological progress. And this is what the space program is providing us—technology on a scale so vast and varied that we can barely keep up with it. There is hardly a single field of scientific endeavor that is not touched by the space program.

Even more important is the stimulation that our ambitious goals in space bring to the young people of our nation, and to our educational system. This stimulation is hard to measure, but I am convinced that without the examples of the attainments of the many highly skilled people in the space program and of the astronauts, our young people might well set lower goals for their own accomplishments.

If I could sum up these reasons, I would say that the national space program is an integral part of our national well-being, not only for today, but for the future as well—intellectually, materially, and spiritually.

A MORATORIUM ON VIETNAM CRITICISM

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

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

There was no objection.

Mr. TAFT. Mr. Speaker, the mass demonstrations against the war in Vietnam planned for Washington and other cities this weekend seems sure to be exploited by the Communists and others throughout the world who oppose our policy there. With the likely excesses of emotion and oratory, some step to avoid international misinterpretation is needed. For this reason, when the shouting and the drama has passed and our treasured right of dissent has been exercised by those who wish to exercise it, I suggest that all Americans follow the demonstrations with a self-imposed 30-day moratorium on criticism on our policy in Vietnam. You might call this a halt in verbal bombing.

Such a procedure could accomplish a number of purposes within acceptable limitations.

First, it might do far more than the protestations to create a climate favorable to negotiation. The wide range of criticism in our country during the past few months has surely demonstrated to the world the existence of free expression in our society. Now to avoid misrepresentation and misunderstanding, the depth of commitments of most Americans in their loyalty to the Nation could be demonstrated most vividly by the announcement and observance of such a period of voluntary restraint.

Secondly, such a pause would provide a period for thoughtful consideration by those charged with the heavy responsibility of making decisions. The weight of daily choices in the war and in international policy is a heavy one and can hardly have been helped by the current barrages of criticism that tempts direct reply and reaction.

A third and equal benefit of such a lenten period would be the opportunity it would offer every American for reflection upon our responsibilities to ourselves, our Nation and the world for the views we espouse and the course we take in Vietnam and other troubled spots in the world.

With these goals in mind, I suggest that the President, leaders of both parties in the Congress and all who hold responsibility for commenting on the course of events, ask all Americans to pledge themselves to a moratorium on criticism and demagoguery relating to U.S. involvement in Vietnam to run 30 days commencing October 23 through Thanksgiving, November 23. This would and should be no gag-rule. The facts and the news we must have. It would not be a blackout, but rather it might mean progress through new light to show us the way toward the best course.

I do not suppose it will happen, but if it did, it would be inspiring and might be helpful.

TIME TO TEMPER OUR DISAPPROVAL OF THE WAR IN VIETNAM

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

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

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, I am gravely concerned about recent reports from Vietnam, including captured Vietcong and North Vietnamese documents, that indicate Communist refusal to enter negotiations may hinge on mounting antiwar sentiment here in America.

These reports indicate that leaders in Hanoi may be "holding out just a little while longer" in the hope that public opinion in this country may force a U.S. withdrawal from Vietnam thereby negating any need to negotiate.

If this be the case, then it appears that the demonstrators, themselves, may be prolonging this war and causing increased and needless casualties among U.S. fightingmen in Vietnam.

Responsible voices in our Nation, fearing this may be the case, have long warned that freedom of speech and the right to dissent, in this regard, should be accompanied by responsible restraint. With freedom of speech, goes the responsibility each of us has for those young Americans in Vietnam who are really paying the price of this war.

Mr. Speaker, this is a time for serious reflection by all Americans—a time to ask ourselves if we have, in fact, given aid and comfort to the enemy by burning flags and draft cards, attempting to shut down induction centers and other public buildings, and berating our Nation as "immoral" and "indecent." Such irresponsible actions and words are being misread in foreign capitals and I think its time we temper our disapproval in favor of those men that this administration has committed to the war in Vietnam.

Even though a substantial number of Americans, including many in Congress, oppose administration policy in Vietnam, it is also true, in this instance, that those who take to the streets to express their opposition, may be doing more harm than good when it aids and abets the enemy.

Quite frankly, I feel we must now face up to a new and awesome reality. To prolong this war one more day or cause the death of one more American in Vietnam, now becomes the solemn responsibility of each and every citizen of this country.

My principal purpose in raising this question today is to bring this matter to the attention of my colleagues in the hope that we can measure up to this challenge before it is too late. In my judgment, we are entering an explosive and dangerous period in our country and in our history that could well destroy our national fiber unless we are aware of this threat and ready to meet it.

DESIGNATING THE ROSE AS AMERICA'S NATIONAL FLOWER

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

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

There was no objection.

Mr. ROBERTS. Mr. Speaker, I have introduced House Joint Resolution 896, which names the rose as America's national flower. This, of course, is not a new proposal, but rather a renewal of a much needed piece of legislation. The United States stands alone as the only major country in the world which does not have a national floral emblem. For this and other compelling reasons, I am sponsoring this resolution.

The rose really needs no champion, for its beauty and popularity are well documented. Time after time, in a series of national polls conducted by periodicals and floral organizations, the rose has emerged as the Nation's choice to be named our country's official flower. This Week magazine was so sure of the rose's popularity that it conducted a poll to determine which color of the lovely bloom would be the national flower. Stated this magazine uncategorically:

> The rose is America's favorite flower.

Coincidentally, the red rose was the overwhelming choice. But no matter the color. The rose is the thing, be it red, yellow, white or whatever color. There are hundreds of varieties in various hues, and they are all lovely.

Another important factor is the widespread pleasure this flower gives. The rose is grown for fun and profit throughout this great Nation. From housewives in Portland, Maine, to commercial producers in California, everyone is growing roses. It is a relatively easy bush to cultivate in most climates and is known for its hardiness. It is my pleasure to represent Tyler, Tex., known as the city of roses. Tyler is the center of an agricultural complex that produces more than half of all the field-grown rose bushes produced in the United States. America is the leading rose nation in the world, with annual production of more than 30 million bushes.

But roses are not the property of Texas alone, nor do we claim them for ourselves solely. Indeed, the rose is revered across the land. From the Pasadena Rose Festival on New Year's Day to Tyler's own Texas Rose Festival held each October to the celebration of National Rose Week, Americans honor the role of the roses in our lives.

The rose has a long and proud history. Archeological findings in Oregon indicate that prehistoric man encountered the rose as far back as 5 million years ago, probably making the rose the oldest flower known to man. Through the centuries the rose has been adopted as a sym-

bol for many things: courage, beauty, honor, truth, fidelity, grace, and on and on. Even today, at almost any function where flowers are given as a token of admiration and esteem, the choice is the rose. First Ladies receive roses, prima ballerinas get them by the basketful and teary-eyed actresses walk off stages with armloads on opening night. Miss America is crowned each year holding a bouquet of roses.

Finally, why do we need a national flower? There are a number of good reasons, it would be helpful to have an official flower for use at State functions, whether in the White House or for other Government officials. In greeting visiting dignitaries, presenting our national flower would be a fitting welcome. But there is one most compelling motive, and it is a simple and an obvious one: The rose, in the hearts and minds of Americans, already is the national flower. It is only left to the Congress to make it official.

PREPARATIONS FOR THE OBSERVANCE OF THE INTERNATIONAL HUMAN RIGHTS YEAR: PROGRESS REPORT NO. 2

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, in the fall of 1963 and again in 1965, the General Assembly of the United Nations adopted resolutions designating the year 1968 as the International Human Rights Year and calling on all member states to join in observing the 20th anniversary of the Universal Declaration of Human Rights.

In the fall of 1966, the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs held hearings on legislation proposing the establishing of a U.S. Committee on Human Rights to prepare for the observance, by and in the United States, of the International Human Rights Year. Although the subcommittee, which I have the honor to chair, reported the legislation favorably, we did not manage to obtain House concurrence to that proposal prior to the adjournment of the 89th Congress.

At the beginning of the current year, a special committee was appointed by the U.S. National Commission for UNESCO to plan and prepare for the observance of the International Human Rights Year. Under the able chairmanship of Mr. Bruno V. Bitker, of Milwaukee, Wis., that committee has done an impressive amount of work in stimulating interest in the forthcoming International Human Rights Year among American educational institutions as well as among a multitude of private, voluntary organizations.

On June 21, I reported in the CONGRESSIONAL RECORD on the initial accomplishments of Mr. Bitker's committee.

Today, I should like to include in the CONGRESSIONAL RECORD a further status report received from Mr. Bitker.

Before I do this, however, I should like to call to the attention of the membership of the House the proclamation on the Human Rights Year, 1968 issued last week by President Johnson.

President Johnson strongly reaffirmed America's belief in human dignity and equality in his stirring proclamation celebrating the anniversary of the Human Rights Declaration of 1948.

The President marked the historical importance of this declaration of freedom by naming December 10 to 17 Human Rights Week and 1968 Human Rights Year.

This document joined in common voice the nations of the world to express, in the President's words:

> Man's deepest beliefs about the rights that every human being is born with, and that no government is entitled to deny.

In a world beset with tyranny, America must continue to set a shining example for freedom-loving people everywhere to follow. On a globe hot with conflict, we must reassert our abiding conviction that nations and ideologies which deny basic human rights will crumble.

This has been our faith. It will always remain our faith.

The renewal of this basic belief is the real meaning of President Johnson's eloquent proclamation celebrating the Universal Human Rights Declaration.

Under unanimous consent I place this proclamation in the RECORD.

The text of that proclamation, promulgated on Otcober 11, 1967, the birthday of the late Eleanor Roosevelt, reads as follows:

"HUMAN RIGHTS WEEK AND HUMAN RIGHTS YEAR"—A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

The year 1968 will mark the twentieth anniversary of the Universal Declaration of Human Rights by the United Nations—an historic document of freedom that expresses man's deepest beliefs about the rights that every human being is born with, and that no government is entitled to deny.

The United Nations has designated 1968 as International Human Rights Year. It has invited its members to intensify their domestic efforts to realize the aims of the Declaration.

Every American should remember, with pride and gratitude, that much of the leadership in the drafting and adoption of the Declaration came from a great American, Mrs. Eleanor Roosevelt. She was our first representative on the UN Commission on Human Rights.

Today, October 11, would have been her 83rd birthday. With the inspiration of her humanitarian concern still before us, I call the attention of our people to the Declaration she helped to author.

To Americans, the rights embodied in the Declaration are familiar, but to many other people, in other lands, they are rights never enjoyed and only recently even aspired to.

The adoption of the Declaration by the United Nations established a common standard of achievement for all peoples and all nations. These principles were incorporated into Human Rights Conventions, to be ratified by the individual nations.

American ratification of these Conventions is long overdue. The principles they embody are part of our own national heritage. The rights and freedoms they proclaim are those which America has defended—and fights to defend—around the world.

It is my continuing hope that the United States Senate will ratify these conventions. This would present the world with another testament to our Nation's abiding belief in the inherent dignity and worth of the individual person. It would speak again of the highest ideals of America.

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, in honor of the ratification of the American Bill of Rights, December 15, 1791, and in honor of the adoption by the General Assembly of the United Nations of the Universal Declaration of Human Rights, December 10, 1948, do hereby proclaim the week of December 10 through 17, 1967, to be Human Rights Week and the year 1968 to be Human Rights Year. In so doing, I call upon all Americans and upon all Government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and to strengthen our efforts for their full and effective realization both among our own people and among all the peoples of the United Nations.

In witness whereof, I have hereunto set my hand this eleventh day of October, in the year of our Lord nineteen hundred sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

Mr. Speaker, at this point, under unanimous consent, I include in the RECORD the second progress report on the activities and accomplishments of the special committee of the U.S. National Commission for UNESCO, submitted to me by Mr. Bruno Bitker.

The report follows:

THE U.S. NATIONAL COMMISSION FOR UNESCO,
Milwaukee, Wis., October 12, 1967.

Hon. DANTE F. FASCELL,
Committee on Foreign Affairs,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FASCELL: Your continued interest in the observance of International Human Rights Year—1968 is most heartening. As you noted in your report to the 89th Congress, the 1965 White House Conference on International Cooperation urged that the United States plan in advance for the observance. In your statement to the House on June 21, 1967, you commented on the preparations that had then been undertaken by the U.S. National Commission for Unesco, and the help received from Assistant Secretary of State Charles Frankel through the appointment of Mrs. Margaret H. Williams to assist in the planning.

On October 11th, President Johnson issued a Proclamation designating 1968 as Human Rights Year. The date, incidentally, is the birthday of Mrs. Eleanor Roosevelt who did so much to bring about the adoption by the United Nations of the Universal Declaration of Human Rights. The Declaration is, as the President proclaimed, "an historic document of freedom that expresses man's deepest beliefs about the rights that every human being is born with and that no government is entitled to deny".

The President called "upon all American and upon all government agencies—federal, state and local—to use this occasion to deepen our commitment to the defense of human rights and . . . for their full and effective realization both among our own people and among all the peoples of the United Nations".

The committee of the U.S. National Commission for Unesco will do what it can to implement the President's Proclamation. In our preparations over the past months, we have considered it of especial importance to bring to the attention of the American public the relationship of the Universal Declaration of Human Rights to World Peace. We

constantly emphasize the roots of the Declaration in American history and American basic documents such as our own Declaration of Independence and Constitution. We do this not as chauvinists but because the ideas expressed, even the language used, in our national documents had such an influence in the preparation of the Universal Declaration.

To this end we are enlisting the active support of the educational world on all levels. We have met with representatives of organizations in the educational world such as the National Educational Association and its affiliates, the American Council on Education and others of equal status and influence.

The activities of the National Council for the Social Studies is of special significance because of its professional standing among social science teachers throughout the country. It has created a special committee to work on a publication on the Universal Declaration which would be a teaching guide for the social science teachers as well as those of other classrooms.

We have also been in communication with universities around the country. We hope to encourage institutions of higher learning to conduct seminars and institutes and conferences. It is our expectation that four of these seminars will be of major dimensions, conducted in four geographical areas of the country (the east coast, the mid-west, the south, and the west coast) and that those seminars would have the direct cooperation of departments of the federal government including the State Department's Bureau of Cultural and Educational Affairs, through its International Cultural Exchange Program. An example of a seminar undertaken on the university level is one scheduled for the current year at the University of Iowa (a copy of its agenda is enclosed). The Georgetown Law Center, Harvard Law School and Howard Law School are among those who will hold seminars.

The National Unesco Commission membership includes members of the Congress as well as representatives of recognized national organizations interested in matters of this nature. We have circularized these organizations as well as the Commission's members, past and present, urging that their organizations participate in the 1968 observance in several ways: by adopting appropriate resolutions at their respective national conventions; by devoting a session thereat to the Universal Declaration on Human Rights; by publishing appropriate articles in their journals; by distributing material to their members; by supporting the ratification of the four human rights treaties now pending in the Senate.

Questionnaires (copy attached) have been sent to these same organizations and individuals soliciting information as to the extent of their activities. It is too soon to evaluate the returns but early responses indicate that there will be considerable activity in the private sector during 1968. A summary (Aug. 3, 1967) of programs by some of these organizations is attached.

In cooperation with the United Nations Association and with the support of many other voluntary organizations, the U.S. Unesco National Commission is sponsoring a guidebook for use by local community leaders and organizations. It is entitled: "You in Human Rights". An initial printing of 20,000 copies has been authorized. The guidebook will be of practical value to local civic, educational, religious and other groups in planning local or state-wide observances of IHRY. The actual publication date is December 10, 1967, Human Rights Day. I served as the chairman of the Editorial Committee and am confident it will contribute materially to grass roots recognition of the significance of the Universal Declaration.

Many private organizations will be publishing material for distribution to their own members and local affiliates, as well as for general public use. The Association Press (the publication arm of the Y.M.C.A.) is publishing a paper-back book entitled "Human Rights and Fundamental Freedoms in Your Community" edited by Dr. Stanley I. Stuber. It is scheduled for release in January 1968, and is to be popularly priced. We have been informed that a printing in excess of 100,000 copies is contemplated.

Prior to the President's Proclamation calling on federal agencies to strengthen their efforts in this field, there existed an interdepartmental committee on foreign policy relating to human rights. We have been meeting with members of that committee from time to time and will now re-emphasize our efforts through it.

In the meantime we have secured approval of the Post Office Department for a special cancellation which will read: "IYHR: 1968 International Year For Human Rights."

Dies must be purchased. The U.S. National Commission for Unesco will acquire a half dozen. But through the Commission's membership as well as through the United Nations Association it is planned and hoped that dies will be purchased by local groups throughout the country for use in their respective post offices by applying to their own postmasters.

A formal request has been made by the Secretary of State to the Postmaster General for the issuance of a commemorative postage stamp. This request is being processed through the usual channels and we believe it will be acted on favorably in time for use early in 1968.

The U.S. Office of Education, through Dr. Harold Howe, a member of the Unesco National Commission, has indicated its interest and its willingness to help. Its first assist is through a special feature article in *American Education*. It will review the manner in which human rights is taught at one institution, reprints of which will be available for wide distribution, and thus serve as a pattern for others.

The Department of State and the Unesco National Commission have issued a number of publications in the past. Some of these will now be revised and reissued in quantities. It is expected that the State Department will include appropriate pieces in its Bulletin (circulation of 9000) and in its Briefs, which has a mailing list of 20,000 (mostly schools). The Unesco Commission will continue to furnish material to its affiliated organizations and to the public to the extent of its available supply of publications.

The General Assembly resolution on I.H.R.Y. urged the ratification by all member nations of conventions on human rights. The President's Proclamation also refers to these conventions. Four are now pending before the U.S. Senate (Genocide, Slavery, Forced Labor, and Political Rights of Women). A Senate sub-committee held hearings early this year on three of the treaties (other than Genocide) and the full Senate Foreign Relations Committee heard witnesses in September. I testified in support of ratification, and also recorded the approval of the Human Rights Committee of the White House Conference on International Cooperation as well as of the U.S. National Commission for Unesco. The full Foreign Relations Committee on October 11th, in executive session, reported out one of these conventions—on slavery—but failed to report out the other two.

The activities at United Nations are, of course, on the international level. But the programs planned and the material being issued are of great interest and assistance to us in planning the American observance.

The UN Office of Public Information is publishing a news letter. It has in preparation a special 100 page booklet. "The United Nations and Human Rights", which will be printed in English, French, Spanish and Russian. It will be available before Dec. 10, 1967. The UN is also issuing a 16 page pamphlet, "Questions and Answers on Human Rights". Considerable attention is being directed by the UN to the International Conference on Human Rights to be held in Teheran from April 22 to May 12, 1968. Mr. Curtis Campaigne has been named by the Division of Human Rights of the United Nations as a special assistant to coordinate the U.N.'s activities for the observance year. We have met with him on a number of occasions and are continuing to cooperate wherever appropriate.

Many of the specialized agencies of the UN are preparing for the observance year. Unesco was specifically referred to in the General Assembly resolution and "urged to mobilize the finest resources of culture and art in order to lend the . . . year . . . a truly universal character"

Unesco is honoring the General Assembly recommendations and is undertaking a number of projects. These will encompass: the publication of a booklet, in cooperation with the UN, "Teaching Human Rights", for teachers; a "Report on the Effects of Apartheid"; a re-appraisal of Unesco's previous Statement on Race; a unique project on "Human Rights and the Identification of Universal Human Values" which will consist of a collection of texts originating from the most diverse of the world's cultures which bear a connection with human rights.

The American contributor on this project is the distinguished historian Dr. Henry Commager. Publication is scheduled for the spring of 1968. It is hoped that out of the comparative analysis of these texts relating to human rights in the different religions, ideologies, laws and cultures may come a basis for determining whether there exists a universal conception of human rights.

Unesco intends to publish a special issue of its magazine *Courier* which has a wide international distribution especially among educators.

In Geneva I attended a meeting in July of the special I.H.R.Y. Committee of Non Governmental Organizations in Consultative Status with the United Nations Economic-Social Council. A non-governmental group in England (organized through the United Nation Association of the United Kingdom) seemed the most active of the private organizations around the world, other than those in the United States. We have, however, probably done as much or more than most nations in our preliminary planning. The World Conference of Lawyers on Peace Through Law met in Geneva at the same time. Many American jurists and lawyers participated. It adopted my resolution supporting the observance of I.H.R.Y. by lawyers throughout the world.

As you can see from the foregoing we have been as active as our resources and manpower permit. We have no fully assigned staff or budget. The help from the staff of the U.S. National Commission for Unesco, particularly the valiant service of Mr. William Marvin, its Deputy Executive Secretary, and from Mrs. Williams of the Department of State has been most valuable. But it is an additional heavy assignment for them, since it is added to the load of their regular work which they must continue to carry.

We have, nevertheless, managed to interest a great many responsible organizations, both public and private, particularly in the educational world, in undertaking appropriate projects for the observance year. We have started the ball rolling and can only hope it continues to pick up speed.

Sincerely,

BRUNO V. BITKER.

ORGANIZATION ACTIVITIES PLANNED FOR INTERNATIONAL HUMAN RIGHTS YEAR AS REPORTED IN RETURNED QUESTIONNAIRES, AUGUST 3, 1967

MEETINGS

(1) B'nai B'rith—session to be devoted to Human Rights at Triennial Convention, Washington, D.C. September 7–12, 1968.

(2) African Studies Association—likely that 1968 program will include discussion panel relating to Human Rights and Africa.

(3) American Anthropological Assn—sessions at 1968 convention might be arranged.

(4) AFL–CIO—preparatory discussions being held concerning resolution on Human Rights for 1968 convention.

(5) American Jewish Committee—planning sessions for 1968 convention and cooperating in the planning of the World Assembly for Human Rights to be held in Montreal.

(6) American Psychological Association—Symposium on Human Rights planned for 76th Annual Meeting in San Francisco August 30 to September 3, 1968.

(7) American Sociological Association—1968 annual meeting—Presidential address will refer to International Human Rights Year and it may be possible to have a special session on the subject.

(8) Associated Countrywomen of the World—Triennial Conference in East Lansing, Michigan on the University Campus September 3–10, 1968. Evening session will be devoted to UN activities which will include discussion of Universal Declaration as well as another session with a speaker on the subject. 5000 women will attend; 1000 from other countries.

(9) Church Women United—Seminar on Human Rights, March 1968.

(10) National Assn for the Advancement of Colored People—sessions at 1968 convention may be possible.

(11) National Congress of Parents and Teachers—planning a World PTA meeting to follow May 1968 National Convention in San Diego, California. Program will probably be based on U.S. Bill of Rights, Universal Declaration, Declaration of Rights of the Child and Bill of Rights of the Family.

(12) National Council of Catholic Women—session at 1968 Convention.

(13) National Council of Negro Women—session at 1968 convention.

(14) National Council of Women—session at October 1968 convention.

(15) YMCA—15th annual YMCA Seminar on the UN and World Affairs Education November 12–17, 1967 will have Human Rights Year as its theme.

(16) American Society of International Law—session at annual meeting in April 1968.

(17) Experiment in International Living—Experimenters Assn (alumni body of Experiment—24,000 members in U.S.) will feature Human Rights Year as theme of 1968 annual meeting

QUESTIONNAIRE

(Please fill in and return to the U.S. National Commission for UNESCO, Department of State, Washington, D.C. 20520.)

PROGRAMS

For Human Rights Year 1968 are you planning:

Special meetings?----------

Commemorative ceremonies marking the anniversary date, Dec. 10?----------

Commemorative ceremonies marking the anniversary week, Dec. 10–17?----------

Sessions at your 1968 convention?----------

(Please describe)----------

Are you planning these activities with other organizations?----------

Please indicate organization----------

Human Rights Conventions:

Is your organization supporting the Human Rights Conventions on Slavery, Forced Labor, the Political Rights of Women, and Genocide now before the Senate? ----------

PUBLICATIONS, OTHER PRINTED MATERIALS, AUDIOVISUAL MATERIALS

Have you published or issued any materials (including audiovisuals) within the past 5 years relating to the Universal Declaration of Human Rights or on the Bill of Rights? ----------

(If in affirmative, please list and enclose copies when returning the questionnaire, indicating costs and where they might be obtained) ----------

Are you planning to issue materials within the near future on the theme stated above? ----------

(Please provide description) ----------

Suggestions would be welcome relating to any means by which public or private institutions, or local or national organizations can further an understanding of the Declaration. ----------

Please return to address at top questionnaire. ----------

Title:

Organization:

THE UNIVERSITY OF IOWA,
Iowa City, Iowa, September 25, 1967.

Mr. BRUNO V. BITKER,
Milwaukee, Wis.

DEAR MR. BITKER: You will recall me as a recent member of the U.N. National Commission for UNESCO. I shall be representing the Association of American Geographers at the forthcoming meeting in Hartford, and shall no doubt see you there.

I have not neglected your correspondence of June 30 concerning the resolution of the National Commission urging all national organizations and individuals to join together to promote observances of the international Year for Human Rights.

You may be interested in what we are planning to do here in the University of Iowa. I am enclosing, therefore, a memorandum concerning a seminar which is to be offered during the first semester of the current academic year on international and comparative human rights. The first meeting is scheduled for this coming Tuesday evening, September 26.

Note that I am scheduled for the session on January 9, and will speak on Human Rights and the work of UNESCO. Needless to say, if you have any materials or thoughts that might help me develop that lecture, I would be quite happy to have them.

We are hoping that the seminar will be a satisfying one for both students and leaders.

Again, let me say that I shall look forward to seeing you in Hartford.

Cordially,

CLYDE F. KOHN,
Chairman.

MEMORANDUM, SEPTEMBER 1967

Re Description of and Agenda for *Interdisciplinary Seminar: Dynamics of International and Comparative Human Rights* [Business Administration (6B: 288); Journalism (16: 280); Law (91: 680); Religion (32:280); Sociology and Anthropology (34S & 34A:280); others to be added.]

To: Graduate Students and Interested Faculty.

From: Prof. Burns H. Weston (College of Law).

Beginning with the 1967 Fall-Winter semester, a new interdisciplinary graduate level seminar on international and comparative human rights will be offered. Students not taking the seminar for credit, and interested faculty as well, are urged to attend. The seminar, whose title is set forth above, is generally and officially described as follows:

"Main currents of thought and action as regards human rights in a transnational context. An interdisciplinary analysis of human rights problems and developments on the international and comparative planes, with emphasis on individual research and writing. No prerequisites. Graduate students and interested faculty only. (Credit: 2 s.h.)"

Subject to last minute change, all sessions will meet for three (3) hours each Tuesday evening in the Board Room of Old Capitol, commencing at 7:15 P.M. Each session will be divided roughly half-and-half between lecture and discussion, in that order.

In addition to certain required and recommended readings (a list of which will be distributed at the first meeting of the seminar), students will be expected to read by no later than the second meeting (October 3) the symposium "Human Rights in Perspective," 18 International Social Science Journal, No. 1 (1966) (SS.65/I. 71/A), available at Iowa Book and Supply.

Meeting: September 26, 1967. Lecturer: Professor Phillip D. Cummins (Philosophy). Topic: "What Are 'Human Rights'?"

Meeting: October 3, 1967. Lecturer: Professor David H. Andrews (Anthropology). Topic: "Human Rights and the Search for Cultural Universals."

Meeting: October 10, 1967. Lecturer: Professor Lawrence E. Gelfand (History). Topic: "The Quest for Human Rights in the World Community: A Pre-1945 Historical Dimension."

Meeting: October 17, 1967. Lecturer: Professor Willard L. Boyd (Law). Topic: "Are Human Rights Legal Rights?"

Meeting: October 24, 1967. Lecturer: Professor Hugh Dingle (Zoology). Topic: "Why *Human* Rights?"

Meeting: October 31, 1967. Lecturer: Professor William E. Connor (Medicine). Topic: "The Right to Life as a Human Right: Situation Ethics vs. Medical Ethics."

Meeting: November 7, 1967. Lecturer: Professor Howard J. Ehrlich (Sociology). Topic: "Human Rights and Human Prejudice."

Meeting: November 14, 1967. Lecturer: Professor Robert D. Baird (Religion). Topic: "Religions Obstacles to Human Rights."

Meeting: November 21, 1967. Lecturer: Professor Irving Kovarsky (Business Administration). Topic: "The Right to Work as a Human Right."

Meeting: November 28, 1967. Lecturer: Professor James W. Markham (Journalism). Topic: "The Right to Give and Take Information as a Human Right."

Meeting: December 5, 1967. Lecturer: Professor John Schmidhauser (Political Science). Topic: "The Right to Dissent as a Human Right."

Meeting: December 12, 1967. Lecturer: Professor David Hayman (English). Topic: "Human Rights and World Literature."

Meeting: January 2, 1968. Lecturer: Professor Willard L. Boyd (Law). Topic: "Whither the Law of Human Rights?"

Meeting: January 9, 1968. Lecturer: Professor Clyde F. Kohn (Geography). Topic: "Human Rights and the Work of UNESCO."

Meeting: January 16, 1968. Lecturer: Professor Alvin H. Scaff (Associate Dean, Graduate College). Topic: "Human Rights and Higher Education."

FINNISH ANNIVERSARY

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. WYATT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. WYATT. Mr. Speaker, Finland is a free and independent state. She achieved her freedom at the time of the Russian Bolshevik Revolution. Since that time she has had to fight Russia twice to preserve her territorial integrity.

It is only fitting that we honor her on this 50th anniversary of her independence as a nation. There are a large number of people of Finnish descent residing in Oregon's First Congressional District, as well as throughout the rest of this Nation. To them I say on this occasion, "you have a right to be proud of your heritage."

I also would like to present at this time an editorial from the Oregon newspaper the Daily Astorian, which extends further congratulations to the Finns and their descendents on this celebrated occasion:

FINNISH ANNIVERSARY

Finland has been one of the US's best friends in Europe, and for many years was the only European nation to pay its World War I debts to this country.

It is fitting and proper therefore that we issue a special commemorative postage stamp honoring the 50th anniversary of Finnish independence.

Finland is a mere youngster among the family of nations, for 50 years is a short national existence, even though the Finns have an ancient culture and civilization of their own.

Bigger neighbors for centuries had political dominance over Finland—for a long time the Swedes, then the Russians.

Finnish independence was one of the fruits of World War II and the Russian Bolshevik revolution, which gave this small satellite nation the chance to shake off Russian control.

Independence was not won easily—Finland had its own bitter civil war between the reds and the white before it achieved national stability. Twice since then, during World War II, Finland had to fight the Russians to preserve freedom. It won once, was licked once, and had to give up some territory, but stubbornly maintained precious independence at a time when other small central European nations all became Soviet satellites, controlled by grim communist puppets of Russia.

Finland has a right to be proud of its 50 years of independence, and is entitled to the honors we give her on the occasion.

M–16 RIFLE

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I am gratified that the just-released report of the Special Armed Services Subcommittee chaired by the able gentleman from Missouri [Mr. ICHORD], and fully supported by the distinguished chairman of the full committee, the gentleman from South Carolina [Mr. RIVERS], reviewing the performance of the M–16 rifle in Vietnam, addresses itself to the problem of gun lubrication which I have been concerned about for the past year or so.

For months, the Army insisted there was no problem—and that the lubricant many soldiers were mail ordering from home was no good—even though the Marine Corps later tested and approved it for Vietnam. Then last May the Army announced they were issuing another lubricant that they claimed to be superior—and that had been in the inventory since 1959. They also revealed that their lubricating instructions have been improper. Subsequently, the Marine Corps announced it was adopting the new Army lubricant even though its own tests raised doubts about its claimed superiority.

In the face of this confused, mishandled situation the committee recommends that comprehensive independent tests be made to insure that our troops get the very best lubricant. I fully agree—for such a simple thing as a can of oil can be mighty important to a soldier whose life depends on his rifle. It will be interesting to see whether the Pentagon will act on this recommendation.

Mr. Speaker, on July 19, 1967, I discussed the matter of rifle lubrication problems in Vietnam at some length together with providing a documentary history of this controversy. Consequently at this time in order that the RECORD may be complete I insert the section of the subcommittee report dealing with the question of lubrication, appearing on pages 5362 to 5363, at this point in the RECORD:

REPORT OF THE SPECIAL SUBCOMMITTEE ON THE M–16 RIFLE PROGRAM OF THE COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES

LUBRICANTS

With respect to the question of the possible connection between rifle malfunctions and proper lubrication, the subcommittee views with concern the following facts:

1. After months of unequivocally defending the authorized rifle and small arms lubricant (known as VV–L–800 or PL Special) being issued in Vietnam, the Army has acknowledged in its report dated June 1967, that a better lubricant for the difficult environmental conditions of Vietnam has existed in the inventory since 1959, and since late May has been rushing it out to the troops.

2. The special qualities of this purportedly superior lubricant (known as MIL–L–46000A) became known to the Army, according to its own account, as the result of tests designed specifically to weigh the claims of a commercial, molybdenum disulfide base lubricant (known as Dri-Slide), which has won considerable acclaim from many of the troops in Vietnam who have procured it by mail order at their own expense and inconvenience. Without such outside stimulus there is no indication as to when the Army would have reviewed the lubricating qualities of MIL–L–46000A and considered making it available for use in Vietnam.

3. As a further result of this special Army test it was discovered that the official rifle maintenance instructions were improper in that the lubricant was required to be sparingly applied to certain parts of the M–16; and revised instruction prescribing liberal lubrication have been issued as of June 2, 1967.

4. In 1966 the Marine Corps tested, approved, and procured approximately 100,000 units of Dri-Slide as a supplemental lubricant for use in Vietnam along with the authorized lubricant (VV–1–800). According to testimony before the subcommittee on May 16, Marine Corps spokesmen reported that the troop response to Dri-Slide was "very enthusiastic" and that they were in the process of reordering this type of lubricant. It was also stated that a test was being made of the new Army lubricant MIL–L–46000A. In a memorandum dated July 24, 1967, the Commandant of the Marine Corps announced, in releasing the final report of this test that:

a. MIL–L–46000A would replace VV–L–800 as the "standard general purpose lubricant for all small arms."

b. Contrary to the findings of the test and the recommendation of the testing facility, the supplemental lubricant (Dri-Slide) would not be retained in the supply system.

In testimony before the subcommittee on August 8–9, this test, which was identical in scope to the one conducted in 1966, was acknowledged by Marine Corps representatives to have shown that Dri-Slide was "significantly more effective" under dry, sandy conditions and "equally effective" as MIL–L–46000A on the M–16 and M–16A1 rifles under muddy water conditions. However, when questioned as to why the Marine Corps did not accept the results of its own test, the witness disclosed that certain test findings were subsequently rejected on the basis of a further analysis ordered by the Marine Corps. Upon request a copy of this analysis was submitted for the record and the document bears the date of June 30, 1967. Since the final test report dated July 24, 1967, contains no reference to such an analysis or any suggestion that the test was invalid in any way, the subcommittee can only conclude that it was misled by the witness when told that further analysis had caused the Marine Corps to reject the results of its own test. To compound matters, this same Marine Corps analysis, it was learned after study, raised questions about the 1967 Army lubricant test as well.

Therefore, in view of the confused, uncoordinated, crisis-oriented, self-protective manner which has characterized all too much the handling of the matter of rifle lubrication, so vital to the welfare of the foot soldier in the field, the subcommittee recommends that:

The Secretary of Defense—

a. Authorize an independent research facility to conduct a thorough analysis of the tests procedures of the various services to ascertain their reliability; and to conduct such additional tests of such lubricants as are found necessary to clearly establish their effectiveness as lubricants under various conditions.

b. Initiate efforts to improve coordination among the services to insure an orderly, continuous research and development program in the field of weapons lubricants; and to report to the committee the steps he has undertaken to accomplish this.

HIGHWAY, MAIL SERVICE CUTBACKS ARE PHONY THREATS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. NELSEN. Mr. Speaker, the administration's threat to drastically curtail mail service if Congress cuts spending is as phony and unnecessary as its threat to harpoon highway construction.

The administration is trying to get its tax measure passed by conning the public into thinking essential Government services will be curtailed if Government spending is reduced.

The administration is protecting its pet political programs from cutbacks by threatening needed Government services

and that is all this fuss amounts to. It would have us believe the whole Government would fall if we cut its programs by so much as a nickel. Such a political line is pure hogwash. If we cannot make reasonable reductions in questionable programs at such a serious time for the Nation, we really are in bad shape.

The administration's threat to cut back Federal highway aid by as much as 50 percent as an anti-inflationary move will not reduce the budget deficit whatsoever. The highway trust fund, established by Congress in 1956, is a pay-as-you-build program. It is paid for by highway users through various taxes and the administration has no right to take away from the people what they have already paid for.

It is shamefully misleading to suggest that we can resolve the current financial mess and reduce the extraordinary budget deficit we face by hacking up the highway aid program. The highway trust funds are not a part of the swollen Federal budget.

Cutting our Federal highway program would result in drastic economic consequences, as my mail indicates. I include certain correspondence I have received on the highway matter at this point in my remarks:

STATE OF MINNESOTA,
HOUSE OF REPRESENTATIVES,
October 11, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: As Chairman of the Minnesota House Highways Committee for years, I have spent countless hours and tremendous effort to develop our highway system. The Legislature this past winter recognized that we were way behind in our highway building program, with many dangerous and unsafe highways, and passed legislation to enable our Highway Department to accelerate its program.

I attended hearings of the Joint House and Senate Public Works Committees in Washington last winter and talked to most of our Congressmen and Senators. At that time we were assured by our delegation that no stone would be left unturned in the restoration of the Thanksgiving Day cutback in Federal highway user funds.

The construction of new and safer highways is the most basic part of the economy of Minnesota. We cannot allow any cutback at all in our Federal highway building program. A cutback would definitely postpone completion of the Interstate System and result in a slowdown of our accelerated highway building program, thereby causing more lives to be lost, less jobs for our people, a slowdown in tourism, and the continued congestion of our metropolitan areas.

I urge you to exert all afforts in every way possible to stop the political maneuvering with our dedicated highway funds.

Very sincerely yours,
AUGUST B. MUELLER,
Chairman, Minnesota House Highways Committee.

ASSOCIATED GENERAL CONTRACTORS OF MINNESOTA, INC.
Minneapolis, Minn., October 10, 1967.

Representative ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: Yesterday Governor Harold LeVander of Minnesota received a telegram from Transportation Secretary Boyd alerting the Governor to a possible "drastic reduction" in federal highway funds because of congressional discussions in federal expenditures.

It seems we only finished the dispute on this subject which was begun last fall by a cut-back . . . and which was finally restored.

Please keep in mind that federal highway funds are trust funds, derived from taxes paid by motorists and is NOT a part of the federal budget. Any cutback in federal funds on highway can be deterimental in employment of our people and to our state's economy—and frankly shouldn't be even under consideration by the Executive branch.

We would appreciate you again doing your best to encourage that no cutback be made in the vital, well-planned, long-range highway program—not only because of the economics involved, but also because the funds were paid in for highways specifically . . . and because many lives are saved each year by good highways.

Will you use your influence to help us? Thanks.

Constructively yours,
WILLIAM H. GARY,
Manager.

CONCRETE PAVING ASSOCIATION OF MINNESOTA,
St. Louis Park, Minn., October 13, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE NELSEN: The Board of Directors of the Concrete Paving Association of Minnesota passed a resolution October 11 instructing the Executive Director to forward letters to the Congress of the United States stating its opposition to the proposed cutback in Federal Highway Funds.

This Association will appreciate your support in opposing the proposed cutback because of the economics involved. A cutback will surely slow the highway building program which is so vital to our Minnesota economy.

We, in the Minnesota Highway Industry are working hard to economically build safe highways for our citizens and for those who visit our state. A cutback of highway funds will certainly be detrimental to Minnesota.

Thank you very much.

Sincerely,
L. P. PEDERSON,
Executive Director.

MINNESOTA ASPHALT PAVEMENT ASSOCIATION, INC.,
St. Paul, Minn., October 10, 1967.

To All Congressmen, Representatives, and Senators of Minnesota:

We urge that you oppose a proposed Federal cutback in highway funds. This Federal aid to our state highway program is not a handout. It has been derived from taxes imposed on highway users. Congress has appropriated these funds and a cutback by the administration will be contrary to the studied judgment of Congress. Highways require long-term planning, designing, engineering, construction personnel and equipment. This cannot be turned off and on like a water faucet. It has taken years to develop the skills and efficiency to carry on this vast program. Thousands of people are directly affected by a cutback, and the misery of the countless skilled union equipment operators and other labor employed in this effort throughout the nation will have a good reason to ask why the Federal Government has hurt them. A Federal cutback means a breach of good faith and a breaking of the promises to the states and counties who have their programs planned and budgeted far ahead. This is necessary to have an orderly program. Last Thanksgiving Day, we had a serious blow in a similar cutback. Then last winter, part of this was restored. A few weeks ago, our Federal aid for this fiscal year was announced and things looked pretty steady. Now, another cutback is being threatened and everything is going to be shaky again. It seems that everytime there is a crisis of some kind, that the highway program becomes a target for some purpose or other. Our national and state highway program is too important to be turned off and on like a water faucet. Your efforts to impress this upon the powers that be will be appreciated by many.

JOHN V. HOENE,
Executive Vice President.

MINNESOTA GOOD ROADS, INC.,
Minneapolis, Minn., October 11, 1967.

Hon. ANCHER NELSEN,
Longworth House Office Building,
Washington, D.C.

DEAR ANCHER: We of Minnesota Good Roads, Inc. are greatly disturbed by the telegram received by Governor Harold LeVander on Monday, October 9th, from Secretary of Transportation Boyd.

The monies collected by the Federal Highway Users Fund from gasoline tax and other items is money that should be spent directly on the highways of our country.

A cutback in these funds will do great harm to the economy of Minnesota. It will slow the accelerated highway building program that the Minnesota Highway Department has been geared to due to the additional funds appropriated in the last legislative session. But, most important of all, the lives of many Minnesotans will be lost because the safe highways were not built on time.

We would appreciate any help you can give the people of Minnesota in forestalling any such drastic cutback in Federal highway funds.

Thank you very much.

Sincerely,
ROBERT M. JOHNSON,
Executive Director.

HALL EQUIPMENT INC.,
Minneapolis, Minn., October 12, 1967.

Hon. ANCHER NELSEN,
The House of Representatives,
Washington, D.C.

DEAR SIR: This letter refers to the suggested cut-back in the Federal Highway Funds, and we strongly urge you to do all possible to combat such a measure and to propose the completion of the present Highway Building Program as scheduled. Our Highway network in Minnesota is presently very inadequate.

This Highway Program should be expanded and accelerated, not cut back.

A cut-back would definitely be a great economic loss to our State.

Your efforts to prevent such a curtailment in this Program is requested.

Yours very truly,
W. F. HALL,
President.

MINNEAPOLIS, MINN.,
October 11, 1967.

Congressman ANCHER NELSEN,
House Office Building,
Washington, D.C.:

Re contemplated cutback highways funds. No cutback should be effected to further postpone completion of Federal Highway system. Postponement will result in continued congested metropolitan areas, less jobs for workers, more lives lost. Federal highways are a vital portion of national defense. Vote no for any cutback.

S. J. GROVES & SONS CO.

CITY OF ANCHORAGE URBAN BEAUTIFICATION

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may

extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. POLLOCK. Mr. Speaker, the city of Anchorage is doing its utmost to correct the misconception the many residents of the lower "48" have that Alaska is the deepfreeze State.

In 1966, the Anchorage Chamber of Commerce awarded the highest honor, the Gold Pan Award, to the parks and recreation department for their city beautification program. This is the first time such a city department has been so honored. In 1967, the chamber again recognized the efforts of the department and awarded the "oak leaf cluster." Again this action made history, as no organization or individual had ever been so honored on 2 successive years.

On October 18, 1967, the city of Anchorage received the Certificate of Merit Award from the American Association of Nurserymen. This was the result of the Anchorage entry in the public building beautification category of the association's beautification contest. Anchorage was one of 34 cities so honored out of a total of 80 entries.

The Federation of Garden Clubs recently held their conference in Anchorage and the national president publicly stated she had never witnessed floral displays with such intense color and profusion of bloom. Nineteen hundred and sixty-seven is Alaska's centennial year and an expanded beautification program was undertaken by the parks and recreation department and the results were highly gratifying. A large floral Alaska centennial seal drew much favorable comment as did new street planters in the downtown business area. These planters are a modification of the Washington, D.C., trash containers used by the National Park Service.

Anchorage continues to astound the thousands of summer visitors who come to the largest State. They return with the full realization that they have visited an amazing land whose colorful summers are a large factor in disproving the old cry of Alaska being Seward's folly.

GODDARD'S JUDGMENT GONE TO POT

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, while I am trying to convince my three daughters that they should not smoke, my urgings are blasted by an alleged expert who says that marihuana is not any more objectionable than a cocktail.

I must agree with Dr. Robert W. Baird that this alledged expert, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, resign.

Dr. Goddard apparently lacks the facts and good judgment. He has stated that the effects of marihuana, presumably the long-range effects, are unknown. And evidently from this position he concluded that there was nothing wrong with its use until the final effects become known.

This is as absurd as saying that we do not know the final effects of atomic radiation so do not be upset if your children carry around a bit of U-238 as a pocket piece.

In addition, as Dr. Baird points out:

> He ought to realize that 97 other nations who signed the Narcotics Convention of 1965, of which we were a part, can't be all wrong in realizing that marijuana is detrimental.

I submit for the RECORD an article from the Washington Evening Star, and one from the New York Times, both dated October 19, 1967.

What Dr. Goddard does within the limits of his home and family is his business, but statements such as these, made by a public official in that capacity and supposedly as an expert, are the business of the public which he is hired to serve. I hope their calls for his dismissal are loud and clear.

[From the Washington (D.C.) Star, Oct. 19, 1967]

GODDARD URGED TO QUIT FOR MARIJUANA VIEWS

NEW YORK.—Dr. Robert W. Baird, director of a Harlem narcotics clinic, demanded today that Dr. James L. Goddard resign as commissioner of the Food and Drug Administration "for equating marijuana on the same plane as alcohol."

Goddard told a news conference in Minneapolis, Minn., earlier in the week he doubted whether smoking marijuana was more dangerous than drinking alcoholic beverages but that both distorted perception of reality. He cautioned that long-term effects of smoking marijuana may be more serious than now is known.

"I don't believe smoking marijuana leads to an addiction to stronger drugs," said the food and drug chief. "It is true most heroin users have smoked marijuana, but it is also true most heroin users have drunk milk. I have seen no proof there is any connection."

(He said he would not object any more to his college daughter smoking pot than he would to her drinking a cocktail, United Press International reported.)

Baird said Goddard's comments had done "irreparable damage across the college campuses as well as in the high schools." Baird is chairman of the Suffolk County, Long Island, Narcotics Control Commission and director of the Haven Narcotics Clinic in Harlem.

In Washington, Goddard issued a statement saying he did not dismiss the difference between smoking marijuana and having a cocktail.

"We do know physical and mental penalties that the alcoholic must pay; these are well documented. For the user of marijuana, the threat is of the unknown effects which science must yet determine," Goddard said.

He noted that possession and use of marijuana carried very severe legal penalties but the use of alcohol did not. In Minneapolis, he said he thought penalties for marijuana should be limited to sale or distribution—not possession. He added he did not favor legalizing marijuana completely because of the need for more research on its effects.

[From the New York Times, Oct. 19, 1967]

PERIL OF MARIJUANA AND THAT OF ALCOHOL EQUATED BY GODDARD

MINNEAPOLIS, October 18.—Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday "whether or not marijuana is a more dangerous drug than alcohol is debatable—I don't happen to think it is."

Dr. Goddard said that he favored removing all penalties for the possession of marijuana, leaving penalties only for its sale or distribution.

"We don't know what its long-term effects are," he said. "For example, we don't know whether or not it may alter the chromosomes, as LSD may do. I wouldn't want young women who haven't been married and had children yet to be affected.

"It distorts your perception of reality so it's dangerous if you are driving a vehicle or operating heavy equipment."

Dr. Goddard was asked if he would object to his son or daughter using marijuana. He has a son, Bruce, 19 years old, and two daughters, Margaret, 21, and Patricia Ann, 18, in college.

"We've discussed this at home," he said, adding:

"I would object in terms of the law today and any possible long-term effects."

He said that he did not favor "legalizing" the drug completely but favored the removal of all penalties for simple possession.

"We need more research on chronic use," he said, "and I think this research will start now."

Dr. Goddard's comment on marijuana came after a lecture on business responsibility to an assembly at the University of Minnesota. He told that group that he would answer questions on any subject except marijuana.

But the first question at a news conference that followed was on marijuana. It was then that he gave his views on the subject.

VIEWS ARE ASSAILED

Dr. Robert W. Baird, a campaigner against marijuana and other narcotics, assailed Dr. Goddard's comments last night and demanded his resignation as head of the Food and Drug Administration.

Dr. Baird said that Dr. Goddard's comments had done "irreparable damage across the college campuses as well as in the high schools."

"This man's knowledge of narcotics is notoriously poor," Dr. Baird said. "Before he makes comments off the cuff, he ought to realize that 97 other nations who signed the Narcotics Convention of 1965, of which we were a part, can't all be wrong in realizing that marijuana is detrimental.

"I am surprised at him as a doctor. I am really mortified."

Dr. Baird, who is the director of the Haven narcotics clinic in Harlem and the chairman of the Suffolk County Narcotics Control Commission, said that he was "unequivocally" demanding Dr. Goddard's resignation "for equating marijuana on the same plane as alcohol."

A symposium on narcotics will be conducted by Dr. Baird today at the New York Hilton. About 1,000 college and high school students are expected to attend.

Dr. Baird said in a telephone interview that he would produce a dozen youngsters who had become involved in accidents of one kind or another after smoking a marijuana cigarette.

TARGET: LABOR

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in June

1966, the Senate Internal Security Subcommittee released a statement by J. Edgar Hoover, Director of the FBI, concerning the 18th National Convention, Communist Party, U.S.A.

Concerning labor unions, Mr. Hoover stated:

We can anticipate that the party, using the slogan "labor is a key force," will make every effort to increase its recruitment of industrial workers. This objective was brought out during the trade union report which placed emphasis on the need for industrial concentration in the Midwestern areas. Specifically mentioned were such cities as Chicago, Detroit, Cleveland, St. Louis and Pittsburgh. This helps to explain why 18 members of the party's new 80-member national committee were elected though relatively unknown except that they were labor unionists.

In his statement Mr. Hoover also stated that George Meyers, Baltimore Communist Party leader, admitted that weaknesses existed in the area of labor. It might well be that the Communist Party in the United States has never fully recovered from the rough treatment given to them by the labor movement some years ago when a number of unions were kicked out of the CIO for Communist domination. However, if a statement by British Labor Minister Ray Gunter is any criterion, it would behoove us to be on our guard here in the United States.

He charged that Communists had entered into an unholly alliance with elements of the Trotskyist party, to foment strife in British labor relations.

I include the article, "Strikes Peril Our Recovery, Wilson Warns," from the Chicago Tribune of October 19 at this point in the RECORD:

STRIKES PERIL OUR RECOVERY, WILSON WARNS—GUNTER BLASTS RED INVOLVEMENT

(By Joseph Cerutti)

LONDON, October 18.—Prime Minister Harold Wilson and Labor Minister Ray Gunter today warned that the labor troubles now afflicting industry threatened Britain's economic recovery.

Gunter accused the Communist party of fomenting discontent and "plotting to make this a winter of disruption."

Wilson delayed a visit to Scotland to confer with Gunter and Frank Cousins, head of the Transport and General Worker's union, who returned to Britain today after cutting short a visit to the United States and Mexico.

SOME 127 SHIPS IDLED

The hour-long discussion centered mainly on the strike in London and Liverpool docks which has tied up 300 million dollars worth of exports. More than 14,000 stevedores and 127 ships were idled today in the two ports. So far there is no indication that the government plans emergency measures, such as calling in troops, to move the goods choking warehouses.

Another wildcat strike has crippled a major development project in the heart of London and strikes are also threatened on the railroads, provincial bus services, and in electrical and printing industries.

Wilson told luncheon guests here today that he was shocked by the holdup of exports. He warned that failure to deliver on time might endanger repeat orders.

CANNOT AFFORD LUXURY

"We cannot afford the luxury of industrial action which chokes the pipelines thru which our exports are flowing," Wilson said.

Speaking at Gillingham, 35 miles east of London, Gunter criticized union leaders for having lost control over members in some areas.

"The official leadership is met with derision and contempt and only too typical communistic tactics are employed to prevent them from getting a hearing at meetings," he said. "There is a viciousness about some of the thugs most active in leading unofficial action that is alien to our traditions."

CHARGES UNHOLY ALLIANCE

Gunter charged the Communists had "entered into unholy alliance with elements of the Trotskyist party."

"They aim," he said, "to destroy our hopes of economic recovery and thereby they hope to bring ruin to the social democratic movement."

The minister warned union leaders that they must demonstrate their ability to carry responsibility. If they failed, he hinted, the government might step in to restore order.

THE MEANING OF RESPONSIBLE PROTEST

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. BURKE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BURKE of Florida. Mr. Speaker, I am sure my distinguished colleagues have noticed in past months the vehement antidraft movement and the sharp turn it is currently taking. This turn is exhibited by a mass movement of protest to our draft system and to the war in Vietnam. The dissenters have been building steam for months, and this week it appears that the antidraft effort is ready to explode in ugly demonstrations across the Nation.

I am not one to stifle protest or curb dissent, as I dearly value our basic freedoms. But I truly wonder if these long-haired hippies really know the meaning of responsible protest.

We all know our country was founded by fervent believers in free expression. Throughout our history there have been protests and dissents for one cause or another. But these protests in our Nation's past were to build and develop a better America—they were not cast to disparage our own country, to cast a low morale key, or to aid and abet the enemy.

Our system of the draft, whether it be perfect or not, is a system established by law. And the law must be obeyed or we have anarchy on our hands. I believe the momentum being developed by these current antidraft protestors is leading to more and more anarchy in this country. I believe this open protest flaring in several cities by these long-haired, unbathed creatures of our times has reached a point of real danger. Just this week the Vietcong openly announced that they will cultivate these protest groups to further encourage antidraft movements in the United States and even encourage desertion within the ranks of our own military men in Vietnam.

Let us look at these protestors. Some of these cardburners have been using the excuse of school exemption to avoid their military obligation. According to recent reports, some of these so-called students have entered college and do not even bother to attend classes. They have used their entrance into college as a means to avoid the draft. To me and, I am sure, to a number of you and to all in America, this entire matter is disgusting.

It is one thing to have constructive protests, to encourage free speech. But it is quite another thing to give aid and comfort to the enemy during wartime conditions in which American lives are at stake. The administration and the Congress must get tough and rectify this most dangerous situation before our Nation's morale reaches a far more critical point, and we find ourselves puppets at the hands of smiling Communist puppeteers.

Mr. Speaker, I would like to suggest two measures which may help curb these disgraces. I would hope, first of all, that the proper authorities would exercise some initiative and immediately round up these hippies, have orders processed for them, and turn them over to some rugged military basic training center for some good training. If they qualify, following their 8 weeks of basic training at Parris Island, Fort Benning, Fort Hood, or any of the many other fine military training centers in the United States, they can then fulfill their 2-year obligation to their country. That is, if they qualify. A good stiff dose of basic training may be all these people need to bring them back to the realities of this world.

Second, I would recommend that those young men of draft age status who flee to another country to avoid the draft should be given the opportunity to return to this country. But if in due time this is not done, action should be taken to remove his citizenship.

These may be drastic actions, Mr. Speaker, but these are drastic times. If these long-haired protestors want to remain citizens of America like several million others, they must start facing the responsibility this citizenship requires. And this responsibility does not mean a pipefilled dream world of flowers.

DR. GODDARD'S POSITION ON MARIHUANA

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I think Dr. James L. Goddard, Commissioner of the Food and Drug Administration, owes Congress an immediate "yes or no" answer on whether or not he advocates removal of all legal penalties for possession of marihuana.

If the answer is "Yes," then I intend to ask him to resign so that we can remove any possibility that American youth may conclude that the U.S. Government condones the use of marihuana.

It may be argued that Dr. Goddard's opinions do not constitute a position by the U.S. Government itself. While in a narrow sense this is true, I doubt that those who ply the marihuana trade—particularly among our youth—will make that distinction when quoting the doctor.

Most of my colleagues are aware of what Dr. Goddard is reported to have said yesterday at a press conference at Minneapolis, Minn. His comments were widely quoted by the Nation's news media. But I will summarize briefly for those who may not be familiar with Dr. Goddard's purported position.

According to a story which appeared on page 1 of the New York Times today, Dr. Goddard said he favored removing all penalties for the possession of marihuana. His grounds for this position, according to the Times, is personal doubt that marihuana is a more dangerous drug than alcohol.

It should be noted that Dr. Goddard did not, as quoted by the Times, go so far as to give dope pushers carte blanche, for he indicated that penalties for sale or distribution should continue to exist.

However, the great harm which has been done is not modified in the slightest by this shading. There can be little doubt that Dr. Goddard's apparently permissive attitude regarding marihuana possession will encourage the young to engage in what may be dangerous practices—and embolden those who would corrupt the young.

I cannot prove that marihuana can cause personality or genetic damage, but on the other hand, Dr. Goddard, by his own admission, cannot prove that it does not—and in fact indicates that the question is serious enough that researchers are today trying to pinpoint the truth. In view of this, it would seem unconscionable to tamper with the possession laws.

However, the harm which may or may not be done by marihuana itself is not, in my opinion, the main issue here. I am far more concerned by the theory held by many—myself included—that marihuana is a tall half-step toward the use of demonstrably harmful drugs such as heroin.

During my service as a U.S. attorney, I had many opportunities, unfortunately, to observe the victims of drug addiction—and the vicious men who led them down the primrose path of supposedly harmless thrills.

With these people in mind, I say that Dr. Goddard should set the record straight if he does not advocate the removal of penalties for possession of marihuana—or otherwise resign.

THE RIGHT TO DISSENT?

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GROSS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GROSS. Mr. Speaker, in this morning's CONGRESSIONAL RECORD I read a dissertation entitled "The Johnson Administration and the Right to Peaceful Dissent."

This afternoon, I had the opportunity to read the plans and program for the march on Washington, October 21 and 22, 1967, which is designed as a demonstration to end the war in Vietnam.

I believe Members of the House will find the following plans, program, and instructions, as issued to the prospective demonstrators, quite interesting:

GOVERNMENT WITHDRAWS ULTIMATUM—PERMITS EXPECTED FOR MARCH AND RALLIES

(By Dave Dellinger, chairman, national mobilization committee)

Latest indications are that the permits for Saturday's march and two rallies will be in our hands by the first of the week. This is a reversal of the government's ultimatum of October 6 that there would be no march, no rally, and no provision for the discharge and pickup of bus passengers, unless the committee publicly repudiated the civil disobedience portion of its program.

We were greatly aided in winning this important victory by the unanimous vote of the Mobilization Administrative Committee to reject the government's ultimatum and by the widespread support for the Committee's position that came in by mail and telephone from all over the country. On Friday, we had warned the government to expect a larger and more militant crowd in response to its attempted suppression. When we met with them again, in two lengthy sessions this week, we were able to cite concrete evidence to back up our warning. Among other things, we informed them that speakers who had not committed themselves to civil disobedience at the Pentagon—men like Julian Bond, Dr. Benjamin Spock, Rev. William Sloane Coffin, Jr., and Don Duncan—had indicated their determination to speak at the rally, *with or without a permit*. We were able to tell them that a wide variety of groups, including Women Strike for Peace, Veterans for Peace, Students for a Democratic Society, and the Committee for Independent Political Action, had responded to the government's threat by announcing that they expected to double the number of participants coming from their organizations. We told them of the formation of a panel of prestigious lawyers to fight for our first amendment rights, both in and out of the courts. This panel is being organized by the Law Center for Constitutional Rights (William Kunstler, Arthur Kinoy, Morton Stavis and others), the American Civil Liberties Union, the Emergency Civil Liberties Union, and the Washington Lawyers Committee for October 21st, headed by Edward De Grazia.

Naturally we made no request for "permits" for the civil disobedience part of our activities at the Pentagon. What kind of civil disobedience would that be? But we pressed the case for permits and all necessary accommodations and facilities for a massive rally at the Lincoln Memorial, for a massive march to the Pentagon, and for a rally, picketing and vigiling at the Pentagon. For whatever reasons, we found the government's representatives ready to work out the details of permits and other necessary arrangements.

Because of the size of the crowd expected and the resulting "traffic jam" of marchers, the time for the speeches at Lincoln Memorial has been advanced to 11:30 AM and step-off time for the march to the Pentagon to 1:30 PM. Musicians and other artists will perform from 10:00 to 11:30 AM and again from 1:30 PM until the Lincoln Memorial has been emptied. A second rally will take place at the Pentagon, beginning at 3:30 PM and continuing until about 5 PM. The exact location of the Pentagon rally is one of the last items being negotiated.

The government has set aside an area near the Mall Entrance to the Pentagon where "administratively allowed" picketing and vigiling can take place. Plans for direct action—for blocking entrances or for substitute actions if we cannot get close to the entrances—are being worked out by the Direct Action committee. There will be special marshals for the civil disobedience action.

The civil disobedience will begin at the Pentagon about 4 PM. Naturally there will be thousands who take part in the march and rallies but who for a variety of reasons will not take part in the direct action. We have provided maximum geographical separation between the other activities and the civil disobedience so that no one will be drawn by accident into the civil disobedience activity or any arrests or conflicts that might result. Personally, I hope that thousands of persons will feel the urgency of taking part in nonviolent civil disobedience in addition to the traditional march and rally, so that we can move impressively into a new period of determined resistance.

If all goes well, the hippies will have a concert featuring the Jefferson Airplane, the Fugs, and other rock bands in a grassy area in the vicinity of the Lincoln Memorial but far enough from the speeches so that the sounds of the two events will not conflict. The hippies also plan an "exercism."

We expect thousands of persons to stream into Washington on October 21, representing a diversity of viewpoints and temperaments. Whatever our differences—our disagreements even—let us remember that we are united in the overriding goal of ending the war in Vietnam, to save the lives of Americans and Vietnamese slaughtered daily, and to make it possible for the Vietnamese to enjoy the independence they have sought for so long.

REVISED CONFRONTATION SCHEDULE

Saturday, Oct. 21: 10:00 a.m., *Assemble.* 11:30 a.m., *Rally* at Lincoln Memorial. 1:30 p.m., *March* to Pentagon begins. 3:30 p.m., *Rally* at Pentagon. 4:00 p.m., *Direct Action:* peaceful sit-in for those thousands who wish to participate *Supporting pickets and vigil. Rally* continues. 9:00 p.m., *Mass meeting* (location to be announced at rally).

Sunday, Oct. 22: Confrontation continues with direct action and supporting pickets and vigils.

Important: Please communicate the information in this bulletin to your constituencies immediately. Take it on the bus too.

THE RALLY

Contingents will assemble in the following groupings:

A Notables, including representatives of veterans and draft resistors. B Religious groups. C Veterans' groups. D Pacifists. E We Won't Go groups & The Resistance. F Students & Youth. G Vietnamese contingent. H Nationalities. I Black Nation's Viet Conference. J Professional groups (medical & health workers should be in front of group). K Midwest contingent. L Middle Atlantic & Southern. M Washington, D.C. contingent. N Political groups. O Community groups. P Community groups. P New England. Q Organized labor. R Adult peace groups. S N.Y. State. T Womens groups. U Artists & Entertainers.

Speakers will include: Dave Dellinger and Julian Bond (co-chairmen); Dr. Benjamin Spock; Lincoln Lynch (CORE); Clive Jenkins, (British Labour Party); Mrs. Dagmar Wilson (Women Strike for Peace); Donald Duncan (former Master Sgt., Green Berets); Rev. William Sloane Coffin; Juan Mari Bras (Puerto Rican independence movement); John Wilson (SNCC); Father Charles Owen Rice; and Rabbi Abraham Feinberg. Barbara

Dane, Phil Ochs, the Jefferson Airplane and the Fugs will be among the entertainers.

HOUSING

The housing center in Washington is at 1607 Corcoran NW: follow New York Ave. to 16th St.; turn right up 16th; Corcoran is one block past Q St. There isn't a phone there yet, but there will be by the 21st, so call 536-4375 in Arlington for referral to the housing center phone.

All efforts will be made to place everyone requesting housing, but it is impossible to take care of everyone. *Those within a 350 mile radius of Washington* are urged not to request overnight accommodations unless they have specific commitment for Sunday.

Host families have not been requested to provide meals; breakfast will probably be served. Those staying in churches will not have cooking facilities or bedding. Bring all available sleeping bags and blankets.

Housing volunteers will meet the buses as they arrive to give further information. They will also hand out a list of available hotels. Hotel rates now available are:

Minimum $3.50 per person—3/room.

Minimum $7.00 per person—2/room.

Food: Everyone is urged to bring as much food as he thinks he will need and can comfortably carry.

Money: We don't have any either. Please try to send as much as you can to help pay for sound equipment.

TRANSPORTATION

Arrangements have been made for buses to discharge passengers on Independence Ave., directly south of the Lincoln Memorial reflecting pool. Buses will then receive instructions on where to park for the duration of their stay. It will be in the vicinity of the Pentagon North Parking Lot. If there are people who do not want to march to the Pentagon, shuttle buses will be available at the end of the Lincoln Memorial rally to transport them to their bus site.

Note for those traveling on New Jersey Pike on chartered buses: The rest stop will be Mile Post #71 between interchanges 8 and 8A.

MARSHALLS

Every bus/train/plane/car caravan should have at least one marshall: they will be responsible for getting their contingent to the right part of the assembly area; for information; order; lost children; first aid; calming demonstrators, and calming counter-demonstrators. All marshalls should equip themselves with light blue armbands: a limited number of these are being prepared for New York City and for last minute distribution, but please try to get your own. Marshalls should seek out marshall captains at the rally for further instructions. Very important marshalls meeting in Washington, Fri., Oct. 20 at 9 PM for all those who can make it (if you can, call Mobilization office in DC for location). Address further questions about marshalls to: Brad Lyttle, Wash. Mob., 2719 Ontario NW, 387-3626. Norma Becker, 5th Ave. Vietnam Peace Comm., 17 E 17 St. NYC, 255-1075.

MEDICAL INFORMATION

Complete medical facilities will be made available at the Lincoln Memorial by the DC Dept. of Health. The Medical Committee for Human Rights has offered its services to join in legal-medical teams which will observe and assist throughout the demonstration. They will also be cooperating with authorities to establish first aid centers on Pentagon grounds. Medical team center is located at 2719 Ontario Rd. NW; phone: 483-2150 and 483-2153.

A WORD TO THE WISE

Permits for the rallies, the march, the picketing and vigiling on the mall of the Pentagon have been assured us. Problems may arise, but serious trouble is unlikely, especially for those not committing civil disobedience. This is a peaceful demonstration. Be militant but don't be provoked or sidetracked. Our purpose is to protest the violence of the administration, not to contribute to it. Before coming to the demonstration, participants should think through their actions in different situations. People will always have different responses, but in general the following policies are good: Attempt to remain calm. Be firm but not provocative. Violent situations are made worse by violent responses or frightened retreat. Make it your responsibility, also, to calm others. In most situations, it is better not to run. If you run *from* the police, you may encourage them to be bullies. If you run *at* them, you may cause them to panic and act irrationally. Remember: the police are often scared when dealing with a crowd. If you can act toward them in a way that makes them less so, they are much less apt to behave irrationally. And of course: follow the directions of marshalls. Don't accept or spread rumors. Check with the marshalls for accurate information.

SLOGANS FOR OCTOBER 21 DEMONSTRATION IN THE DISTRICT OF COLUMBIA

The Mobilization suggests the following slogans to be used on Oct. 21. Those marked with asterisks will be printed in mass quantities by the Committee. The remaining slogans will be hand painted in smaller quantities. All groups and individuals are encouraged to bring their own placards, utilizing these slogans or slogans of their own choice. The slogans represent a range of views and not all the participants will necessarily agree with all of them.

"Confront the Warmakers"

"Support Our Men in Vietnam—Bring Them Home Now . . . Alive!"

"Self-Determination for Black America and Vietnam"

"Immediate Withdrawal of all U.S. Troops: Vietnam for the Vietnamese"

"End Armed Occupation of Black American Communities"

"No Taxes for the War Machine"

"End the Draft—Support the Men Who Say No"

"Children Are Not for Burning, Stop the Bombing of Vietnam"

"Free the Fort Hood Three; Free All Anti-War GIs in Jail"

"No Puerto Ricans to Vietnam—Ningun Puertorriqueno a Vietnam"

"Stop Persecution of H. Rap Brown and All Anti-war Militants"

"Big Firms Get Rich—GIs Die"

"Support Muhammad Ali and All Those Who Resist the Draft"

"Black People: 23% of the GI Dead; 2% of the U.S. Bread—WHY?"

"Negotiate with the National Liberation Front"

"No Vietnamese Ever Called Me a Nigger"

"Americans Support Vietnamese People, Not U.S. Puppets"

"Make America Safe for Stokely Carmichael and All Anti-War Fighters"

"U.S. Violates U.N. Charter"

"End All U.S. Interventions Against National Liberation Movements"

"Wipe Out Poverty, Not People"

"Black Men: Fight White Racism—Not Vietnamese"

"They Are Our Brothers Whom We Kill—Dump Johnson"

(at the bottom of each sign: Stop the War Now)

LEGAL DEFENSE

We have a team of 38 D.C. lawyers and 110 law students who have researched the legal aspects of the demonstration and will handle any legal involvements. Some will be on the scene and others will manage the legal center at 2719 Ontario Rd NW, telephone 483-2150 and 483-2153. They will be where all the action takes place and will undertake to represent any arrested demonstrator from the moment of arrest.

The Mobilization Committee is not in a position to raise all bail and people planning to participate in civil disobedience are urged to make their own provisions; this would mean bringing at least $50, or if it is possible, $100, with them.

Some individuals and groups will adhere to a jail/no bail policy because they feel that paying bail impoverishes the peace movement and enriches the government. Attempts are also being made to raise bail for emergency purposes and for those who just don't have it.

IMPORTANT PHONE NUMBERS

National Mobilization office in Washington: 2719 Ontario Rd NW, 387-3626.

Legal and Medical Information: 2719 Ontario Rd NW, 483-2150; 483-2153.

Housing; Lost and Found: 1607 Corcoran NW, 536-4375 (Arlington)—will refer you to correct number.

MESSAGE TO BLACK PEOPLE

Black people across the nation disagree with the Mobilization's concentrated emphasis on the Pentagon. Therefore, all Black people are urged in the interests of Black American unity to gather at the Lincoln Memorial rally under the banner "Black Nation's Viet Conference" where we will then go to the Black community of Washington to discuss the issue of Vietnam and its meaning to Black America and Black American survival. Black marshalls will be guides to the conference; speakers will include Leroi Jones, H. Rap Brown, Ivanhoe Donaldson, Larry Neal, John Wilson, Adaylabu Adeigbol, and Omar Pasha Abu Ahmed. Omar Pasha Abu Ahmed, Political Bureau Black American People's Liberation Movement.

FOR THOSE PLANNING TO PARTICIPATE IN CIVIL DISOBEDIENCE

If the march to the Pentagon proceeds according to plan, direct action will begin at 4:00 pm, following an announcement by Dave Dellinger. A small committee will have surveyed the situation, and, depending on the nature of police preparations, will have instructed Dave to announce one of three alternatives:

1) We will enter the Pentagon and sit down in offices, in meeting rooms, and across hallways.

2) If this seems impossible, we will block doorways and entrances.

3) If police and armed forces make this impossible, we will clog service roads, preventing deliveries and obstructing vehicles.

Trained marshalls will guide people to the spots where they will be most effective. We are urging local groups to organize orientation sessions so that potential participants may understand the nature of the action.

In case of attack, we should attempt to remain as calm and unaggressive as possible. Violent situations are invariably made worse by violent responses. Our purpose in Washington is to confront the violence of the administration, not contribute to it. Various self-protective techniques have been developed to blunt the force of physical attack. It is strongly recommended that local groups hold orientation meetings prior to the march to familiarize the participants with these techniques. In any event, listen to the instructions of the marshalls, attempt to control your natural anger or fear, and remain calm.

If police start making arrests, one technique is to impede their progress by going limp, *i.e.*, making the police carry you to the paddy wagon, rather than walking. Going limp is considered a form of resisting arrest in Virginia, but not in DC. Its advantage is that done *en masse*, it prolongs the action for hours, sometimes days.

Other suggestions:

1) *Listen to marshalls.*

2) Don't answer back to counter-demonstrators.

3) Those who are engaged in a sit-down should *keep seated*. If we begin to mill around, police are more likely to panic and initiate violence.

4) Remember that running and sudden motions also worry and panic the police.

5) Wear comfortable clothes: closed shoes, long sleeves if possible, no jewelry. Remove pins and other sharp items.

6) It is remotely possible that police will use tear gas, in which case it would be useful to have a wet cloth or handkerchief to cover your mouth and nose (the cloth is easy to carry in a plastic bag).

7) In case of tear gas or anything similar, remain calm, listen for instructions from marshalls, retreat calmly to a safe spot, and *always remain with a group*.

8) Make it your own responsibility to keep the situation cool and to calm panicky people. *Remember: police themselves are often scared when dealing with a crowd. If you can act toward them in a way that makes them less frightened, they are much less apt to behave brutally.*

We do not intend to rush police lines, or to attempt to enter the Pentagon by force. Nevertheless, we will persist in a determined effort to impede its operations, and to stand our ground for as long as this is feasible—at least until Monday noon, Oct. 23.

We hope that people in your group can contribute other suggestions. Be sure to have a meeting, before you set out for Washington, to discuss nonviolent tactics.

A CALL TO CREATIVE DISRUPTION OF THE WARMAKERS, OCTOBER 21–22 (FOR ALL THOSE PLANNING TO PARTICIPATE IN CIVIL DISOBEDIENCE)

(By Maris Cakars, Barbara Deming, Marjorie Heins of the Direct Action Committee)

How many miles have we walked in protest?
How many signs and letters written?
How high and how often have we raised our voices? How many words?
Hardened to the bloody slaughter in Vietnam, deaf to the cries of grief and agony, and cynical of freedom and independence, this nation's leaders choose not to see or hear us.
War is not a peaceful demonstration. Its makers are killers, not marchers.
Who then will deny it—that now is the time for direct action?
For the speeches and placards and marches fall short of the mark.
Fall short of the centers of power.
Now is the time to confront the warmakers!
Now is the time to disrupt and resist!
We call on all Americans to peaceful and direct action at the Pentagon.
Sit in; lie down; stand firm.
In every way, let our bodies block the machinery of war.
And this will be a signal to all across the land:
Resist the warmakers,
Disrupt the juggernaut,
Close down the war machine,
Now, before it is too late.

BOW EXPENDITURE LIMITATION

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BOW. Mr. Speaker, this summary of the economy debate of the past 4 weeks might well be called an "open letter to taxpayers." Our work in the House during that period has given American taxpayers the first real reason to hope that spending can be checked and tax increases may be avoided and inflation can be brought under control.

The action of the House yesterday, if sustained by the other body, must save American taxpayers at least $5 billion. It may save $10 billion. This saving is guaranteed by the Bow expenditure limitation which says that the President may not spend more than $131.5 billion in the fiscal year, except for essential and unforeseen expenses of the war in Vietnam. Inasmuch as he has estimated his spending at $136.5 billion, we are assured the $5-billion saving. And, since his agencies were spending in July and August at an annual rate of $145 billion, we may be saving twice that amount.

The first intimation that the House was ready to cut expenditures came September 27 when we sent back to the Appropriations Committee its 30-day "spending as usual" resolution. We did so on a rollcall vote of 202 to 181. The Bow expenditure limitation had been ruled out of order, but the debate that day was centered on that amendment and many people, including the Associated Press, interpreted the action of the House as a "mandate" to the Appropriations Committee to cut spending.

Then followed the debate of October 3 when, once again, the Bow amendment was ruled out of order. But, progress had been made. The chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON] told the House that our committee would make every effort to find means of cutting back appropriations already recommended. The House voted to allow until October 10, for that effort. The Senate extended the date until October 23. Yesterday's debate was occasioned by that approaching deadline.

The resolution presented yesterday by the Democrat majority illustrated a remarkable and commendable change of direction, as a result of the previous debates. It would have saved at least $1.5 billion by placing a 30-day moratorium on new hiring and contracts, by limiting civilian payroll expenses to 95 percent of the budget estimate, by limiting research to 90 percent of the budget estimate, and by requiring that agencies absorb all of the cost of the civilian pay increase.

In this action the majority embraced the Bow expenditure limitation which had been offered on six of the regular appropriations bills. Bitterly opposed by the majority last spring, it was adopted on only two of the bills. This Bow amendment limited all the expenses of an agency to 95 percent of its estimated expenditures and it would have saved $778 million had it been accepted on these bills.

Although the Mahon resolution was a great step forward, Republicans insisted that it did not go far enough. I offered, and the House accepted, the Bow expenditure limitation of $131.5 billion.

The House then substituted the Whitten amendment, with the Bow limitation. The resulting bill provides that spending may not exceed the level of the previous year except for the necessary military expenses in Vietnam, the Post Office and Internal Revenue services, veterans' and social security payments, and a few other items.

The final rollcall vote was 253 for and 143 against.

This is a resounding victory for the taxpayers.

It is a gratifying vindication for the Republican leaders who have been urging economy since the first days of this session.

In the early days of the session, Republicans had little support for these efforts and our victories were few and far between.

Yesterday that situation was changed, and the welcome support of many Members from the majority party gave us the margin of victory that we have lacked throughout the year.

Summing up our activities to date, we have cut the appropriations bills considered in the House by about $4 billion. We may be able to raise that figure to $6 billion before the session ends. Since not all of the money authorized in these bills is to be spent this year, the savings cannot be estimated precisely. They should reach $3 billion to $4 billion.

Two amendments by the gentleman from North Carolina [Mr. JONAS], who is second ranking Republican on the Appropriations Committee, cut participation certificate sales by nearly $2.5 billion.

The Bow limitation on the Whitten amendment would hold spending to $131.5 billion.

These are solid accomplishments, but I should like to point out that savings of an additional $2 billion might have been made if over 40 other individual Republican amendments to appropriations bills had been accepted by the House.

Members of the House can expect to be subjected to heavy pressure in the next days and weeks from all of those who have a special interest in Federal spending. The White House can be expected to lead the attack on our economy drive. Taxpayers will be threatened with reductions in Government services, towns and cities will be threatened with curtailment of various programs, and every effort will be made by the bureaucracy, with its vested interest in spending, to bring pressure on us to restore spending cuts and reverse our position. I hope Members will stand firm, for the vast majority of Americans, struggling under the heaviest burden of taxation in history and fighting the most vicious inflationary spiral in many, many years, are supporting us and they need our help.

CONGRESSIONAL REDISTRICTING—CONFERENCE

The SPEAKER pro tempore (Mr. CASEY). Under a previous order of the House, the gentleman from Minnesota [Mr. MACGREGOR] is recognized for 10 minutes.

Mr. MACGREGOR. Mr. Speaker, on the afternoon of October 18 the committee of conference on the bill H.R. 2508, the congressional redistricting bill, finally reached agreement. That agree-

ment was not unanimous. Among the House conferees the gentleman from Michigan [Mr. CONYERS] and I did not sign the conference report and did not agree to the compromise reached. Among the Senate conferees, the Senator from Massachusetts, TED KENNEDY, did not agree.

The text of the conference agreement of yesterday reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of the Act of June 18, 1929, entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives" (46 Stat. 26), as amended, is amended as follows:

Subsection (c) is amended by striking out all of the language in that subsection and inserting in place thereof the following:

"(c) In each State entitled in the Ninety-first Congress and the Ninety-second Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 18, 1929, entitled "An Act to provide for apportionment of Representatives" (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that the States of Hawaii and New Mexico may continue to elect their Representatives at Large). *No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8), are available for use therein. Nor shall any State prior to such census be required to elect its Representatives at Large.*"

As will readily be seen, the committee of conference quite unexpectedly abandoned the bulk of the agreement which had been reached in June of this year. The contents of that agreement are to be found in report No. 435, a document entitled "Congressional Redistricting," filed on June 27, 1967, and ordered to be printed. No satisfactory explanation was given in the committee of conference as to why we had abandoned section 1 of the bill as passed by the House, section 1 of the bill as passed earlier this year by the Senate or, more importantly, section 1 of the conference report heretofore agreed upon by the conferees and filed, as I have indicated, in late June.

The essence of the material abandoned was the "permanent standards" section of the congressional redistricting bill. The conferees in June agreed in substance to accept, and to recommend for acceptance to their respective bodies, the language of section 1 of the House bill. When this passed the House, section 1 provided standards for State legislatures to follow in congressional districting for the 93d and subsequent Congresses. These standards were, as follows, and I now quote from report No. 435, dated June 27, which was the initial agreement of the conferees:

First. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

Second. Representatives shall be elected only from such districts so established, no district to elect more than one Representative. Existing provisions for a Representative at Large are eliminated.

Third. Each district shall be composed of contiguous territory, in as reasonably a compact form as the State finds practicable.

Fourth. The district with the largest population shall not exceed by more than 10 percent the district with the smallest population in number of persons, excluding Indians not taxed.

Fifth. Population shall be based on the then most recent decennial census, but if a State redistricts more than 2 years after a decennial census, the population figures to be used must be those of a statewide Federal special census conducted pursuant to the provisions of the act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8), and said census must be less than 2 years old at the time of the next election following the redistricting.

Sixth. Unless the particular State constitution requires otherwise, there shall not be more than one redistricting following the decennial census.

Mr. Speaker, I point out again that these "permanent" provisions were agreed to by the conferees, that they did constitute a very fine set of standards to be used in congressional districting following the 1970 census.

The conference report which was filed on June 27, adopted this section in the form as passed by the House of Representatives.

Now, Mr. Speaker, I see no justification for throwing aside months and months of effort by both the House Committee on the Judiciary and the work which was done in this Chamber, as well as the work which was performed by the Senate Judiciary Committee, and the work performed by the other body, to establish reasonable and widely accepted permanent standards for congressional redistricting. Yesterday's developments were particularly surprising since the conferees had heretofore agreed upon the language that we would recommend be enacted into law.

There surely is no justification for having to replow this ground all over again. But, if the conference report is to be adopted, this current conference report which is nothing more than a very sketchy outline of certain prohibitions regarding the establishment of congressional districts for the next two Congresses, we will indeed have wasted a great deal of time and effort.

On tomorrow, Mr. Speaker, I shall introduce a bill which will incorporate the provisions of the October 18 conference report, and which will include the provisions of the conference report of June 27 insofar as those provisions apply to permanent legislation dealing with congressional redistricting after we have up-to-date figures following the 1970 census.

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

Mr. MACGREGOR. I yield to the distinguished gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Minnesota yielding to me at this point. I do not wish to take much of the time of the gentleman and of the House since I am not particularly qualified to undertake a thorough and searching study of this subject. However, my State, the great State of Missouri, is one of the States that is having to undergo a test of its legislative redistricting action and, indeed, there are other such States, as I have learned in the last 24 hours, which have indicated a deep interest in this matter.

And, Mr. Speaker, if the gentleman in the well, who brings to us for our consideration such a timely subject, would comment upon the efforts which are now being made in the Congress as represented by the efforts of the Joint Committee on the Reorganization of the Congress, and which legislation is now pending before the Committee on Rules, having passed the other body by an overwhelming vote, if this recommendation of the joint committee were adopted, we would have the right to present minority views in conference reports which is, in essence, what the distinguished gentleman is so appropriately doing as he stands in the well of the House today.

However, I hope that the gentleman will go one step further. If this situation is as bad as the gentleman indicates, I would hope that we would take the necessary action against the conference report, since the gentleman does not see fit to sign it. However, I would like to ask the distinguished gentleman what effect the adoption of this conference report would in his opinion have upon the various statutes that are now under consideration for judicial determination pending actions of the various legislatures as, for example, the great "Golden Bear State," the State of California, which cannot come to a decision on this matter? In other words, would it or would it not be unfair to adopt this conference report which, of course, is legislative instruction with reference to the law and to the courts of the land?

Mr. MACGREGOR. In my opinion the answer varies. It varies with the individual three-judge court. But I believe the majority of the conferees would give the gentleman a different answer. Other conferees might tell you that this new language, if adopted by Congress and signed into law by the President of the United States, will constitute a mandatory restraint upon the Federal judges. I do not think so. I think that any particular judicial action or reaction will depend upon the individual attitudes of the judges named to the three-judge panel.

Mr. HALL. A decision to be reached which would involve the separation of powers of the three branches of the Government?

Mr. MACGREGOR. That is my opinion, I will say to the gentleman from Missouri.

The SPEAKER pro tempore (Mr. CASEY). The time of the gentleman has expired.

(By unanimous consent, Mr. MACGREGOR was allowed to proceed for 1 additional minute.)

Mr. MACGREGOR. I did not respond to the comments of the gentleman with respect to my intentions to act further.

In addition to introducing a new bill tomorrow which will incorporate what is

now adjudged to be the joint opinion of the majority of the conferees, I will incorporate the earlier provision in the conference report dealing with permanent standards, and I see no reason why we should not accomplish this. I believe this would produce a much better legislative product. And I would hope that when this body considers the question of adopting the conference report we might send it back to conference with instructions to incorporate the provisions of the bill that I will introduce tomorrow.

I believe we will then have made a satisfactory attempt to deal with this subject not only for the interim period preceding the 1970 census, but also in the post-1970 census period.

Mr. HALL. Again I compliment the gentleman, and I certainly will join him in this effort.

Mr. MACGREGOR. I thank the gentleman very much.

THE IRS AND A RECENT MAGAZINE ARTICLE: A REBUTTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, an article published by the Reader's Digest has been a cause of deep concern to many of my constituents. I refer to "Tyranny in the Internal Revenue Service," written by John Barron.

The article, citing 16 specific cases, accused the Internal Revenue Service of using gross methods of intimidation and pressure against taxpayers, and of misusing its powers to tyrannize innocent and conscientious taxpayers.

If all of the facts stated in the 16 cases are true, then it is creditable that they were assembled and made public. There can be no harm in bringing errors and misdeeds of public employees to the attention of the public. It is the best way I know of assuring the American people that such things will not happen again.

But there is an important element of unfairness in the article's approach, which is worthy of the closest scrutiny by the Members of the Congress. I refer to the clear implication that these 16 cases are typical of IRS methods in performing the important duty of collecting taxes.

This is an unfair implication, and its unfairness was quite clearly shown by the testimony of Sheldon R. Cohen, Commissioner of Internal Revenue, before the Subcommittee on Appropriations of this House.

Mr. Cohen is an outstanding public servant, a dedicated and conscientious Commissioner, whose task it is to carry out one of the most complicated laws in the world, collecting each year the $148 billion which pays for all the services and all the functions of the U.S. Government.

Mr. Cohen's thousands of employees deal with 100 million taxpayers, who file 70 million income tax returns each year. The IRS, under his administration, operates so fairly and so efficiently that 48 million refunds put $7.5 billion back into the pockets of taxpayers each year, with most of the refunds made within 45 days from the date the return is filed.

In a statement replying to the article in the Reader's Digest, the IRS recalled that the magazine said its writer, in his determination to seek the truth, spent 6 months in research, traveled 5,800 miles, and held 280 interviews.

This massive enterprise resulted in 16 instances of alleged wrongdoing by IRS, considered worthy of inclusion in the article—

The Revenue Service pointed out.

Certainly, this observation needs little additional comment. Surely, 16 cases out of millions hardly add up to "tyranny."

The IRS cited the fact that the Reader's Digest article admitted that most IRS agents "want to be just and reasonable," but laid the so-called "tyranny" at the door of "the system."

While in the course of a year, 3.5 million taxpayers are called in to substantiate their deductions and claims—

The IRS said—

some 25 million are given help and information as to their obligation and their rights, as part of this "system."

The article referred several times to "unrefuted sworn testimony" on which it based its charges. This, said the IRS, was testimony before a congressional subcommittee at hearings, not statements made during trial in a court of law. The IRS statement went on:

Americans who have seen court trials know that "sworn testimony" does not always produce the complete truth, unless there is cross-examination by the defense attorney and testimony of other witnesses to bring out the whole story. In the subcommittee hearings, there was no cross-examination of witnesses.

Certainly, nobody concerned with the rights of the vast majority of American taxpayers can take any issue with efforts to recover taxes which are owed and unpaid. It must be clear that when one taxpayer does not pay his taxes, all the rest of us must make up for his share.

The article concerned itself mainly with the 1.9 million taxpayers whose returns were found to be in error, and who paid additional taxes, but it did not tell what happened to the remainder of the 3.5 million returns that were selected for examination during the year.

The IRS said:

Of those 3.5 million, over 1.3 million taxpayers were notified that their returns were accepted without change and 300,000 other taxpayers received $154 million in refunds, because examination showed they had made errors which caused them to overpay their tax.

These figures were not used in the article, presumably because they would not jibe with the statements that IRS agents are judged by the "alleged errors" they find and "how often they bring in more dough."

Obviously, thousands of IRS agents and auditors, who found errors in some returns but also reported "no change" in 1.3 million returns or gave refunds in 300,000 cases, were trying to do their job in line with IRS policy to determine the correct tax—no more, no less.

In addition, the article did not point out that IRS refunded $82 million to 1.4 million other taxpayers who made mistakes in arithmetic and overpaid their taxes—further evidence that IRS seeks only the correct tax.

To the article's charge that high IRS officials tried to "cover up and withhold data," the Revenue Service made this reply:

The facts are that in addition to more than a hundred letters and reports submitted to the Senate Subcommittee by IRS, some 50 officials and employees were instructed by Mr. Cohen to testify fully and frankly. These included, besides Mr. Cohen himself, an assistant commissioner, regional commissioners, division directors, district directors, branch chiefs and supervisors.

The only data withheld from being spread on the public record by the subcommittee was information which cannot be disclosed because of specific provisions of the law or which identified innocent third parties.

The IRS statement pointed up a basic fault of the article, when it characterized as a "gross oversimplification" the idea that the Revenue Service, "at its whim, can seize a taxpayer's assets."

Collection of taxes from those who will not pay voluntarily is a necessary procedure in extreme cases, in fairness to those who do pay.

However, only when there is an overt action on the part of a delinquent taxpayer to purposely dissipate his assets or to take them out of the country will the IRS seize assets without warning.

In every other case, a person who owes taxes is given ample opportunity to pay voluntarily. He is given several written notices, afforded conferences and, if warranted by his financial condition, part payment agreements are worked out. Enforced collection is made only as a last resort.

Most important of all, I feel, in the IRS statement, is the assurance that the door is never closed between the taxpayer and the higher echelons of the Service:

Through the years, IRS has invited taxpayers to write to their District Director or to the Commissioner in Washington, D.C., when they think a mistake has been made or they have received unfair treatment. This invitation continues in effect with assurance that IRS will consider every valid complaint and will take corrective action wherever warranted.

Mr. Speaker, as I said earlier, only 16 cases of the many millions handled by the IRS were cited, and even if every word of every statement about these 16 cases were true, it would certainly not add up to "tyranny," or anything approaching it.

And yet, even in those 16 cases, there remain doubts and questions of interpretation. It is unfortunate, from the standpoint of equity, that the Reader's Digest, as the vast and popular magazine it is, has a much more certain forum for getting its own interpretations to the people than does the IRS, which must depend upon the limited space available in the daily press for its channel of communication.

However, even the specific cases mentioned in the article must be considered with understanding. It may be that there have been a few isolated instances of unscrupulous procedure by a few of the thousands of the employees in the Internal Revenue Service. But I challenge any agency, of any government, to prove that among the armies of people who work for the public, at least a few do not show

up as less perfect and less just than their fellows.

We are all familiar with the great efforts made by private industry to retain the services of skilled people. It is surely all the more important in Government, which frequently has difficulty in competing with industry for the abler people in its employ.

Let us not, then, make the job more difficult by using an all-too-ready tarbrush to splatter the thousands of the good and honest and conscientious with the misdeeds of the few. Let us rather be thankful that in this free, democratic society, the misdeeds can be brought to light fairly and the errors—whether of omission or commission—can be speedily eradicated.

Let us be as prompt to praise the efficiency, ability, and conscientiousness of the Commissioner of Internal Revenue and the legions of good people who work in his agency, as we are to criticize the few who do not meet the high IRS standards.

AIR QUALITY ACT ESSENTIAL

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

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

There was no objection.

Mr. JACOBS. Mr. Speaker, air pollution has been a subject of growing national concern for more than a decade.

It has been studied and analyzed, graphed and charted, and talked about, but it has not been removed. It still hangs over our cities, threatens our health, and destroys our property.

Every community with over 50,000 people has an air pollution problem. This represents more than two-thirds of our population.

Air pollution causes economic losses estimated at $11 billion a year. Even more important is the overwhelming evidence that air pollution is a factor in the development and worsening of such chronic respiratory diseases as asthma, bronchitis, emphysema, and lung cancer.

The problem is real and it is getting worse.

In January of this year, the President reminded us that air pollution worsens in direct proportion to the Nation's economic growth, increases in urban population, rising demands for heat and energy, and upward trends in the use of motor vehicles, production of refuse, and production and consumption of manufactured goods.

Clearly, it will not be long before air pollution reaches truly critical proportions in many parts of the country. What happened last Thanksgiving in New York, where severe air pollution cost more than 160 lives, was not an isolated occurrence; it was an omen of things to come.

As President Johnson has suggested, we must strengthen both our research efforts and our regulatory activities if we are to succeed in dealing with the menace of air pollution. The bill reported by the Committee on Interstate and Foreign Commerce would help the Nation do both.

It provides for the acceleration of research needed to advance our knowledge of control methods, and it calls for standard-setting on a regional basis, which is a logical way to attack the problem.

I am endorsing the proposed Air Quality Act because I believe that it is a logical and essential step in the Federal Government's efforts to mount a truly comprehensive national attack on air pollution.

Every provision of this legislation will help bring us closer to the day when all Americans can enjoy their surroundings without fear or danger.

THE UNITED STATES SHOULD BACK POLICY ON AIRCRAFT ARRESTING GEAR

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

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, during the past several weeks I have called to my colleagues' attention a number of areas in which the Federal Government could be moving to promote aviation safety. One of these is the development and use of aircraft arresting gear which could save lives and prevent the destruction of multimillion-dollar aircraft in the event of runway overruns and aborted take-offs. While this equipment is by no means a total answer and should not be represented as an alternative to longer runways where those are possible, aircraft arresting gear can make a critical difference at airports where runways cannot be lengthened.

It is unfortunate, in my view, that the attitude of the Federal Aviation Administration toward aircraft arresting gear has been negative. The fifth Aerial Navigation Conference of the International Civil Aviation Organization will be held in Montreal next month. One of the items on the agenda concerns the establishment of an international policy with respect to aircraft arresting equipment. There are indications the United States will oppose the establishment of any affirmative policy on the issue, although as far back as 1962 the FAA conducted a successful series of tests to establish the feasibility of such gear.

Members of the House and Senate should be aware of this. I urge my colleagues to express their support for a positive, meaningful air safety program by joining me in urging the responsible officials to insist that the U.S. policy on the aircraft arresting gear question be an affirmative one.

For the information of my colleagues, I present for inclusion in the RECORD the text of a letter I have today sent to the Secretary of Transportation:

OCTOBER 19, 1967.

Hon. ALAN S. BOYD,
Secretary of Transportation,
Department of Transportation,
Washington, D.C.

DEAR ALAN: The fifth Aerial Navigation Conference of the International Civil Aviation Organization will be held at Montreal, Canada, commencing November 14. As in past years, the United States will be represented at the conference.

Question 3 on the agenda calls for an examination of recent progress in the development of aircraft arresting gear and a study of the possibility of adopting a standardized gear in the event that international airports will be equipped with them. This is a matter of serious concern to me. The development of aircraft arresting devices was a matter I emphasized in proposing to the Federal Aviation Administration last month a twenty-point air safety program. In my view, FAA's delay in completing the testing and certification of aircraft arresting gear and its failure to require such equipment at major airports is deplorable. It raises serious questions regarding the FAA's willingness and ability to establish and implement a safety program that will meet the demands of aviation's rapid growth in this country.

It is my understanding that an inter-governmental committee on which are represented the Department of Transportation, FAA, Civil Aeronautics Board, Department of Defense and Department of State is in the process of developing a U.S. policy paper on this and other items on the ICAO agenda. I have also learned that the FAA is strongly resisting a policy statement in favor of aircraft arresting equipment. On the other hand, I am reliably informed that the Governments of France and Great Britain have adopted policies favoring such equipment and are dismayed at the intransigence of the United States in this regard.

From our discussions, Alan, I know you are vitally concerned that the Government meet the challenges of aviation growth, not only in regard to safety, but in other areas as well. As a pilot, you are well aware that the Armed Forces have been using aircraft arresting equipment successfully for years, for land-based as well as carrier-based aircraft. The Air Force credits the hook and cable gear it has used since 1951 on its land bases with saving some 250 aircraft every year. The FAA completed a successful series of tests at its Atlantic City research center in November 1962. It subsequently continued to "study the situation" with representatives of the airline industry and even went so far as to promise a decision by January, 1965. As far as anyone can determine, they are still "studying the situation."

In 1964, officials of the FAA gave some indication that they favored arresting gear as an added safety factor but were not willing to force the airline industry to accept it. Unfortunately, this has all too often been the FAA's attitude toward air safety, regardless of the fact that the urgency of the need for and the feasibility of a particular program has been established.

In one 12-hour period in April 1964, three commercial aircraft—two Boeing 707 jets and a prop-jet Electra—overran runways at New York airports. Fortunately, there were no fatalities. But there were deaths and injuries, not to mention substantial economic losses, in the more than 40 reported overshoots in the period 1954–1964. And you will recall the tragic loss of 130 lives in the aborted take-off of an Air France jet from Orly field in Paris in June, 1962.

It is significant that some airline officials share my view that the new generation of jetliners, with their vastly increased weight and higher landing speeds make even more urgent the need for increasing the safety

factor in the event of a miscalculation or malfunction during take-off or landing.

Also, the phenomenon of aquaplaning—the loss of tire friction on wet pavement—continues to plague the airline industry. When today's heavy aircraft hit a film of water on a runway they frequently keep going despite braking efforts and the engines' reverse thrust. I am informed that when an aircraft wheel aquaplanes, it comes to a complete stop and if this condition lasts more than three seconds on a jet, the anti-skid system is automatically deactivated. Yet, FAA officials continue to emphasize improving reverse thrust capability and advocate grooving runways to increase braking power (although these groves would tend to ice up in cold, damp weather).

As you know, a number of companies have developed aircraft arresting gear capable of halting today's largest jets. I hold no particular brief for any of these firms, but in view of the fact that the state of the art has progressed to this point, I simply cannot understand the refusal of the FAA to require this equipment where it is needed. I am aware that the gear would not be inexpensive; estimates run between $300,000 and $1 million per runway. But we must keep in mind that this equipment is designed to prevent the destruction of aircraft costing millions of dollars, not to mention the lives involved.

I hope that you Alan, will recognize the urgent need for the United States to take the lead in promoting aviation safety and the ICAO conference offers a unique opportunity. I respectfully request that you take all necessary steps to see that our government adopts a favorable policy with respect to the conference agenda question on aircraft arresting equipment and moves ahead to require such equipment at the larger civilian airports.

With best wishes.

Sincerely,

RICHARD L. OTTINGER,
Member of Congress.

COMMUNITY DEVELOPMENT IN COLOMBIA

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

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

There was no objection.

Mr. OTTINGER. Mr. Speaker, having been privileged to participate in the planning and development of the Peace Corps, I am always pleased to bring to our colleagues' attention another one of the Corps' successful programs. I am particularly happy when it involves one of my constituents and, even more so, in a program which I helped to initiate.

For the past 2 years, Mr. Davis Loretan, of Valhalla, N.Y., has been serving as a Peace Corps volunteer in a community development program in Colombia. This type of program basically involves helping other people help themselves. A volunteer will enter a community and assist the residents in organizing and deciding upon needed and worthwhile projects which they would like to undertake as a community. The volunteer will then help the residents to execute the project and obtain such outside assistance as may be necessary. The goal of community development programs has been accurately described as bringing people together toward a common goal.

Mr. Speaker, I commend Mr. Loretan for his dedication and exemplary service and congratulate him for being awarded the Order of the Saman by the people of Colombia. I believe his work is another example of the fine work being done by the Peace Corps overseas and I am delighted to insert herewith, for inclusion in the RECORD, the following article:

[From the Reporter Dispatch, White Plains, N.Y., Sept. 22, 1967]

HE HELPS COLOMBIAN PEASANTS HELP THEMSELVES TO BETTER LIFE

(By Lorretta Lynde)

VALHALLA.—Feudalism exists today, even in the Western hemisphere, and it is the goal of David Loretan, son of Mr. and Mrs. Joseph Loretan of 337 Columbus Ave., to try to do something about it.

Mr. Loretan returned today to Oiba, Santander, Colombia, in South America. The community has been his assignment in the Peace Corps for two years and he is now beginning a third year, an extension of the usual term.

The people of Oiba seem to have recognized and appreciated what Mr. Loretan has done for them. Before he left to come home, he became the first North American to receive "The Order of the Saman," a silver medal with a gold tree on it. The tree represents one growing in the town of Oiba and is symbolic of the community spirit there. It was presented to Mr. Loretan for the "effect he had had on the community."

STEPINAC GRADUATES

Mr. Loretan, a 1961 graduate of Stepinac High School, holds a political science degree from St. Michael's College in Winooski, Vt. He joined the Peace Corps in 1965 and went to Colombia in September of that year.

Assigned to Oiba as a community developer, Mr. Loretan had a variety of duties, most of which involved organizing the communities and the peasants who lived in them. The peasants, accustomed to having the government contribute to projects sporadically, had trouble imagining themselves actually asking for what they needed. In communities like Oiba, such funds are handled by regional capitals (in this case, Bacaramanga) which are one equivalent to state capitals here.

The most difficult people to reach, Mr. Loretan observed, are the peasants of the veredas, small communities located on the large farms which surround communities like Oiba. These people have a difficult time making ends meet with their meager coffee crops and small salaries from large farms.

VERY RICH, VERY POOR

The peasants represent one end of the balance of two classes, prominent in most South American countries—that of the very rich and the very poor. Though some of the rich do contribute to improvement projects for the peasants, not all of them do, and the overall contribution does not amount to much.

Peace Corpsmen like Mr. Loretan visit the veredas and attempt to build interest and community spirit so that these people can accomplish improvements within their communities. With the help of the Peace Corps, the Federation of Coffee Growers has begun to aid these communities of peasants. The federation buys the coffee and returns the profits in the form of partial expenses to build the schools and improvements.

Mr. Loretan says it is best if the people contribute part of the funds and effort themselves so that they gain a sense of involvement in their school. "In schools that the government itself built, the people tend to think of the school as belonging to the government," stated Mr. Loretan.

SEEK NATURAL LEADERS

"When we go into a community like this," says Mr. Loretan, "it is best for us to try to find the natural leaders of the community. These people are best to help us organize the projects to earn funds and work on various projects."

The peasants in Mr. Loretan's assigned community raised money with such projects as bazaars including lunches, dancing and games, and with such activities as taking down old unrepairable buildings and selling the materials. The proceeds of these efforts were used to match the money given by the Coffee Growers and the government.

Schools are the major project for workers like Mr. Loretan. One school has been finished since he arrived in Oiba and he expects another to be finished when he returns. "The length of time it takes to complete a school in these towns depends on the community and upon its leaders," he says.

When Mr. Loretan returns, he will work for a time in the same community and will later go to the regional capital to aid new and current Peace Corpsmen in an administrative capacity.

"These people are wonderful," Mr. Loretan smiles, "and I'm delighted to be able to go back."

NATIONAL FOUNDATION OF LAW

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, the American legal system is undergoing extraordinary strains in an effort to meet the rapidly mounting demands upon it. We all have heard of the "law explosion" that has led the massive backlogs on the civil dockets of courts throughout the Nation. And never, of course, have the demands on our system of criminal justice been as heavy or as complex.

These new strains, reflecting both the rapid population growth and our ever more complex way of life, are further complicated by vastly expanded efforts at bringing the full protection and benefits of the law to the poorest segments of our population, and by vital new efforts at making the law and legal institutions more responsive to developing public needs and expectations.

The legal profession and the law schools have made valiant efforts to keep pace with these new demands. But each limited step forward has revealed a dozen more that should be taken. Their experience has made it clear that the law, the framework for all our social and economic processes, is the poorest of stepchildern when it comes to allocation of resources, both public and private, for research and education. And there is little reason to believe this imbalance, resulting in a serious lag in legal research and training, will be changed under present policies of the funding agencies and organizations.

It is against this background, Mr. Speaker, that I introduce today a bill to create a National Law Foundation to promote improvement in the administration of justice and in legal education and research.

This bill has been in preparation for many months in cooperation with the American Bar Association, the Association of American Law Schools, and the American Association of Law Librarians. Each group approves the bill as drawn.

The new Law Foundation, with the overall charge of improving the administration of justice, also would pursue programs designed to upgrade the quality of legal services and to make the law and its institutions more responsive to public needs. It would support legal education through grants to individuals, law schools, nonprofit organizations for continuing legal education, law libraries and other facilities for legal training. It also would initiate and support programs of research, in cooperation whenever appropriate, with Federal, State, and local agencies as well as private educational and research institutions including law schools and bar associations. It further would provide support to improve the Nation's law schools through scholarship and fellowship programs and grants to institutions.

The proposed Law Foundation, under direction of men expert in the practice of law as well as legal education and research, would focus attention directly on many of the most critical problems of our time.

It would, in short, provide for the vital and expanding field of law the great coordinating and supporting services available to the sciences through the National Science Foundation and to medicine through the National Institutes of Health. It is clear, Mr. Speaker, that comparable support is needed if our legal processes and institutions are to continue to provide the framework necessary for ordered progress in all aspects of our national life.

JOHN B. TURNER IS MR. MIAMI

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, few men have contributed of themselves to their community to the extent to which John B. Turner has in Miami.

The Miamian magazine has recently honored him by selecting him as Mr. Miami, and this recognition is richly deserved.

Mr. Turner's activities in behalf of the community have been most numerous, but one of his outstanding contributions has been his service as chairman of the Dade County Community Task Force which was established in cooperation with the Federal Government to cope with the problem of thousands of Cuban refugees who have poured into the area in the last few years.

I commend to my colleagues the Miamian article which describes but a few of Mr. Turner's many efforts to make Dade County a better place to live for all:

PLAN FOR THE NEXT GENERATION

Everything being done today, should be done for the people and the city that will be here 50 years from now, according to John B. Turner.

Turner, one of Miami's civic leaders, looks at the community as he believes it will be in the future.

"I always at least try to look ahead. Never go back, and never look back except to learn and benefit from experiences and history," he said.

In his 17 years in the Greater Miami community, Turner has guided the helm of most every major community effort.

He has been president of the Miami-Dade County Chamber of Commerce, the United Fund, Operation Amigo, South Florida Boy Scout Council, Downtown Kiwanis Club and chairman of the board of the Economic Society of South Florida, to mention only a few.

One of the most recent major involvements was as chairman of the board and executive committee of the Dade County Community Task Force, and organization stated at the expressed wishes of the President of the United States to insure that there be no adverse economic effect on the Greater Miami area from the Cuban Refugee Airlift inaugurated nearly two years ago.

"The Task Force was an unusual organization. We had to go looking for problems to solve. We found plenty of them, and found solutions to some such as assisting in obtaining more adequate federal funds for the education of the Cuban children in the Dade School System, helping work out the problems of the Cuban dentists, and other similar problems," Turner said.

Turner had also been a member and vice chairman of the Dade County Community Relations Board.

"If there is one group that could do more in less time, it would be an organization composed of a community relations board and a task force. With connections and influences both within the community and in Washington, such a group could be effective in obtaining federal funds to help build Miami-Dade Junior College, the proposed state university, and in obtaining funding for Aerojet-General, and other projects which the federal government could participate in which would stimulate the economy and aid industry," Turner believes.

But without such a group, the momentum must come from within the community to accomplish overall goals.

"People are coming to Florida, and business goes where people are," Turner said. "The population trends show over two million people by the 1980's and they are probably right. We must prepare ourselves for the next 50 years. We can't simply plan for the next few years or even few decades.

"The major problems of this area stem from the people who settled here 50 years ago. They lacked vision. They didn't build for a population of a million persons.

"We are still in a pioneer era. There are still the opportunities here that there were 20, 30, or 50 years ago. Sure, Miami Beach has already been developed, but the same kind of opportunities exist if you look for them."

Turner believes that it is the duty of each generation to provide the necessities, such as school, for the next generation.

"On this point," he said, "Dade County has an excellent reputation. Our schools are excellent for what we had to work with. But here again, taxes are going to have to be raised, or bonded indebtedness incurred, so that we can continue to grow, expand and build more schools, housing, sewers and all the other things that a society needs and will be needing in the coming years."

Part of the planning ahead is looking for new job opportunities for the growing population.

"Miami must encourage new industry to move in, new industry which will provide jobs for the population which in turn will need housing, education and other products and services.

"I don't mean just big industry. Big companies would be nice, but don't forget the smaller plants. They're even more important if you have enough of them," Turner emphasized.

Turner believes that it is the duty of the entire community to help encourage a good business climate, and the organization to work through is the chamber of commerce.

"The value of the chamber of commerce to this community can only be limited by the time and the interest that's put into it by the business and professional people," Turner emphasized.

Initial steps, he believes, have been taken to start Miami on the road to further progress. Review of the state and local government, a strong look at taxation and problems of the future, the new Doxiadis plans for redevelopment of downtown, are all a step ahead.

"But we must take action if we want the problems to be solved. I am all for private enterprise implementing these things, but not if it takes another 25 years. We have been struggling and struggling, and nothing gets done. Let's accept it and implement it, either in whole or in part, or reject the whole thing.

"Maybe the only way we can get the plan finished is for some government group to go in and get it done. Otherwise, the Doxiadis plan will be just another report."

Turner, a retired vice president of Cities Service Oil Co., has helped to implement many ideas and plans in this community. As president of the Community Television Foundation of South Florida, Inc., he was instrumental in obtaining a more progressive programming policy for the station.

In other areas, he serves as an elder of the Miami Shores Presbyterian Church, trustee of the Florida Presbyterian College, on the executive committee of the Florida State Chamber of Commerce, and a director of the Dade National Bank of Miami.

Prior, he had been on the regional board and dinner chairman for the National Conference of Christians and Jews, active for over 20 years in the American Red Cross and chairman of the Dade County chapter.

To top them all, however, was the American Red Cross' 1967 award to him as "Man of the Century."

CERTIFICATION OF MOTOR VEHICLE MECHANICS

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

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

There was no objection.

Mr. GIAIMO. Mr. Speaker, I have today introduced a bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation and to assist the States in establishing programs for the compulsory licensing of auto mechanics.

I have been concerned for some time, Mr. Speaker, that the auto owner is not receiving adequate service from many auto mechanics. Once the owner of a car discovers that something is wrong, he is at the mercy of the auto mechanic.

A recent survey taken by the New York based Citizens Committee for Metropol-

itan Affairs reported that 60 percent of the garages to which a malfunctioning automobile was brought turned in completely false diagnoses. We are all aware that these practices go on in every area of the country and are due either to untrained mechanics or to outright fraud.

The purpose of my bill is the voluntary licensing of auto mechanics who meet certain standards as prescribed by the Secretary of Transportation. The mechanic who meets such standards and receives certification would be able to hold himself out to the public as a reputable skilled craftsman. The individual car owner would then be able to determine whether he is going to a good mechanic or, like the 600, is riding blindly into the valley.

The certification of good mechanics by the Department would also serve as a lever to encourage the less skilled either to upgrade their skills or to get out of the business.

My bill, Mr. Speaker, would also provide grants to those States which enact compulsory programs of licensing and would include the cost of apprenticeship or training programs for mechanics.

I want to emphasize that I have introduced this bill in order to generate study and discussion of this very real problem. It is in no way a final solution to the situation but rather a beginning.

Mr. Speaker, I include at this point in the RECORD a newspaper article from the New York Times and a Columbia Broadcasting Co. editorial which bear upon this problem:

[From the New York Times, Sept. 27, 1967]

GARAGES HERE FAIL A SPOT REPAIR TEST

A study of 19 automobile repair garages here has shown that only five accurately diagnosed a minor engine defect and that the repair cost estimates ranged from no charge to $40.

"Eleven garages—60 per cent of those surveyed—turned in completely false diagnoses," the Citizens Committee for Metropolitan Affairs reported yesterday.

Speaking at a press conference, William F. Haddad, president of the committee, said that its survey had shown "a shocking scarcity of well-trained mechanics" and "a desperate need for fair-price guidelines in automotive repairs."

The committee is a nonprofit civic organization formed in 1964 and composed of approximately 700 members. In the words of Mr. Haddad, they are "young professionals, Wall Street types."

Participation in the group, which is financed by assessments on the members and the 18-man board of directors, is strictly voluntary, and members are assigned to serve on one or more of its 18 subcommittees. In keeping with its policy of serving the public as an "aggressive ombudsman," the committee recently investigated Surrogate Court patronage practices and drug prices in New York State.

The automotive survey was conducted by volunteers headed by Thomas Boyd, a returned Peace Corpsman who taught mechanics in India. Nineteen independent service areas were selected with standard market sampling techniques that correlate neighborhood income with population density. This selection method, according to the committee, gave a cross-section of garages that was "representative" of automotive repair centers for the entire state of New York.

A 1966 Oldsmobile Vistacruiser station wagon, with 27,000 miles on the speedometer, was selected as the test vehicle. Members of the test team were taught how to measure the distributor point setting and how to alter this setting from the manufacturer's recommended specification of 30 degrees.

Before entering each service station, a member of the survey would adjust the point setting to 42 degrees; otherwise the car was said to be in "excellent condition."

The point setting regulates the firing of the spark plugs in the engine.

According to Mr. Haddad, this particular alteration was selected because the type of engine malfunction it produces—a very rough engine, with loss of power and difficulty in starting—should be recognized by "a kid in high school mechanics class" as being caused by an improper point setting.

The survey reported, however, that most of the 19 mechanics consulted were inclined to recommend a full tune-up—at prices ranging from $14 to $40.

In one instance the mechanic listened to a description of the car's performance and, without leaving his desk to inspect the car, suggested: "Probably needs a tune-up—$22.05."

At another midtown garage on the East Side of Manhattan, a man who did not claim to be a mechanic but said he was "familiar" with the car, said:

"Sounds like it needs a tune-up. If it hasn't been tuned within 10,000 miles, you should have it done."

Cost: $35.

Other mechanics were apparently baffled by the problem. One, who worked at a lower East Side gas station checked the spark plug wires, changed the fuel mixture settings on the carburetor, readjusted them to nearly the same position said: "Must have been some dirt in the carburetor."

Only one mechanic of the five who correctly diagnosed the trouble correctly identified the problem immediately. He readjusted the points without charge.

On the basis of these investigations, the report concluded that "except for the few cases of satisfactory service, the mechanics were not willing to waste their time on a $2 or $3 adjustment."

The report contended that mechanics were content to use a "cover-all diagnosis" of a tune-up even though, "in all but a couple of stops, the car's engine was running so badly that an experienced man could not have failed to suspect improper ignition timing, which could have been corrected by a simple adjustment."

The report recommended that "the City of New York promulgate fair-price guidelines for automotive repairs and that procedures be established that will lead to certification and licensing of automotive mechanics in the New York City area."

Approaches have already been made to state legislators and the offices of the Mayor and the Governor to discuss the possibility of legislation requiring the licensing of mechanics.

Commenting at the press conference, Mr. Haddad said:

"I think it [the mechanic's alleged incompetence] has become a form of acceptable corruption. The public has been made to feel that it is normal to do business in this manner.

"However, I'm sure something is going to be done about it this time."

TEXT OF WCBS (NEW YORK) EDITORIAL

Subject: Auto repair abuses.

Broadcast: September 29, 1967, 12:20 p.m., 4:20 p.m.; September 30, 1967, 8:20 a.m.

A committee of public spirited New Yorkers has made a valuable contribution to automobile safety and consumer protection. By conducting a survey of Manhattan garages, the group has exposed the auto repair business for the indifferent, incompetent racket it too often is.

The committee's findings, of course, are nothing new. They'll have the ring of unhappy truth to any car owner who's ever nursed a leaking head gasket or clogged fuel line. Most owners would be hard put to tell the differences between these maladies, and repair shops, through incompetence or fraud, are often quick to capitalize on the public's ignorance.

In its survey, the Citizens Committee for Metropolitan Affairs used a recent-model car with a common but minor engine defect. The committee's survey team drove the car to nineteen garages for diagnosis and repair. The committee found that cost estimates varied from "no charge" all the way up to $40. Of the nineteen garages surveyed, only five accurately spotted the defect using the proper techniques. Three others found the trouble after trial and error. Eleven of the nineteen—that's 58 per cent of the sample—incorrectly identified the problem.

The committee summed up the service it received as "careless," coupled with "intent to defraud." Widespread incompetence "has become a form of acceptable corruption," said one official, "and the public has been made to feel it's normal to do business in this manner."

Now regardless of what the public feels—negligence, poor training and outright larceny are scarcely ingredients of normal business practice. Next to a home, a car is the most costly piece of property you're likely to buy. And there's no reason why the motorist should not expect and receive the same standard of competence from mechanics that he does from a dentist or piano tuner. Maybe the answer is that pride in the craft is gone. If that's the case, it's time for government to step in. You can't legislate pride. But you can mandate state licensing for mechanics and the repair shops they work in. Loss of license means loss of work. And this is probably the quickest way we know to clean up those abuses of trust and confidence that too often characterize what should be a skilled, fairly-priced service.

MILITARY RULE IN GREECE

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

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

There was no objection.

Mr. FRASER. Mr. Speaker, one of the most perceptive and best informed writers on the military regime in Greece is Maurice Goldbloom. Mr. Goldbloom, a freelance writer, was labor information officer for the U.S. economic mission to Greece in 1950–51. He has since returned to the country many times and has numerous sources of information that give authority to his articles on recent Greek developments. Following is an article that appeared in the September 24 New York Times magazine:

AFTER THE ARRESTS: HOW THE MILITARY RULES 8 MILLION GREEKS

The military junta which seized power in Greece last April 21 is still nervous, but with each passing day it is less and less vulnerable. By now, neither a decision by King Constantine to break with it, nor a decision by the United States to cut off military aid would automatically topple it, though either would undoubtedly weaken it.

The attitude of most Greeks toward the King's role is summed up in a mot that has been going the rounds in Athens: "In the process of seduction, there is a point at which

a girl must decide whether she is going to remain a virgin. The King has passed that point with the junta." In his recent appearances in the United States—in Washington with the President, in Newport for the America's Cup races—Constantine has apparently been acting as the regime's envoy. For its part, the United States, through its initial acquiescence, has given the junta the time it needed to dig in.

In other words, the junta, though not noticeably more popular, does seem to be more solidly entrenched. The coup was staged by no more than 200 to 400 officers—out of some 10,000 in the Greek Army. The ability of such a small group to seize power without significant opposition was largely the result of mistaken identity. Greeks had long been expecting—and right-wing Greeks had been hoping for—a coup by a large, nominally secret, but in fact well-known, organization dominated by senior officers known as IDEA. But over the years a small, rival organization of junior officers, called EENA, had been growing up almost unnoticed. At the time of the coup its leadership included only one general—Stylianos Patakos, now Minister of the Interior—and he had been made a brigadier only three months before. The group's most important leader was Col. George Papadopoulos—who happened also to be the man assigned by IDEA to transmit the orders for its coup to its followers throughout the army.

It was EENA that struck, but when Papadopoulos gave the signal its recipients thought they were obeying IDEA. Because there was no organized democratic group in the army, there was no military resistance. Because civilian political groups—including the weak and demoralized Communists—were prepared only for lectoral activity, there was no popular resistance.

Once in, the junta lost no time in broadening its base of military support. Increasing the officer corps by approximately 10 per cent has enabled it to win the support of perhaps twice that many officers through promotions and new appointments. Key officers on whose loyalty it could not count were forced to retire. In the army, this purge for the most part took place immediately after the coup; in the navy, where the coup had received almost no support, the junta moved more slowly. Still, by mid-August more than 60 naval officers, mostly of high rank, were said to have been removed, and 11 to have been arrested.

Arrests, indeed, have been the junta's most conspicuous activity. The cases of former Premier George Papandreou of the Center Union, his son, Andreas Papandreou, and Mikis Theodorakis, composer of the score for "Zorba the Greek," have attracted worldwide attention, but there are thousands more, and the arrests show no signs of abating.

The original wave of arrests was based largely on an army list of suspects prepared nearly 20 years ago; the conspirators had been afraid to ask for more recent lists for fear of tipping their hand. Thus, many of those arrested in the first sweep were people who, whatever they might have been in the turbulent nineteen-forties, had long since ceased to be politically active.

Later arrests—which by now certainly outnumber those of the first wave—have been more selective. They affect all sections of the political spectrum, including parliamentary deputies, former Government ministers and several of the country's leading journalists. They also include a man who criticized the King in a telephone conversation with his sister, a bus driver who objected to letting a soldier ride free and numerous persons accused of such offenses as having five or more guests in their home or possessing a mimeograph and not registering it with the police.

Of those arrested at the time of the coup, more than 6,000 were sent to a hastily opened concentration camp on the island of Yiaros. (Some 1,500, most of whom had been arrested because of their official positions rather than for their politics, were soon released, though many remained under house arrest.) The Government has now announced the opening of a second major concentration camp on the island of Leros, to which prisoners are being transferred from Yiaros. This should be an improvement.

Yiaros is a completely waterless and barren island, swept by high winds. Before the coup it had an old and unused prison, with cells for a few hundred persons. When the detainees were dumped on the island, the prison was used to house some of the women. The other prisoners were housed in tents, 25 to a tent, grouped in three camps.

Some weeks later, at a time when the Government claimed to have released about a third of the prisoners originally there, it announced plans to construct reservoirs on the island which would make it possible for each prisoner to receive 15 liters (a little less than 4 gallons) of water a day. Clearly, the water supply during the first several weeks must have been barely enough for drinking, let alone sanitation.

Later, other ameliorations were promised. These included an improvement in the diet, which was said to have consisted mainly of beans, and the opening of a canteen at which prisoners could purchase additional food and other small necessities. Some of these improvements may have taken place. It at least appears reasonably certain that the canteen was opened—since underground channels reported a few weeks later that it had been closed again.

There are inevitable gaps and time lags in information on conditions in the various places of detention, since Yiaros and most of the others have been barred to journalists and foreigners. A representative of the International Red Cross has, to be sure, been permitted to visit them. But in accordance with the normal practice of that organization, his report was submitted only to the Greek Government, which never made it public.

The Government did, however, release a letter in which the Red Cross representatives asked on humanitarian grounds that the 250 women confined in the old prison on Yiaros be transferred elsewhere, to accommodations more appropriate to their sex. (The circumstances of this release were such that one is impelled to wonder if the Government really desired to give it wide publicity. In the Greek Government press office, official releases are normally laid out on tables, arranged in the order of the numbers which they bear. They are available in Greek, English and French. This release had no number, it was not with the others, and it was available only in Greek.) I have seen no report indicating that such a transfer has in fact taken place, although the women may be among those now being moved to Leros.

If conditions on Yiaros have improved in some elementary physical respects, it appears that they have recently become worse in other ways. Some 250 of the "most dangerous" prisoners are said to have been segregated from the others, and to be confined to their quarters 20 hours a day. During the four hours in which they are allowed out, the other prisoners are confined, in order to prevent any contact between the two groups. And the three camps on the island are kept isolated from one another.

These changes probably result from the regime's disappointment at the failure of the prisoners to break down under its pressure. A condition for release is that the detainee sign a pledge to refrain from "antinational and anti-Governmental activity." Few politically significant prisoners have been willing to sign, regarding it as dishonorable.

Interior Minister Patakos complained to me: "Some of them are getting more hardened instead of reforming. They have organized by tents; a leader for each tent, and a group leader for each 8 or 10 tents. They have a president for each of the camps, and a general commander for the whole island. They have collected 250,000 drachmas [a little more than $8,000] among themselves, for what purpose I do not know, but I am sure it is not a good one."

As one of the "Communist" leaders of the hardened prisoners, Patakos mentioned Dimitrios Stratis. When I remarked that the 78-year-old Stratis, a veteran trade-union leader and left-wing parliamentary deputy whom I know well, was not a Communist, Patakos replied: "He calls himself a Socialist, but he is a Communist. In Greece, we have right people and wrong people. All those who are against the country are Communists. Stratis is a Communist in his heart and his works. They are all liars."

Yiaros and the courts-martial which hand out sentences of five years for writing slogans on walls and eight years for *lèse-majesté* are not the Government's only instruments of intimidation. Some Greeks beyond the borders have had their citizenship revoked—most notably, the actress Melina Mercouri, who seems to have come out ahead on the exchange.

Many persons regarded as potential troublemakers have been taken to police stations and badly beaten, as a warning, without being formally arrested; this treatment has been most often used on students and other young people. The security police have visited private employers with lists of "unreliable" individuals who are to be discharged. Many people have had their telephones removed because of their political views; all have been discouraged from talking politics on the phone or writing about it to friends by the knowledge that phones are likely to be tapped and letters opened.

But the junta has not relied on terror alone to consolidate its position. Rather, it has systematically endeavored to entrench itself in every aspect of Greek life. On the national level, despite the existence of a nominally civilian Government, an army officer plays a key role in every ministry—in some cases as minister, in others as secretary general, in still others as a political commissar without official title.

The tenure of civil servants has been abolished; many have been removed for their ideas, and all have been ordered to pledge their loyalty to the regime on pain of dismissal. The purge has not been confined to such politically sensitive departments as the police, where 118 high-ranking officials and police doctors were dismissed in mid-August. (Others had been ousted previously, individually or in smaller batches.) It has even affected the director of the Byzantine Museum, an internationally known scholar.

Locally, the regime has destroyed the system of nonpolitical nomarchs or district administrators, whose establishment American advisers once regarded as one of their major achievements. More than half the nomarchs have been removed; most of their replacements are army officers. While asserting its belief in the decentralization of authority, the Government has removed large numbers of elected mayors and local councils and replaced them with appointees chosen in Athens.

Nor has it confined itself to the governmental sphere. It has seized control of the Orthodox Church. It has dissolved hundreds of private organizations and removed the officers of numerous others, including bar associations, agricultural cooperatives and the Jewish community.

The United States Embassy in Athens clearly does not like the regime, though most Greeks regard it as responsible for the coup—an opinion the junta assiduously encourages. (A skeptical friend remarked to me, after seeing one of the coup leaders in action,

"Now I believe what you say about the Americans not being behind the coup; they'd never have chosen *these* people!") But the Embassy also regards the present Government as a lesser evil than a revolt against it, and has therefore placed its hope in persuading the junta to practice self-denial and restore democracy voluntarily. Its influence is limited, since the junta now feels certain that the United States will continue military aid whatever happens. (Some weeks after the coup, the U.S. did cut off certain items, estimated by the Defense Department at 10 per cent of the total.)

Nevertheless, the Embassy and State Department see great cause for optimism in the appointment of a committee of jurists to draw up a revised Constitution by the end of the year for submission to a plebiscite. This is supposed to lead to a speedy and orderly restoration of constitutional government.

This assessment appears to contain a large measure of wishful thinking. The group named to draw up the new Constitution included a few persons of some distinction, several conservative nonentities and a few with rather unpleasant reputations. But the members were not consulted before their appointments were announced, and some of the best-known have refused to serve.

The Government's influence on the deliberations of the committee is not likely to be cast on the side of democratic institutions While Premier Constantine V. Kollias has said the new Constitution will be only slightly changed from the present one, journalists close to the junta have called for much more drastic alterations. Among the suggestions offered are a ban on political activity by anyone who has ever cooperated with the extreme left, a requirement that all candidates have loyalty certificates from the security police, and the exclusion from office of anyone who has ever held foreign citizenship.

The first of these provisions would not only bar all those in the United Democratic Left (EDA), a party which contains some hard-core Communists but also a wide range of non-Communists. It would also ban most members of Papandreou's Center Union and a number of people now on the right—including some ex-Communists who hold office under the junta or are among its advisers. (For example, Theophylaktos Papaconstantinou, whom the Government has placed in charge of the press, is a former Communist theoretician. So is the editor of Eleftheros Kosmos, the newspaper widely regarded as closest to the junta.)

The significance of the second is shown by a story told by a friend who had served as an officer attached to the general staff. One of his duties was to investigate the qualifications of officer candidates. In the dossier of one he found a report from the Security Police: "A. is a dangerous subversive, being closely associated with the politician Constantine Rendis." At the time of the report, Rendis, who belonged to the right-center, was Minister of Public Order and the superior of the police official who wrote it.

The third proposal is aimed primarily at Andreas Papandreou, a former American citizen and the man on whom millions of Greeks rest their hopes for their country's future.

When I asked Patakos what constitutional changes the Government would propose to the committee, he mentioned none of these specific points, although he referred in a general ways to changes in the qualifications of deputies. In response to a question, he added that the Premier named by the King would still have to receive the support of a majority in Parliament. He added that these ideas were merely being considered very tentatively; the one point on which the Government was determined was that the new Constitution must cure all the faults of the existing system. Apprised of this statement, one diplomat remarked: "That's easy; all he has to do is change eight million Greeks."

Whatever kind of Constitution may emerge from the committee, the problem of implementation will still remain. The embassy appears to rely on the King and Patakos—the member of the junta who is regarded as most susceptible to the influence of the palace—to promote the restoration of a constitutional regime. Patakos, however, does not seem to have any such intention. He told me: "We are not interested in elections; if we were, we wouldn't have made a revolution. This system we have now is the best system, because what we have now we have achieved with the people's support, so there is no need for elections. We have more serious problems than elections. What we have done we did in order to achieve certain aims, and when we have achieved these aims, then we will have time for elections. . . . We are frank people. We are not liars and we do not want to make false elections, the way they do in Russia with 98 per cent; therefore there will be no elections."

But even if Patakos could be introduced to support a prompt return to constitutionality, it is unlikely that he could accomplish it. Unlike Colonel Papadopoulos, who organized the coup, Patakos appears to have little talent for conspiracy or political infighting. He seems a basically decent if insensitive man, whose political naiveté is almost incredible. (He is responsible for most of the pronouncements which have brought ridicule on the junta—the bans on miniskirts, beards, long hair, etc.) A soldier of peasant origin (a brother is said to be still working on the roads in Crete), he rose slowly through the ranks for 37 years, becoming a brigadier general and commander of the tank school three months before the coup. Only then does he seems to have been brought into the conspiracy—because the tanks he controlled were necessary to its success. One suspects that he joined partly because of resentment at the establishment—civil and military—on which he blamed his slow promotion (he talks with obvious bitterness of the 10 years he lingered as a lieutenant colonel), and partly because he really believes the moralistic slogans to which others in the Government pay lip service.

In any showdown between Patakos and Papadopoulos, the latter seems far more likely to be the victor. Indeed, the other members of the junta may in any case drop Patakos when they feel strong enough to do so. He might even end up on Yiaros. If he should, I would not expect him to sign a declaration in order to obtain his release.

But if the junta does not seem likely to give up power voluntarily, there are factors which may eventually lead to its downfall. One is the difficulty of getting competent personnel to work for it. The population of Greece is about the same as that of New York City, and the proportion of trained personnel is much lower. If one eliminates a majority of the population—and a much larger majority of the well educated—on political grounds, it becomes difficult to find competent people for important positions. Moreover, many whom the junta might be willing to appoint do not want to serve under present conditions; in one instance, it has had to draft a retired official into the army in order to make him assume a top post in a ministry.

This difficulty may explain some of the peculiar appointments the Government has made. One, particularly strange for a regime which talks in terms of moral regeneration, is that of Constantine Thanos as Secretary General of the Ministry of Coordination and Alternate Governor of the World Bank, two of the most important economic posts it had to fill. Mr. Thanos was, a few years back, rejected for a teaching post at the University of Athens because it was discovered that the thesis he submitted in support of his application was a verbatim plagiarism from a memorandum by Prof. Benjamin Beckhart of Columbia. The incident is not the only one of its type in Mr. Thanos's career.

But the Government may well feel that it cannot look too closely into the moral credentials of anyone who can help it solve its economic problems, for these are very great, and almost certain to increase. At the beginning of June, Greece had short-term debts of about $20-million more than its official gold and foreign-exchange reserves. (Some $100-million in gold sovereigns, the purchase and sale of which were used to stabilize the currency internally, did not appear in the official reserves. The exact amount in this fund was secret.) And Greece's three principal sources of foreign exchange—emigrant remittances (about one Greek worker in five is employed abroad), tourism and shipping—all seem likely to drop sharply this year, as does foreign investment.

In addition, it is almost certain that a loan of about $100-million which had been promised by the European Economic Community will now be postponed, if not canceled. Nor have the financial prospects been improved by the resignation of the internationally known economists Xenophon Zolotas and Michael Pesmazoglou as Governor and First Deputy Governor of the Bank of Greece.

No wonder that a former minister says of Col. Nicholas Makarezos, who as Minister of Coordination is in charge of economic policy: "He's the only one of them who thinks seriously about problems; that's why he always looks worried." The colonel's worries seem likely to come to a head within the next six months. By that time, the Government is widely expected to run out of cash. (It is already asking for U.S. economic aid.) It may be able to renew credits as they come due, simply because creditors will prefer to keep their loans on the books instead of pushing them into default. But without new credits, which seem unlikely, there will have to be drastic import restrictions and currency controls; there may be a devaluation of the drachma and a sharp reduction in the standard of living.

The political repercussions of such a development are unpredictable. It may be that the opposition will still be too disorganized to take advantage of the situation, and that the Government will be able to ride out the crisis. But it is also possible that students—who are difficult to control because their leadership is always being renewed—and workers returning from northern Europe, where many of them have already organized against the junta, will by then form the basis of an effective resistance movement. And if the regime is not able to keep up the standard of living of the armed forces—particularly the officer corps—trouble could come from that quarter.

Such a situation could conceivably result in a countercoup. Or the junta might turn to a foreign adventure, particularly in Cyprus. This past summer, there were sounds from Athens of a new drive for *enosis*, the union of Cyprus with Greece. (They produced no sympathetic echoes among Greek Cypriotes.)

Or the regime might seek to rally popular support by swinging in a Peronist or National Bolshevist direction. There are already some signs that it is considering this option. One is a decree prohibiting any Greek, including employes of foreign companies and international organizations in Greece, from getting more in salaries, allowance and pensions than the Premier receives—about $18,000 a year. The junta issued a decree raising the salaries of Cabinet ministers substantially, but forbade the press to mention it. Some days later another decree was issued reducing the salaries—but to a point well above their previous levels. The reduction was then publicized, without mentioning the previous raise.) It has also raised pensions

for peasants by about two-thirds. And Agriculture Minister Alexander Matthaiou's first radio address was not only filled with leftist phrases, but was couched in a form of the *Demotiki* (the popular language, traditionally championed by the left as against the *Katherevousa* or "pure" language backed by the right) so extreme that it is regarded as the trademark of the Communist party and shunned by everybody else. A move in this direction might also take on an antimonarchical aspect; not all the members of the junta regard the King as indispensable.

It might seem strange for a rightist government to move in this direction. But the junta does not represent the traditional Greek right, rooted largely in property and birth. Its leaders are men of lower and middle-class background. They may hate the left, but they have no love for the conservative establishment.

AIR QUALITY ACT OF 1967

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

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

There was no objection.

Mr. HANLEY. Mr. Speaker, I want to take this opportunity to urge the Members of the House to give their full support to the proposed Air Quality Act of 1967. Approval of this legislation would be of benefit to virtually every American and would help to safeguard the health and welfare of generations to come.

Three times since 1963, the Congress has taken steps to accelerate the Nation's movement toward cleaner air. Under the legislation enacted by the Congress, the Department of Health, Education, and Welfare has helped in the creation and strengthening of State and local air pollution programs, instituted Federal action to abate interstate pollution in nine areas of the United States, established national standards for control of motor vehicle pollution, and intensified research on ways of controlling the major air pollutants.

Yet, each day the air pollution problem is worsening. With a renewed sense of urgency, the States, the cities, and the Federal Government must commit themselves more fully and effectively to America's struggle against poisoned air. Federal action alone cannot overcome the problem. The measures proposed in the new legislation before us will directly help State and local governments in their efforts to prevent and control air pollution arising within their jurisdictions.

I am convinced that by putting the stamp of approval on the legislation before us, we are forging another link in the chain of Federal-State partnership that is so vital to the restoration of the quality of our atmosphere.

AIR QUALITY ACT OF 1967

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

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

There was no objection.

Mr. DANIELS. Mr. Speaker, I would like to take this opportunity to make a few comments about the problem of air pollution which has become, unfortunately, a major environmental concern in many parts of our country. This House will soon consider the Air Quality Act of 1967, which has been recently reported by the Committee on Interstate and Foreign Commerce, and this fact prompts my present remarks.

In recommending last January that the Congress adopt the Air Quality Act, President Johnson expressed the Nation's resolve to eliminate air pollution. This feeling by our citizens is not just a fad; it is based on an increasing comprehension of the enormous price we have been paying—and continue to pay this very day—for neglecting our air supplies. There was a time when a plume of smoke from a factory stack was emblematic of progress and productivity, but our society has reached the stage when we are able to have the benefits of industrialization without attendant detriments. Air pollution is a health hazard, air pollution damages property, air pollution decreases visibility, and air pollution depresses the human spirit. The Air Quality Act is a step toward mitigating these undesirable byproducts of our affluent society.

While the new legislation has several meritorious features, I should like to discuss one major provision today. I am referring to the bill's provisions for the establishment by the States of air quality standards and implementation and enforcement plans, with the assistance and guidance of the Department of Health, Education, and Welfare. After the Secretary has designated air quality control regions and has published criteria and control technology information for a given pollutant, the States will be obliged to establish standards and implementing plans for the regions. Presently, the States are not under such an obligation, and while some of them have done admirable work in this regard others have been unwilling or unable to confront the problem.

Mr. Speaker, I urge every Member of this House to give thoughtful consideration to this legislation when it is presented to us for our approval, and I hope that they will join me in voting for its enactment.

IN DEFENSE OF CONGRESSIONAL INTERNSHIPS

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

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

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, recently a Sunday supplement of the Washington Post, the Potomac magazine, carried an article relating the reactions of a number of young people to their experiences while serving as congressional interns on Capitol Hill.

The tenor of many of the reactions was of disillusionment, disappointment, and disgust that they were given seemingly petty assignments during their brief employment in congressional offices.

During the spring semester, a student at American University's Wesley Seminary here in Washington volunteered his services in my office. His objective was to gain experience both in the functions of our National Government and in service to the public. He felt experience of this kind would be of substantial help to him in his future work as a clergyman.

Ths young man, now the Reverend David G. Henritzy, pastor of Pomeroy Methodist Church, in Pomeroy, Pa., read the Potomac magazine article and then sent his reactions to the editor.

I am pleased to be able to bring his letter to the attention of my colleagues as concrete evidence of how valuable our internship program can be, if the individuals selected have the personal initiative to gain from their experiences:

POMEROY METHODIST CHURCH,
Pomeroy, Pa., October 16, 1967.

The EDITOR, POTOMAC MAGAZINE,
The Washington Post,
Washington, D.C.

DEAR SIR: I was interested to read your recent article, in the October 1, 1967 issue of *Potomac* concerning congressional interns. I also have served as a congressional intern and would like to write in defense of the program.

Many of the complaints of the interns you interviewed seem to have arisen from the fact that the interns did not find the intern program to be what they expected. I served my internship with Rep. Fred B. Rooney (D-Pa.) and began it with the assumption that I was going to learn as much as possible about the workings of Congress and a congressional office. I too, spent a large part of my time working a roba-type machine, or addressing letters, or even clipping newspaper articles. However, I felt that this was not only a way of learning what really goes on in a congressional office, but also as a very real means of assisting an already heavily-loaded staff and thus freeing the professionally trained staff members to do the really important jobs.

Because my attitude may have been somewhat more responsible than that of some of the interns you interviewed, I was eventually given more of the responsibility which all the interns craved. I did not expect, nor did I, make policy decisions, but I was given such responsibilities as speech writing, preparing briefs for the congressman on important topics, and handling many private cases completely on my own.

I left my internship with a much heightened respect for the duties and responsibilities of a congressman, plus a good understanding of how our political system works on a day-to-day basis. I felt that this was what I went there to learn and could not have been more pleased with my experience. Working in congress is an extremely responsible position which requires a high degree of professional training. Perhaps if the other interns realized this they would not only find their internships to be of more value, but would also be a greater service to their country.

Sincerely,

DAVID G. HENRITZY.

AIR POLLUTION

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentle-

man from Pennsylvania [Mr. VIGORITO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. VIGORITO. Mr. Speaker, in a message to the Congress last January 30, President Johnson warned us that unless vigorous action is taken, and taken quickly, our cities will become totally engulfed in a pall of polluted air. The President said:

> The pollution problem is getting worse. We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now.

The President went on to recommend adoption of the Air Quality Act of 1967.

Mr. Speaker, the record clearly shows that the administration has led the way in supporting and strengthening the national air pollution control effort. The proposed Air Quality Act of 1967 is a logical and timely response to the experience we have gained under the Clean Air Act, which the President signed into law in 1963. To my way of thinking, the proposed legislation is perhaps the most important measure to come before the Congress this session. There is mounting evidence that air pollution presents a potentially serious health hazard especially to people who work or live in or near our urban and metropolitan centers. There is an urgent need to continue and expand our efforts to halt the deterioration of our atmosphere. Almost daily the problem grows more acute.

I agree completely with the President's assessment of the problem, and I urge that the bill reported by the Interstate and Foreign Commerce Committee be passed by the House.

AIR QUALITY

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

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

There was no objection.

Mr. WOLFF. Mr. Speaker, I am sure that all of us realize that one of the most precious substances on this planet is the air we breathe. But I wonder how often it crosses our minds that for the first time in the history of mankind we have begun to slowly but relentlessly change the composition of the air. The air is no longer the pure mixture of natural gases that our high school science texts described; it is these gases plus tiny but significant amounts of contaminants that not only do not support life they threaten life.

These contaminants are byproducts of America's industrial progress. But they are not necessary byproducts. As President Johnson said in his message to the Congress on air pollution last January:

> This situation does not exist because it was inevitable, nor because it cannot be controlled. Air pollution is the inevitable consequence of neglect. It can be controlled when that neglect is no longer tolerated.
>
> It will be controlled when the people of America, through their elected representatives, demand the right to air that they and their children can breathe without fear.

Mr. Speaker, soon we will have before us the Air Quality Act of 1967 originally proposed by the President last January. This act recognizes that air pollution is truly a national problem and calls for a national approach. Its provisions will strengthen and accelerate the efforts begun with the Clean Air Act of 1963.

The bill has had the support of many distinguished witnesses. The Surgeon General of the Public Health Service, William H. Stewart, in endorsing this bill, made clear that the problem of air pollution is a health challenge of the first magnitude confronting the American people today. He added that "We can, and we must, proceed now."

I believe that we in Congress have a responsibility to see that our dedication to the protection of every American's right to live, work, and enjoy the fruits of prosperity includes the right to breathe clean healthful air. The bill which will soon be before us is an affirmation of that right. And the time to act is now. This is not a problem to be put off for tomorrow.

PARTNERS OF THE ALLIANCE RADIO NETWORK

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KORNEGAY. Mr. Speaker, last August 17, on the occasion of the sixth anniversary of the Alliance for Progress, the Partners of the Alliance sponsored an amateur radio operators program originating in Lima, Peru. Two-way radio contact was made not only with most of the hemisphere, but a total of 38 countries throughout the world responded to the special Partners of the Alliance signal of station OA4SIX. The anniversary broadcast also coincided with the meeting in Lima of the Inter-American Coordinating Committee of the Partners of the Alliance.

The worldwide attention this program created is indeed significant. The Partners of the Alliance program is the partnership effort of the citizens of the Americas to raise the social and economic standards of all peoples and assist in reaching the objectives of the Alliance for Progress. It helps to involve people of the hemisphere in the development process. Today, 32 U.S. States and the District of Columbia are in partnership activities with a similar number of areas in 15 Latin American countries. The State of North Carolina is paired with Cochabamba in central Bolivia and the citizens of both areas are taking an active role in educational, medical, and agricultural projects.

The idea of the Partners network was sparked by a constituent in my district, Mr. David A. Rawley, Jr., of High Point. An article on his role in the project appeared in the recent newsletter published by the National Association of the Partners of the Alliance in Washington, D.C. I place the article in the RECORD for the interest of Members of the House:

WORLD RESPONDS TO HAM RADIO

An international network of amateur radio operators marked the sixth anniversary of the Alliance for Progress last August 17 and was first to tell the world that the Third Inter-American Conference of the Partners of the Alliance will be in Lima, Peru, March 31 through April 3.

A permanent Partners radio network to broadcast every Saturday from 7 to 9 a.m. is in the planning stage and may become a reality within weeks.

During the five days of the anniversary week that the network operated, 500 two-way radio contacts were made with 35 U.S. states and 38 foreign countries, including England, France, Belgium, Australia, Israel, Cuba and Russia.

The network's activities overshadowed the official business of the Inter-American Coordinating Committee of the Partners of the Alliance, meeting in Lima to make arrangements for and set the date of the annual Partners' conference in Lima next Spring. A total of 300 delegates from North and South America are expected to attend.

BORN LIKE HURRICANE

The unique network a "first" in Partner's history, was born as suddenly as a hurricane. At last year's Rio Conference of the Partners, the Committee on Human Relations emphasized the essentially private nature of the Partners program, based on participation of individual citizens, groups and organizations in the Partner countries.

The idea of a network occurred to David Rawley, Jr., of High Point, North Carolina, and the Partners adopted it.

The Government of Peru granted special call letters—OA4SIX—and that became the official Partners Station in Peru with a radio ham contact set up with Peru's Texas Partner. All other Partners were alerted to tune in on 14.340 kilocycles. They did, with enthusiasm.

In radio ham jargon, the "OA" of the call letters was instantly recognized as Peru, the "4" as Lima. The "SIX" was a nod to the Sixth Anniversary of the Alliance for Progress.

FROM SHACK TO WORLD

Rawley said credit for the permission to operate and the special call letters goes to Peruvian Partners Ricardo Palma and Eduardo Dibos. The official station operated from the ham radio "shack" in Palma's home in the Miraflores section of Lima. Rawley supplemented Palma's equipment with a transmitter, receiver and amplifier he brought from High Point, representing an extra air freight charge for 70 pounds he cheerfully paid.

Edward Marcus, vice president of Neiman-Marcus in Dallas and president of the National Association of the Partners of the Alliance, sent the first official words flashing world-wide from Palma's antenna in Lima.

Joining him from Lima were James H. Boren, director of AID Partners' programs; Warren Huff, executive director of the N.A.P.A.; Dr. Nelson M. Robinson, University of Tennessee Department of Political Science, and Dr. Will Pirkey, Denver physician,

chairman of the Colorado Partners, and, with Dr. Walfrido Prado Guimaraes, Sao Paulo, Brazil, co-chairman of the forthcoming annual Partners Conference.

Also heard from Lima were Dr. Roberto Rendon, Guatemala; Marco Algara, El Salvador; Eduardo Dibos, Peru; and Doctors Edgard Barbosa Ribas and Jayme Messeder, both of Brazil.

GOVERNOR'S GREETINGS

The Governors of Maryland and Rio exchanged greetings. David Leon in Kentucky and Ricardo Leon in Ecuador said "Hello." Banks Miller in Austin traded information with fellow Texans Marcus and Boren in Lima.

Rawley, possessor of a radio ham license since age 12, said more than 200 "QSL" cards were received in the first week after the broadcasts, asking for information about the Partners.

(Radio hams send each other "QSL" postcards as proof of their contacts and to comment on how the signal came in. For the Lima broadcasts, a special blue-and-white "QSL" postcard is being mailed to all radio contacts to forever adorn the walls of the recipient radio ham's shack. It carries the Lima call letters, the Alliance for Progress seal and information on the Partners.)

Rawley said questions from all corners of the globe expressed great curiosity about the Alliance and the Partners and then enthusiasm for the whole concept.

Besides the 35 U.S. states, Rawley said Peruvian Partners Station OA4SIX made two-way contacts with radio hams in:

Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, Honduras, Panama, Paraguay, Puerto Rico, Surinam, Uruguay.

Also, Canada, Australia, Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland, Russia.

Also, Chad, Kenya, the Channel Islands, Ellsmere Island and Sardinia.

DRUG RECALL PROCEDURES

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

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

There was no objection.

Mr. EILBERG. Mr. Speaker, on Monday of this week I sought to bring to the attention of the House the event of what I then called a narrowly averted disaster. You will remember it involved a recall of the drug "Coumadin."

I mentioned at that time that in addition to asking that the Interstate and Foreign Commerce Committee be charged with the task of investigating drug recall procedures and making recommendations that would avert similar near catastrophes in the future, I was writing to Dr. James L. Goddard, Commissioner of the Food and Drug Administration. In my leter to him I asked both for a report on what had happened and for strengthened procedures within FDA itself.

I am pleased at this time to offer for the RECORD the text of Dr. Goddard's reply to me. I also offer at this time a letter I subsequently received from the executive secretary of the Philadelphia Association of Retail Druggists. Included in the contents of this communication from Morris E. Blatman is a proposal which I would like to call to the further attention, and to the attention of the Committee on Interstate and Foreign Commerce.

That proposal would establish a code to be used in drug recalls. That is, in each applicable case the necessity for a recall would be identified by a letter or some other designation by which physicians and pharmacists would immediately know that:

First. This code would signify a vital emergency. It would mandate notification to distribution centers and news media within 24 hours and would be detailed.

Second. This designation might be used to notify distributors of drugs, including physicians and pharmacists that further distribtution of items so marked is prohibited.

Third. This designation would signify merely that routine replacement of the quantity of drugs in question was being made in cases where labeling, advertising, therapeutic claims or package inserts may be misleading. I would suggest a reasonable amount of time be permitted for changes under this designation.

I am indebted, and I think the health science professions and all the people of the greater Philadelphia area should be indebted, both to Morris E. Blatman, executive secretary of the Philadelphia Association of Retail Druggists, and to Joseph Cantor, chairman of that association's professional relations committee. They did yeoman work last week in helping to avert a possible disaster. I am sure that similarly dedicated men also acted in a similar manner in drug distribution centers troughout the Nation.

The material referred to follows:

PHILADELPHIA ASSOCIATION OF RETAIL DRUGGISTS,
Philadelphia, Pa., October 16, 1967.

Hon. JOSHUA EILBERG,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN EILBERG: I am aware of your interest in the problems of Pharmacy and the public health and I am presuming upon our personal relationship to make a few observations in regard to a recent event in which you were interested enough to make your views known.

I refer to the recall of a drug "Coumadin" which took place over the last week-end. There are now sufficient facts available to make this a most important subject for study because it points up the glaring errors that are possible in a bureaucratic system of government when there are no checks and balances.

The drug Coumadin is a trade-marked brand of sodium warfarin. The patent for the drug is held by the University of Wisconsin Alumni Research Foundation. Three companies are licensed to manufacture it and distribute it in the United States: Abbott Laboratories (Chicago), Endo Laboratories (New York) and Purdue-Frederick (New York).

Present information now exists that in early August the New York office of FDA and Endo officials discussed various small discrepancies in assaying various batches of Coumadin. Assays are done by comparing the product with standard reference material furnished by the United States Pharmacopoeia. Methods of testing were questioned and discussed.

I have no intention of discussing this very highly technical phase of the problem. Suffice it to say that there is recognized differentiation in methodology and in interpretation.

On or about October 12, 1967, Endo Laboratories agreed to recall seventeen batches of the drug manufactured during the last three years. One batch was limited to distribution to military installations and does not concern the public for the moment.

This drug recall could have been accomplished quickly and safely without arousing the emotions of several million cardiac patients. When one translates the fact that each concerned cardiac involved someone in his family, his physician and his pharmacist, then we end up with many thousands of additional people aroused by newspaper, radio, TV and word of mouth reports about a "dangerous drug recalled that could kill everyone who takes it".

You and I and Dr. Goddard may know this to be untrue but we would have one difficult job to convince that cardiac patient that it isn't true. It will take months of patient and calm reasoning to convince these people that Coumadin was safe to take and continues to be safe.

But more importantly for you and I, is the realization that the handling of drug recalls should receive a prompt and intense study as to how it should best be accomplished without endangering the health of the public. Obviously, there are times when recalls should be made promptly and without any delay. But certainly there are other considerations.

To point up the stupidity of the entire incident few people are aware that the other two companies involved (Abbott and Purdu-Frederick) also issued drug recalls but it made no newsworthy impression.

But even more disturbing to me is the fact that just a day or so before the Coumadin incident there was a quiet drug recall for a cough syrup because some batches contained broken glass, (Copy enclosed). How does one correlate these two incidents as to whether or not they were properly handled.

It seems to me that the Coumadin incident could have been done very quietly and discreetly but someone pushed a panic button that resulted in a great deal of unnecessary publicity; a lot of unnecessary anguish and a lot of explaining, counter-explaining and lots of elevated blood pressure.

The pharmaceutical industry and the government have talked about drug recalls for several years but because it is a touchy problem with many facets as to the responsibilities of each professional discipline that is involved, very little of a definite nature has been established. So while there is a list of recalls printed each week by FDA there is little beyond that. Sometimes we see letters from the big manufacturers concerning items that are being recalled; rarely do we see recall letters from small companies or distributors even in our own Delaware Valley area.

Some manufacturers prefer to handle the letters and recalls themselves issuing credits, cash or other merchandise. Other manufacturers prefer to have the retailer send the merchandise back to the wholesaler. The wholesaler claims that this is a costly operation and has suggested that they be paid by the manufacturer. This sets up a long drawn out chain of events and payments. But this, too, is not an immediate problem.

I have given some thought to the question of drug recalls and at the present time, I can only suggest that each notice of a drug recall by the government and the manufacturer should be rated as follows:

A—Vital emergency. All news media and distribution centers must be notified within 24 hours with all pertinent details including lot numbers to be withheld from further distribution.

B—All avenues of distribution must be

notified by letter from the manufacturer or distributor that further distribution of the affected items is prohibited.

C—Routine replacement. This category of recall should be received for those items where the labeling, advertising, therapeutic claims or package inserts must have printing changes. A reasonable amount of time should be permitted for this change to take place.

While I grant that these categories may not be sharply defined as outlined above, perhaps they should be explored for possible changes in contrast with the present system or lack of system.

I hope that this long letter will give you some idea of the problems that may become involved in a drug recall.

We in Pharmacy will be most appreciative of your continued interest and help.

With kindest personal regards.

Sincerely yours,

MORRIS E. BLATMAN,
Executive Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,
Washington, D.C., October 19, 1967.

Hon. JOSHUA EILBERG,
House of Representatives,
Washington, D.C.

DEAR MR. EILBERG: Dr. Goddard has asked me to reply to your inquiry of October 16 concerning the procedure followed in reporting the Coumadin recall.

If the established procedure had been followed, there would have been no release to the lay press or the public concerning the recall. However, as a result of a deviation from the procedure in our New York District Office, the lay press and the public were inadvertently advised of this recall.

The press conference called by Dr. Goddard was for the purpose of advising the public to continue with their medication and not to be alarmed. A copy of Dr. Goddard's statement is enclosed.

Our Assistant Commissioner for Education and Information visited the New York District Office the morning of Friday, October 13 to determine why this information was released by that Office in contravention of existing established procedures. He learned that the release was the result of a staff member's misunderstanding of the District Director's instructions. Corrective action was begun at 7:30 a.m. on Friday.

We agree with the views of Pharmacist Cantor. FDA does not recall prescription drugs by use of the lay press unless the product is so dangerous that death would result if it were taken. Our procedure does provide for the recall information being provided pharmacists and physicians by the manufacturer of the product involved. We provide a "Weekly Recall List" that is on a controlled distribution list to the medical and industrial press. (A copy is enclosed.)

As a former practicing pharmacist, I am in complete sympathy with Mr. Cantor. You can assure him that we have taken every possible step to prevent further errors of this type.

Best regards.

Sincerely yours,

PAUL A. PUMPIAN,
Director, Office of Legislative and Governmental Services.

THE AIR QUALITY ACT OF 1967

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

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

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the Air Quality Act of 1967 represents an important step forward in the struggle against air pollution.

Surely at this time there is no need to convince anyone of the dangers of air pollution. To quote recent testimony presented to the Committee on Interstate and Foreign Commerce by Surgeon General William H. Stewart:

> Air pollution is a problem of many dimensions. It has an adverse effect on the national economy and on the individual economy of families in virtually every city and town. It impedes the growth of cities and the growth of cattle and crops. It impoverishes the quality of living of millions of our people.

Or, as President Johnson succinctly stated the problem in his message to Congress regarding air pollution in January of this year:

> Polluted air corrodes machinery. It defaces buildings. It may shorten the life of whatever it touches—and it touches everything.

As the air around us has grown more and more polluted, the Congress has sought new ways in which the Federal Government might oppose air pollution on a nationwide scale. Under the Clean Air Act of 1963 and its amendments of 1965 and 1966 we have accomplished much, but air pollution continues to grow worse. I believe that the Air Quality Act of 1967 will prove to be the start of a new era in air pollution control.

The act requires the Secretary of Health, Education, and Welfare to designate air quality control regions, to publish criteria on the effects of various pollutants in the air, and to issue information on available control techniques for these pollutants. The Governors of the States then have the responsibility of setting air quality standards for the control regions and for establishing programs to implement the standards. Taken together, the criteria on the effects of pollutants and the information on available controls will give direction to our research efforts.

In all, the provisions of this legislation are a logical and timely response to a growing national problem.

PRESS SUPPORT FOR THE GONZALEZ BILL TO STRENGTHEN THE RENEGOTIATION BOARD—SIXTH OF A SERIES

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

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have addressed myself for days now to the role of the Renegotiation Board in recovering excess profits on space and defense contracts. I have warned of the increased war profiteering which is inherent in the great jump in defense contracts due to the Vietnam war. I have pointed out the anti-inflation tendencies of the Board's work, and how it reduces Government spending.

I have drafted and introduced legislation to restore the Renegotiation Board to the effectiveness that the current level of defense spending demands. My bill is H.R. 6792, introduced on March 8, 1967. I wish to present at this time an analysis of the six sections of H.R. 6792.

Section 1 contains the short title, the "Renegotiation Amendments Act of 1967."

Section 2 would establish the Renegotiation Board as a permanent agency. The life of the Board has been extended for 2-year periods since 1962.

Section 3 is a technical amendment.

Section 4 would again place the Tennessee Valley Authority under the review of the Renegotiation Board. TVA had been brought under the Board by Executive order in 1951, but was eliminated by amendment in 1956 at the close of the Korean war.

Section 5 would return to $250,000 the "floor" of total space or defense sales each year by a single contractor or subcontractor above which it is mandatory to file with the Board. The floor had been increased to $500,000 in 1954 and to $1,000,000 in 1956.

Section 6 would eliminate various of the main exceptions added by amendments to the original Renegotiation Act of 1951. Section 6(a) eliminates the partial exemption on competitively bid construction contracts. Section 6(b) eliminates the amendment of 1956 to the partial mandatory exemption for durable productive equipment which had broadened the definition of that equipment. Section 6(c) eliminates the mandatory exemption from renegotiation for standard commercial articles and services, presently defined as those articles and services of which 35 percent or more sold to nongovernment buyers. Section 6(d) provides that the above eliminations would be effective on June 30, 1967.

Mr. Speaker, to date I have received no support for my legislation to strengthen the Renegotiation Board from any Member of either body. However, several newspapers have supported H.R. 6792, and I have permission to insert the sixth in a series of these comments:

[From the Boston Sunday Globe, Aug. 13, 1967]

THE FLIES AND THE HONEY

"For the flies will come to the open honey,
And if war and hell have the same dimensions
Both have been paved with the best intentions,
And both are as full of profiteers."

—STEPHEN VINCENT BENET,
In "John Brown's Body."

With the cost of the war in Vietnam about to reach $26 billion a year, and with the Defense Department currently spending an annual average of $1600 for each American family, what is being done to curb war profiteering? Apparently, precious little.

Back during World War II, a Man from Missouri named Harry S. Truman got national headlines for his Senate investigations of war profiteering and, largely as the result of it, was picked for the Vice Presidency, whence in 1945 he reached the White House.

Also as a result of his work, and that of the War Contracts Price Adjustments Board which stemmed from it, the Federal government recovered more than $11 billion in "ex-

cess profits" from private contractors who did business with it during World War II.

Then in 1951, with the Korean War on, Congress established the Renegotiation Board as an independent agency with the sole mission of recovering any "excess profits" from contractors doing business with the government. As a result, more than $800 million was recovered during and after the Korean War.

The Renegotiation Board is still in existence, and trying hard with limited resources, but that is about all that can be said of it. Coincidentally, it is listed in the Washington telephone directory after "Referee in Bankruptcy" and "Registrar of Wills."

According to its last annual report, in the fiscal year ended June 30, 1966, it brought about the return to the U.S. government by private contractors of only $24.5 million in excess profits. Another $23.2 million was returned through "voluntary refunds" and "voluntary price reductions" in connection with renegotiation proceedings.

This is a pretty small amount compared with the $11 billion from World War II and the $800 million from the Korean War. And it is not the fault of the Renegotiation Board, which has been doing all it can.

The whole sad story is set forth, in an article that is as hot as a tamale, in the August issue of The Progressive magazine by Cong. Henry B. Gonzalez, the "New Frontier" Democrat from San Antonio, Texas.

The reason so little is being done, and despite the fact that prime contract awards this year will probably total $45 billion—the highest for any year since World War II—is that ever since 1954, Congress has been reducing the Board's ability to do its job.

Its personnel has been cut to less than a fourth of what it was during the Korean War (it stood at 742 in 1953, and was down to 179 in 1966). Its regional offices have been cut from six in 1954, including one in Boston, to two (one in Washington and one in Los Angeles).

All this is bad enough, but by amendments and exemptions Congress has been removing more and more private contracts from the purview of the Board. The floor for contract awards subject to renegotiation has been raised gradually from $250,000 to $1 million. And contracts involving standard commercial articles have been exempted—a pretty large open barn door for any loophole seeker.

There was even an attempt last year to abolish the Renegotiation Board altogether. It came from the Aerospace Industries Association of America, Inc., in a letter to the House Ways and Means Committee saying that letting the law expire "would not harm the nation's defense effort and would not increase the cost of procurement."

Fortunately it failed, but the Renegotiation Act comes up again next year. Instead of killing it, Congress ought to strengthen the Board, and do so immediately. It can do so by passing Cong. Gonzalez' bill, H.R. 6792, which would restore the $250,000 floor for contracts subject to renegotiation and otherwise strengthen the Board's powers to what they were when the Korean War broke out.

In his Farewell Address of 1960, President Eisenhower warned against the "military-industrial complex." That warning, instead of being heeded, has been forgotten by a Congress and a society too mindful of prosperity in a war economy and too oblivious to the needs of our ghettos.

Says Cong. Gonzalez: "Our history has been one of rampant war profiteering, and I am convinced, as even the limited annual reports of the Renegotiation Board reveal, that profiteering is going on now, is increasing, and will continue to increase unless something more realistic is done to stop it."

He is right. For as Benet said, the flies will come to the open honey, and so far Congress hasn't even seemed to be interested in old-fashioned fly-paper.

OLD MENTY IS GONE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. TIERNAN. Mr. Speaker, on October 10, Frank William Keaney, longtime track, baseball, football, and basketball mentor and athletic director at the University of Rhode Island, died in Wakefield, R.I., after a long illness.

Frank Keaney was an unusual and rare individual. He was a Phi Beta Kappa graduate of Bates College, a professor of chemistry, physics and math, and a one-man physical education department. He coached baseball for 28 years, football for 21 years, and basketball for 26 years. In addition to these activities, he was a noted collector of old American glass, an inveterate reader of Greek and Latin classics, and a former professional ballplayer with the Chicago White Sox.

A real guy this Frank Keaney—known affectionately to all Rhode Islanders as "Old Menty." He revolutionized the game of basketball from a slow methodical dribble to the fast-break, razzle-dazzle, firehorse game that it is today. He was advised by many skeptics and critics that this innovative style of basketball had little future. Frank's reply was typical—"We don't say we're right, but you've got to stop us."

His colorful and fast-talking manner made Frank Keaney an extremely sought after favorite in sports circles all over the country.

"Old Menty" believed in wasting no time on the floor—the more shooting there was, the more baskets you made was his attitude. He sought to instill in his boys a fighting spirit that held no brief for quitters. His Rhode Island teams achieved national fame for their consistent 100 point games and there can be no doubt that Frank Keaney was truly the father of the first "point a minute" team.

At a New York luncheon for coaches from all parts of the country some years ago, "Old Menty" summed up his remarks by a few words which seemed to be his basketball philosophy:

> Give the crowds action. If some coach puts up a screwy defense, use a screwier offense. Then, if you lose, pivot, and go home.

Although Frank Keaney retired 11 years ago, until recently, he was still in evidence on the campus, particularly on the floor of Keaney Gymnasium watching one of his protegés—Ernie Calverley—leading another Rhode Island team to victory. He was a true friend to all his boys—a man of great warmth, kindness, and enthusiasm. We in Rhode Island will miss this great and wonderful friend.

To his lovely wife and two sons, Warner and Frank, Jr., Mrs. Tiernan and I wish to extend our sincere sympathy on the loss of their husband and father—a man who now rests among the great in Rhode Island history.

Mr. Speaker, at this point, I would like to place in the RECORD four newspaper articles and an editorial on the passing of Frank William Keaney:

[From the Providence Evening Bulletin, Oct. 11, 1967]

FRANK W. KEANEY—HE BRIGHTENED HIS CORNER

The "Old Menty" is gone. The endearing term was coined by Ram athletes because to them their coach was first a teacher.

He taught boys the rules in the game of life, and they became men through their association with him and the lessons he taught through the medium of collegiate athletics.

A graduate of Bates College, he was a Phi Beta Kappa and a master of psychology. He did not smoke, drink or swear, but his colorful and expressive vocabulary could put mere profanity to shame. He disdained the "efforts of the big lugs" and gave every consideration to "the kids who came to play."

He changed basketball from a slow, methodical exhibition into the speedy, high-scoring game that is played today from high school through the pros. He installed the fast break, the floor length pass and the all-court press. He conditioned his players so that any team daring to play the Rams type of game with them would be run into the ground. They were trained by practicing with 15-inch hoops (18-inch is standard) and with smudge pots smoldering to assimilate game conditions of smoke-filled arenas.

When his Rams first appeared in Madison Square Garden and blitzed St. Francis with a record-breaking first-half scoring splurge, New York fans went ga-ga. Droves of them left the arena as Long Island University and Creighton put on a traditional exhibition in the "big game" of the night.

Frank said baseball was his game and advocated playing high school and college schedules in the autumn because the players were in better condition after a summer of outdoor activity and because weather conditions were at their best in this area.

He earned many honors for his accomplishments, and he also earned the admiration, respect and friendship of all who knew him well. His was a warm, friendly, outgoing and effervescent personality. He shared his enthusiasm and love of so many things with everyone.

He was my friend and I shall miss him.

[From the Providence Evening Bulletin, Oct. 10, 1967]

FRANK WILLIAM KEANEY

It is being said of Frank W. Keaney today that he was an innovator in sports, making over collegiate basketball in his own image, that he was a mentor in the classic sense of that word, that he was warmly gregarious, a colorful conversationalist, a man who won a memorable place in the whole range of the sports he loved so well.

All the things being said of Mr. Keaney, who died yesterday, are true. He was Mr. Basketball, and the records at the University of Rhode Island attest to a competence in coaching that made him and his university bywords on the sports pages of the nation's newspapers. On the campus, a great gymnasium is a towering memorial to his achievements.

But he was more than all these things. He had that elusive, that rare skill in leadership which can inspire others to do better than they thought they could do, better than they could have done under a less able man. It was his ability to inspire and lead that gave full meaning to all his other qualities and made Frank William Keaney the great man he was.

[From the New York Times, Oct. 11, 1967]

FRANK W. KEANEY, RETIRED COACH, 81—RHODE ISLAND'S BASKETBALL MENTOR UNTIL 1948 DIES

WAKEFIELD, R.I., October 10.—Frank W. Keaney, former athletic director at the University of Rhode Island and the coach who quickened the pace of college basketball by developing the fast break, died today in South County Hospital. He was 81 years old.

Mr. Keaney, the apostle of fire-horse play, also coached baseball, football, basketball and track. But his national reputation was made in basketball, where his teams compiled a record of 402 wins and 124 losses in 28 years.

Rhode Island played in the National Invitational Tournament in Madison Square Garden in 1941, 1942, 1945 and 1946. The highlight of the Rams' appearances there was the final game in 1946 when Rhode Island lost to the University of Kentucky by one point.

In the same tournament, Ernie Calverley, now the basketball coach at the university, fired the "shot heard 'round the world"—the ball traveling 55 feet to slip through the hoop and gain a victory for the Rams as the buzzer sounded.

Mr. Keaney was a member of Phi Beta Kappa at Bates College, where he earned a bachelor's degree in 1911. He taught at high schools in Connecticut, Massachusetts and Rhode Island before becoming the one-man physical education staff at the university, then Rhode Island State College.

He was named to the Basketball Hall of Fame at Springfield College several years ago.

Mr. Keaney retired from coaching in 1948 and became athletic director of Rhode Island. In 1956, he retired as professor emeritus of physical education.

[From the Narragansett Times, Oct. 13, 1967]

KEANEY, URI "FIRE HORSE," DIES AT 81

Prof. Frank W. Keaney, recognized as the apostle of "fire-horse basketball," died yesterday afternoon at South County Hospital after a long illness.

Born June 5, 1886, in Boston, Mass., Mr. Keaney was appointed to the University of Rhode Island faculty in June, 1920. He retired June 30, 1956.

A pioneer in developing high-scoring basketball teams, Coach Keaney's system was the forerunner of the "razzle-dazzle" style of play now used in professional basketball as well as in intercollegiate circles.

A graduate of Bates College in 1911, Mr. Keaney taught at Putnam, Conn. High School in 1911–12, at Woonsocket, R.I. High School in 1912–17, and at Everett, Mass. High School in 1917–20.

At URI he coached all sports, and was director of athletics when he retired.

Survivors are his widow, Winifred McKee Keaney of Peace Dale, and two sons, Frank W. Keaney Jr. and Warner M. Keaney.

When Mr. Keaney came to URI in 1920 as coach of all sports, athletic director, and "instructor of chemistry, physics, mathematics or bacteriology," his first move, in the fall of that year, was to burn all of URI's athletic equipment: a dozen football shoes and fourteen pairs of boxing gloves.

He demanded that President Howard Edwards buy three dozen new football uniforms and began a 36-year career marked by the spectacular, particularly in basketball, where he instituted the fast break. His "fire-horse" type of play revolutionized the game and set the pace for today's high scoring games. His team gained national recognition as it began scoring over 100 points per game with consistency, and its trips to Madison Square Garden were the signal for some of the hottest contests ever to beset Manhattan.

In basketball, Keaney's record was 401 wins and 124 losses. In baseball it was 197 victories and 97 setbacks. In football it was 70 wins to 84 losses with 13 ties. His cross country record was marked with eight triumphs and not a loss and his track record was seven of eleven in the winner's circle. In all, his teams engaged in 1,006 contests.

The URI gymnasium named after him was dedicated Dec. 1, 1953.

Keaney attended Roberts Grammar School and Cambridge Latin School, both in Cambridge. He played on the Cambridge Latin football, basketball, and baseball teams. On weekends he indulged in gruelling cross-country runs, sandlot football or baseball, and swimming. He ran three miles a day.

He went to Bates College in 1911 and first taught in ungraded rooms for three years. On the Bates baseball team Keaney was known as "pepper box" with a .480 batting average and 38 stolen bases. After graduating he joined the Chicago White Sox of the American Baseball League, but within two weeks he was sent to the Des Moines minor league team and after a summer left professional ball. He could hit and run, but his arm was never strong enough for the big league, Keaney explained.

"But I got my fair chance at the big time," he said.

In 1914 he married Winifred McKee, a former classmate at Bates. Mrs. Keaney took charge of the URI's coed physical education program while her husband was setting records with the men's team.

In six years, the basketball Rams took four trips to the National Invitational Tournament and in their final tournament defeated a heavily favored Bowling Green team. A 55-foot shot by Ernie Calverley, present Ram hoop coach, sent the game into overtime. They topped Muhlenberg in the semi-finals and were eked out by Kentucky 46–45, in the finals.

Keaney collected old American glass and fine china, and had a cellar full of classical books in Greek and Latin which he read for relaxation.

Keaney never drove a car and one of his major complaints was aimed at students who had "automobile knees." He walked 12 miles a day and wore a meter to make sure he filled his quota. Alcohol and tobacco were definitely out.

He described his greatest thrill when his Rams came from behind, 26 to 8, to pull out ahead of Temple at Convention Hall in Philadelphia on January 31, 1941. "That was real fighting spirit," he said, "the kind I like my boys to show. I have no use for quitters and those lads proved they weren't."

Funeral services were held this afternoon at 2 p.m. at the Kingston Congregational Church with the Rev. John Hall, Episcopal chaplain to URI, officiating. Burial was in New Fernwood Cemetery, Kingston.

Honorary bearers were William Mokray, Marcus Greenstein, Dr. Carl Woodward, Paul Cieurzo, Hugo Mainelli, Jesse DeFrance, Thomas Doherty, Dr. Harold Browning, and Dr. A. A. Savastano. Active bearers were Robert Lepper, James D. Wright, Ernest Calverley, Louis Abruzzi, Robert Mudge, and William Rutledge.

[From the Providence Evening Bulletin, Oct. 10, 1967]

FRANK KEANEY, FORMER COACH AT URI, DIES

Frank William Keaney, nationally famous for developing the fast break with his University of Rhode Island basketball teams, died yesterday at South County Hospital in Wakefield. He was 81 and had been ill since spring.

The apostle of "firehorse" play was a notable coach in baseball, football, basketball and track at URI, then Rhode Island State College, but his national reputation was made in basketball, where his record comprised 402 wins and 124 losses in 28 years.

His Ram teams went to the National Invitational Tournament in Madison Square Garden in 1941, 1942, 1945 and 1946. New York fans loved his run-and-shoot basketball. But the highlight of URI appearances there was the final tournament game in 1946 when the Rams lost to Kentucky by one point in a thriller.

That was the same tourney in which Ernie Calverley, now the URI basketball coach, fired the "shot heard around the world"—the ball traveling 55 feet to slip through the hoop and tie the game against Bowling Green as the buzzer sounded. The Rams won in overtime.

Mr. Keaney, who had been an athletic star at Bates College, was an unusual coach. He was a great innovator. This coupled with his fast-talking colorful manner made him a great favorite in sports circles throughout the nation.

His basketball teams reflected his personality, fast-moving and high-scoring with no time wasted. Mr. Keaney always felt that if you did more shooting and made more baskets, you were likely to win. He was credited with producing the first "point a minute" team.

He was the husband of Winifred (McKee) Keaney, whom he married in 1914. They made their home at 23 Beech Hill Rd., Peace Dale.

A son of the late Frank W. and Nellie (Cotter) Keaney, he was born in Boston June 5, 1886.

A Phi Beta Kappa at Bates, where he got his B.A. degree in 1911, Mr. Keaney taught at high schools in Putnam, Conn., Woonsocket and Everett, Mass., before he became the one-man physical education staff at then Rhode Island State College.

He retired from coaching in 1948 and became athletic director of URI. On June 30, 1956, he retired as professor emeritus of physical education.

The Frank W. Keaney Gymnasium was dedicated in his name on June 6, 1955.

The honors showered upon him were many. He was presented the award of the Boston Basketball Writers in 1952. That same year he was presented the Frank Lanning Annual Award by Words Unlimited.

He was the first man inducted into the URI Hall of Fame on Feb. 9, 1960. Shortly thereafter he was one of three coaches and seven players named to the Basketball Hall of Fame at Springfield College. Mr. Keaney also was inducted into the Rhode Island Heritage Hall of Fame on May 24, 1966.

He won the Walter Brown Memorial Trophy at the New England Basketball Writers annual dinner in Newton, Mass., on April 3 of this year. His son, Warner M. Keaney, accepted the prize on his behalf. Warner, a 265-pound giant, had played for his dad and handled the backboards the way the coach visualized the game should be played.

Warner lives in Wakefield and is football and baseball coach at South Kingstown High School.

Another son, Frank W. Keaney Jr., who lives in East Windsor, Conn., also played for the "grand old man" and has also been a coach.

The stories about Mr. Keaney were more numerous than the points his teams scored. He was an avid collector of glass spoon holders. Mr. Keaney scoured antique shops with the same zeal with which he fired his teams and collected about 600 holders.

He was so wrapped up in sports there were some things he never got around to do. Friends said he was too absent-minded and absorbed in other matters to learn how to drive a car.

Mr. Keaney taught chemistry at URI for many years. He coached football from 1920 to 1941 and baseball from 1921 to 1949.

In other sports, as well as basketball, he believed in mobility. His 1941 baseball team stole 58 bases.

When Mr. Keaney first turned to speed on the basketball court, his critics held little hope for the future of his style of play. But Mr. Keaney replied, "We don't say we're right, but you've got to stop us."

Once he told a group of coaches from all parts of the country at a New York luncheon: "Give the crowds action. If some coach puts up a screwy defense use a screwier offense. Then if you lose, pivot and go home."

An imaginative coach, Mr. Keaney prepared his teams for the New York garden by keeping smudge pots burning during practice sessions at Rodman Hall. It was to ready the Rams for cigarette smoke during the championship games.

Another of his tricks was having his players practice with smaller rims on the baskets. The practice rims measured 15 inches in diameter and were inserted inside the regular 18 inch hoops.

Mr. Keaney made a motion picture, "How Not to Play Basketball," that gained wide circulation. Hollywood later came to the Kingston campus and made a film entitled "Basketball Wizards" demonstrating the Keaney methods.

Upon his retirement, Dr. James P. Adams, chairman of the board of trustees, spoke of "his significant service to the university over a long span of years."

In addition to his sons, Mr. Keaney is survived by his wife, a sister, Mrs. Charles Plummer of Needham, Mass. and four grandchildren.

Funeral services will be held tomorrow at 2 p.m. at the Kingston Congregational Church. Burial will be in New Fernwood Cemetery, West Kingston.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BUTTON (at the request of Mr. ARENDS), for today, on account of official business.

Mr. SANDMAN (at the request of Mr. ARENDS), for today, on account of personal matter.

Mr. ASPINALL, from October 23 to November 6, 1967, on account of official business.

Mr. FLYNT (at the request of Mr. FALLON), for today, on acount of official business.

SPECIAL ORDERS GRANTED

By uanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACGREGOR, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. LIPSCOMB (at the request of Mr. HANSEN of Idaho), for 30 minutes, on October 24; and to revise and extend his remarks and include extraneous matter.

Mr. HALFERN (at the request of Mr. HANSEN of Idaho), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. DORN and to include extraneous matter.

(The following Member (at the request of Mr. HANSEN of Idaho) and to include extraneous matter:)

Mr. GUBSER.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. RIVERS.

Mr. PHILBIN.

Mr. BRASCO in three instances.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 11456. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 741. An act for the relief of Rumiko Samanski.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 11456. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Friday, October 20, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1169. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1967, pursuant to the provisions of Public Law 79–520; to the Committee on Armed Services.

1170. A letter from the Chairman, Interstate Commerce Commission, transmitting a draft of proposed legislation to amend section 17 of the Interstate Commerce Act, as amended, to provide for judicial review of orders of the Commission and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee of Conference. H.R. 2508. An act to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes (Rept. No. 795). Ordered to be printed.

Mr. COLMER: Committee on Rules. House Resolution 951. Resolution for consideration of H.R. 12601, a bill to amend certain provisions of the Internal Security Act of 1950 relating to the registration of Communist organizations, and for other purposes (Rept. No. 796). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 952. Resolution for consideration of H.R. 13510, a bill to increase the basic pay for members of the uniformed services, and for other purposes (Rept. No. 797). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 953. Resolution for consideration of S. 1985, an act to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes (Rept. No. 798). Referred to the House Calendar.

Mr. SIKES: Committee on Appropriations. H.R. 13606. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 799). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 13584. A bill to amend title 28 of the United States Code to establish the National Foundation of Law to promote improvement in the administration of justice in the United States; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 13585. A bill to amend section 103 of title 23, United States Code, to authorize additional mileage for the Interstate System; to the Committee on Public Works.

By Mr. GALLAGHER:

H.R. 13586. A bill to raise additional revenue by tax reforms; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 13587. A bill to amend the Economic Opportunity Act of 1964 to further limit political activity on the part of workers in poverty programs; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 13588. A bill to establish a program for the voluntary certification of motor vehicle mechanics by the Secretary of Transportation; to assist the States in establishing programs for the compulsory licensing of motor vehicle mechanics; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLURE:

H.R. 13589. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

H.R. 13590. A bill to amend the tariff schedules of the United States with respect to the rate of duty on honey and honey products and to impose import limitations on honey and honey products; to the Committee on Ways and Means.

H.R. 13591. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink,

whether or not dressed; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MCFALL, Mr. SISK, MR. VAN DEERLIN, and Mr. BOB WILSON):

H.R. 13592. A bill to provide for the appointment of additional circuit judges; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 13593. A bill to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H.R. 13594. A bill to provide criminal penalties for certain travel under a U.S. passport in violation of certain passport restrictions; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 13595. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 13596. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 13597. A bill to amend title 38 of the United States Code in order to provide pensions for children of Mexican War veterans; to the Committee on Veterans' Affairs.

By Mr. TIERNAN:

H.R. 13598. A bill to amend the Public Health Service Act to provide special assistance for the improvement of laboratory animal research facilities; to establish standards for the humane care, handling, and treatment of laboratory animals in departments, agencies, and instrumentalities of the United States and by recipients of grants, awards, and contracts from the United States; to encourage the study and improvement of the care, handling, and treatment and the development of methods for minimizing pain and discomfort of laboratory animals used in biomedical activities; and to otherwise assure humane care, handling, and treatment of laboratory animals; and for others purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13599. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. GALIFIANAKIS:

H.R. 13600. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and to prohibit the transportation, use, sale, or receipt, for unlawful purposes, of credit cards in interstate or foreign commerce; to the Committee on Banking and Currency.

By Mr. MCMILLAN (by request):

H.R. 13601. A bill to authorize the Administrator of the General Services Administration to contract for the construction of certain parking facilities on federally owned property in the District of Columbia; to the Committee on Public Works.

By Mr. BURKE of Florida (for himself and Mr. BATES):

H.R. 13602. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MACGREGOR:

H.R. 13603. A bill to amend the Federal Water Pollution Control Act in order to authorize comprehensive pilot programs in lake pollution prevention and control; to the Committee on Public Works.

By Mr. ROTH:

H.R. 13604. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 13605. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. SIKES:

H.R. 13606. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

By Mr. DORN:

H.J. Res. 901. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. MCMILLAN (by request):

H.J. Res. 902. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 903. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MACHEN:

H.R. 13607. A bill for the relief of James E. Miller; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 13608. A bill for the relief of Stella Kostoglou; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 13609. A bill for the relief of Menashe Menashe; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 13610. A bill for the relief of Janina Szmyd; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13611. A bill for the relief of Soo Pu Hwang; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 13612. A bill for the relief of Salvatore Badala; to the Committee on the Judiciary.

H.R. 13613. A bill for the relief of Vito Conigliaro; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 13614. A bill for the relief of Dr. Gustavo Leon-Lemus; to the Committee on the Judiciary.

H.R. 13615. A bill for the relief of Dr. Raul Agustin Pereira-Valdes; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

185. By the SPEAKER: Petition of the city of Gardena, Calif., relative to enactment of S. 1306; to the Committee on Banking and Currency.

186. Also, petition of the city of San Jose, Calif., relative to Governmental tax sharing; to the Committee on Ways and Means.

SENATE

THURSDAY, OCTOBER 19, 1967

The Senate met at 12 noon, and was called to order by Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, who dwellest, not in temples made by hands, but in reverent hearts of those who truly seek Thee—with the refreshing dew of Thy strengthening grace upon us, may we go forth on our way, attended by the vision splendid, as we lift up our hearts with the grateful te deum, "He restoreth my soul."

With Thy benediction, may we face the toil of this day with honest dealing and clear thinking, with hatred of all hypocrisy, deceit, and sham, in the knowledge that all great and noble service in this world is based on gentleness and patience and truth.

Let us put into the fugitive fragments of every day such quality of work as shall make us unashamed when the day is over and all the days are done.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 19, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOSEPH M. MONTOYA, a Senator from the State of New Mexico, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MONTOYA thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on October 18, 1967, the President had approved and signed the act (S. 985) for the relief of Warren F. Coleman, Jr.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 445) for the relief of Rosemarie Gauch Neth, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1108) for the relief of Dr. Felix C. Caballol and wife, Lucia J. Caballol, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the joint resolution (H.J. Res. 888) making continuing appropriations for the fiscal year 1968, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 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 Osvalo 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 Rodriquez;

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;

S. 1938. An act for the relief of Dr. Orlando Hipolito Maytin;

H.R. 11456. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes; and

S.J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 888) making continuing appropriations for the fiscal year 1968 and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, October 18, 1967, be dispensed with.

The ACTING 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 ACTING 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 ACTING 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 a nomination on the calendar.

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

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of K. Edwin Applegate, of Bloomington, Ind., to be U.S. attorney for the southern district of Indiana, which was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. PEARSON. Mr. President, from the Committee on Armed Services, I report favorably the nominations of seven flag officers, and ask that these names be placed on the Executive Calendar.

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

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Vice Adm. Charles B. Martell, and Vice Adm. Charles E. Weakley, U.S. Navy, when retired, for appointment to the grade of vice admiral;

Rear Adm. Paul Masterton, and Rear Adm. Turner F. Caldwell, Jr., U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Vice Adm. John J. Hyland, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of admiral while so serving;

Rear Adm. William F. Bringle, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving; and

Adm. Roy L. Johnson, U.S. Navy, when retired, for appointment to the grade of admiral.

Mr. PEARSON. Mr. President, in addition, I report favorably promotions and appointments of 815 officers in the Navy in the grade of captain and below and 50 appointments in the Marine Corps in the grade of major and below; also 1249 promotions to 1st lieutenant in the Army. Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

The nominations, ordered to lie on the desk, are as follows:

James E. Allen, and sundry other officers, for promotion in the U.S. Navy;

Peter E. Benet, and sundry other officers, for promotion in the Marine Corps; and

Robert B. Aasen, and sundry other officers, for promotion in the Regular Army of the United States.

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

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

The legislative clerk read the nomination of Jerry S. Williams, of Texas, to be Chairman of the Administrative Conference of the United States.

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

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

The ACTING 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.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 626 and the succeeding measures in sequence.

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

AMENDMENT OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Senate proceeded to consider the bill (S. 878) to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange property which had been reported from the Committee on Government Operations, with an amendment, strike out all after the enacting clause and insert:

That (a) section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 481(c)), is amended to read as follows:

"(c) In acquiring personal property, any executive agency, under regulations to be prescribed by the Administrator of General

Services, may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment of the property acquired. Before any such exchange or sale is made, such property shall be offered for utilization by Federal agencies under section 202(a) of this Act and if not transferred under that section such property thereafter shall be made available for at least thirty days for donation under section 203(j) of this Act, except that in the discretion of the Administrator passenger carrying vehicles in motor pools of the General Services Administration, and automatic data processing equipment and systems may be sold or exchanged without making such vehicles, equipment, or systems available for donation under section 203(j) of this Act. Any exchange or sale transaction carried out under the authority of this subsection shall be evidenced in writing."

(b) The amendment made by this Act shall take effect on the first day of the third month beginning after the enactment of this Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 642), explaining the purposes of the bill.

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

PURPOSE

The purpose of S. 878, as amended, is to require that before property can be disposed of by exchange or sale under section 201(c) of the Federal Property and Administrative Services Act of 1949, as amended, it be made available (1) for transfer to other Federal agencies, and (2) for donation for health, education, or civil defense purposes. The bill would continue agency authority to exchange or sell equipment, machinery, fixtures and other items of personal property and apply the proceeds of sale or exchange against the purchase of new equipment. The amended bill would also continue existing statutory requirements that items sold or exchanged be similar to the ones procured and that each transaction be evidenced in writing. As originally introduced, S. 878 would have required the agencies to submit detailed reports to the Committees on Government Operations of all property exchanged or sold. This reporting provision was deemed too burdensome by the General Services Administration and thus it has been deleted from the substitute bill.

To protect the financial integrity of the Government-wide motor vehicle pools, and to provide a more flexible method for the disposal of automatic data processing equipment and systems, the bill, as amended, would give the Administrator of General Services discretionary authority over the disposal of passenger-carrying vehicles in motor pools operated by the GSA, and the disposal of automatic data processing equipment and systems maintained and operated by that agency.

BACKGROUND AND USE OF SECTION 201(C)

S. 878, as amended, would establish by law a procedure for handling property in the exchange/sales category similar to the method followed by the Department of Defense until this year.

Except for the special provision for the disposal of passenger-carrying vehicles and automatic data processing equipment, the substitute bill is identical to S. 2610 which was unanimously approved by the committee and passed the Senate on July 11, 1966.

Section 201(c) of the Federal Property and Administrative Services Act of 1949 authorizes agencies to exchange or sell personal property and apply the trade-in allowance or proceeds of sale for property acquired as follows:

"In acquiring personal property, an executive agency, under regulations to be prescribed by the Administrator, may exchange or sell similar items and may apply the exchange allowance or proceeds of sale in such cases in whole or in part payment for the property acquired: *Provided*, That any transaction carried out under the authority of this subsection shall be evidenced in writing."

This part of the Property Act was designed to supersede 21 statutes or provisions of laws which were repealed by section 602 of the act. The original statutes authorized the heads of some of the departments and agencies to trade in used equipment and apply the trade-in allowance against the price of the new equipment. Those statutes were enacted during the period 1912–41 at which time it was common practice to trade in motor vehicles, typewriters, adding machines, and other office equipment and apply the allowance against the cost of new equipment.

Initially this authority was limited to a few items; however, during the postwar period the number of items that could be exchanged or sold, and the proceeds applied to new procurement, steadily increased throughout the Federal service.

During the past few years the committee has received a number of communications from representatives of the State agencies for surplus property, and other local officials, complaining about the sale of Government property which is usable and needed for educational purposes. Most of these complaints have centered around the growing tendency of the Government to sell more and more property under section 201(c) which, in turn, diminishes both the quality and quantity of property available for donation to the States authorized by section 203 of the Property Act.

The State agencies for surplus property are responsible for locating, screening, warehousing, and distributing surplus property for donation to schools, colleges, and medical institutions, and are, therefore, vitally concerned with the operation of the Government's surplus property program. These local officials further contend that section 201(c) is not being used with discretion, as intended, but as a means of augmenting the annual appropriations of Federal agencies.

There is obviously a close relationship between the exchange/sales program and the property donation program, in that as more property is turned in for new equipment, less property becomes surplus and thus available for donation purposes.

Section 203(j) of the Property Act permits the Administrator of General Services discretionary authority in the donation of surplus personal property as follows:

"Under such regulation as he may prescribe, the Administrator is authorized in his discretion, to donate without cost (except for costs of care and handling) for use in any State for purposes of education, public health, or civil defense, or for research for any such purpose, any equipment, materials, books, or other supplies (including those capitalized in a working capital or similar fund) under the control of any executive agency which shall have been determined to be surplus property and which shall have been determined under paragraph (2), (3), or (4) of this subsection to be usable and necessary for any such purpose."

The donation of surplus personal property to schools, colleges, and other educational institutions has contributed much to improve the skill and knowledge of students and adults on a national level with very little cost to the Government.

HEARINGS

No specific hearings were held on S. 878. However, the Subcommittee on Foreign Aid Expenditures held extensive hearings on a number of related bills during the first session of the 89th Congress. The hearings revealed that an increasing amount of Government property is being sold to the public, or traded in under the exchange sales provisions of the Federal Property and Administrative Services Act of 1949, with the result that a great deal of property is diverted from the regular channels of disposal to health, education, and civil defense activities. This bill emanated from those hearings and is intended to reassert and clarify congressional policy with regard to the disposal of unneeded personal property.

The committee noted that section 201(c) of the Property Act has been used as the legal authority for selling Government property under a spot bid, or the open competitive bid method for moving property out of the supply system. The legislative history and background of the Federal Property and Administrative Services Act does not support this interpretation of the law. Selling property under this authority further reduces the volume of surplus property which would otherwise be available to schools and colleges through the donation program.

Many of the items currently being sold under section 201(c) could be used in the classrooms, laboratories, and vocational schools but can be obtained now only by such schools by bidding against the surplus property dealers. Some of the items offered for sale under the exchange/sale procedure consist of cafeteria equipment, battery charges, gasoline pumps, aircraft jacks, machine tools, household ranges, sterilizers, conveyors, bathroom fixtures, drinking fountains, sinks, and hand drills which are seldom, if ever, exchanged by private concerns.

Officials of the National Association of State Agencies for Surplus Property testified that the sale of property under section 201(c) denies the schools and colleges of much needed property, and noted that some of the school administrators are at a loss to understand why the Government was selling the same property which the schools and colleges need.

The president of the National Association of State Agencies for Surplus Property testified in part as follows:

"Our association has become greatly alarmed through the past few years at the amount of property being sold through the provisions of section 201(c). All agencies of the Federal Government have been using this provision with the exception of the Department of Defense whose regulations issued on August 7, 1962, permit exchange/sale of property only after it has been made available for further Federal utilization and donation.

"Within the past month we have learned the Department of Defense has circulated a proposed revision to these regulations whereby the 69 categories of property eligible for exchange/sale will no longer be made available for donation and further Federal utilization, outside of the Department of Defense, will be possible only on a reimbursable basis.

"Since the implementation of exchange/sale by civilian agencies, the great majority of property received by our eligible donees has been generated by the Department of Defense. The proposed revision by DOD, therefore, would deny the schools, hospitals, and civil defense organizations most of the property they have been receiving. The 69 categories involved in the provision include nearly all classes of equipment and supplies most vitally required by the donees. We sincerely believe the implementation by DOD, and the continued use of exchange/sale by the civilian agencies will result in the termination of the donation program as authorized under section 203(j) of the act."

On March 26, 1966, the Administrator of General Services issued a revision to the

Federal Property Management Regulations, which became effective on July 1, 1966. Under these regulations GSA discontinued the practice of soliciting trade-in bids or proposals from manufacturers when it begins negotiating for the purchase of new motor vehicles. Instead, the GSA now sells its used vehicles and uses the proceeds to help pay for the new vehicles. Part 101–46 of the GSA personal property regulations were also revised to reduce from 69 to 41 the number of items which may be exchanged or sold by Federal departments and agencies under sec. 201(c) of the Federal Property and Administrative Services Act of 1949.

After GSA issued its new regulations the Department of Defense revised its procedures to conform with the GSA. In view of the vast amount of property within the Department of Defense and its prior practice of offering exchange/sale property for donation before disposal, this change in DOD policy will have an adverse effect on the property donation program. It has been contended by the State agencies that if DOD is allowed to pursue the practice of exchanging or selling property before screening for donation purposes it will cripple the donation program.

In view of this contention, the chairman on August 30, 1966, wrote the Secretary of Defense, pointing out the effect this change in procedures would have on the donation program, and requested the Secretary to delay implementing the GSA regulations until the end of the 89th Congress, or until the Congress had an opportunity to consider the bill (S. 2610) which had then passed the Senate and was pending in the House of Representatives. The Secretary responded on September 22, 1966, and reported that DOD had revised its personal property regulations to conform with the new procedures promulgated by the GSA. He further indicated that of the total amount of property generated by DOD last year, a very small amount could be classified under the exchange/sale category. The Secretary assured the committee that the new regulations would not impair the donation program, and agreed to withhold implementation of any other changes in the disposal procedures until the end of the 89th Congress.

The House of Representatives failed to act on S. 2610. In February 1967, Senator John L. McClellan introduced S. 878 and requested the Department of Defense to submit its views and recommendations thereon for early consideration. By letter dated June 7, 1967, Mr. Paul C. Warnke, General Counsel of the Department of Defense, submitted the following reply:

"In connection with the cost reduction program currently underway within the executive branch, and our continuing, overall efforts to curtail Defense expenditures wherever possible, the Department of Defense *exchange/sale policy has been reevaluated recently* as one of many areas where additional potential economies are believed to exist. Accordingly, it has been determined prudent for the Department of Defense *to discontinue the offering of exchange/sale personal property to other Federal agencies and eligible donees* prior to attempting the recoupment of funds or the establishment of credit by use of the exchange/sale authority." [Emphasis supplied.]

Thus DOD property formerly made available for use by other Federal agencies and eligible donees, is now being diverted from these channels of disposal. If ths trend is allowed to continue, the donation program for health, education, and civil defense will be destroyed.

The committee has been informed by representatives of the GSA and other Government officials that the volume of property available for donation by the State agencies has been decreasing continuously during the past year, and this downward trend is expected to continue in the future.

The committee is convinced that the original intent of section 201(c) authorizing limited sale or exchange of property was sound but that so much property is now being sold under its provisions that the effectiveness of the surplus property donation program is being seriously diluted.

The Congress has repeatedly endorsed and supported the donation program, which has contributed much to the health, education, and civil defense of the State and local communities, and this committee does not intend to have the program crippled by administrative action.

NESTOR S. CUETO

The bill (S. 2072) for the relief of Nestor S. Cueto was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2072

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Nestor S. Cueto shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 26, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 643), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. EDUARDO CAMPUZANO

The bill (S. 2091) for the relief of Dr. Eduardo Campuzano was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2091

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Eduardo Campuzano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 11, 1960.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 644), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. PEDRO PINA Y GIL

The bill (S. 2168) for the relief of Dr. Pedro Pina y Gil was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2168

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pedro Pina y Gil shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 28, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 645), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. JUAN EMILIO CAIGNET Y CRESPO

The bill (S. 2175) for the relief of Dr. Juan Emilio Caignet y Crespo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Juan Emilio Caignet y Crespo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 30, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 646), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ENRIQUE JOSE SUAREZ DIAZ

The bill (S. 2191) for the relief of Dr. Enrique Jose Suarez Diaz was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2191

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Enrique Jose Suarez Diaz shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 7, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 647), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. ALFREDO JESUS GONZALEZ

The bill (S. 2193) for the relief of Dr. Alfredo Jesus Gonzalez was considered, ordered to be engrossed for a third read-

ing, read the third time, and passed, as follows:

S. 2193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Alfredo Jesus Gonzalez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 12, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 648), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. MARGARITA LORIGADOS

The bill (S. 2256) for the relief of Dr. Margarita Lorigados was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Margarita Lorigados shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 10, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 649), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

GORDON SHIH GUM LEE

The bill (S. 2285) for the relief of Gordon Shih Gum Lee was considered, ordered to be engrosesd for a third reading, read the third time, and passed, as follows:

S. 2285

Be it enacted by the Senate and House of Representatives of the United States of America in congress assembled, That, for the purposes of the Immigration and Nationality Act, Gordon Shih Gum Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 19, 1953, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 650), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States as of June 19, 1953, thus enabling him to file a petition for naturalization. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

LIM AI RAN AND LIM SOO RAN

The bill (H.R. 1948) for the relief of Lim Ai Ran and Lim Soo Ran was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 651), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States of two alien orphan children to be adopted by citizens of the United States who have previously filed the maximum number of petitions which may be approved for one petitioner.

ANGELIQUE KOUSOULAS

The bill (H.R. 1960) for the relief of Angelique Kousoulas was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 652), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission into the United States in an immediate relative status of the minor child adopted by citizens of the United States.

YOO YOUNG HUI AND OK YOUNG

The bill (H.R. 2464) for the relief of Yoo Young Hui, and her daughter, Ok Young was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 653), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable Yoo Young Hui and her daughter, Ok Young, to enter the United States so that the adult beneficiary may marry her U.S. citizen fiance.

YONG OK ESPANTOSO

The bill (H.R. 2978) for the relief of Yong Ok Espantoso was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 654), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to preserve immediate relative status in behalf of the widow of a U.S. citizen member of our Armed Forces.

YIM MEI LAM

The bill (H.R. 3430) for the relief of Yim Mei Lam was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 655), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the minor child adopted by citizens of the United States.

RAMIRO VELASQUEZ HUERTA

The bill (H.R. 3497) for the relief of Ramiro Velasquez Huerta was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 656), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to an alien who has assisted other aliens to enter the United States in violation of the law in behalf of the husband of a citizen of the United States.

MARY BERNADETTE LINEHAN

The bill (H.R. 4534) for the relief of Mary Bernadette Linehan was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 657), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to provide that the U.S. citizen father of Mary Bernadette Linehan shall have resided in the United States for a sufficient period of time after the age of 14 years in order to transmit U.S. citizenship to her under the provisions of section 203(a)(7) of the Immigration and Nationality Act.

ROBERTO MARTIN DEL CAMPO

The bill (H.R. 5216) for the relief of Roberto Martin Del Campo was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 658), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to an alien who has assisted other aliens to enter the United States in violation of the law in behalf of Roberto Martin Del Campo.

GUISEPPE PACINO BIANCAROSSO

The Senate proceeded to consider the bill (S. 866) for the relief of Guiseppe Pacino Biancarosso which had been reported from the Committee on the Judiciary with an amendment, strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Guiseppe Pacino Biancarosso may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, and a petition may be filed in his behalf by Olga Biancarosso Carmeci, a citizen of the United States, pursuant to section 204 of such Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 659), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted son of a citizen of the United States. The bill has been amended in accordance with established precedents.

FRANCISCO RENIGIO FABRE SOLINO

The Senate proceeded to consider the bill (S. 872) for the relief of Francisco Renigio Fabre Solino which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "April 13, 1960" and insert "November 5, 1960"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Francisco Renigio Fabre Solino (Frank R. S. Fabre) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 660), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended to reflect the date upon which he was last admitted as a visitor.

DEMETRA LANI ANGELOPOULOS

The Senate proceeded to consider the bill (S. 1129) for the relief of Demetra Lani Angelopoulos which had been reported from the Committee on the Judiciary, with an amendment in line 8, after the word "Act" strike out "subject to all the conditions in that section relating to orphans"; so as to make the bill read:

S. 1129

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Demetra Lani Angelopoulos may be classified as a child within the meaning of section 101(b)(1)(F) of the said Act, upon approval of a petition filed in her behalf by Mr. Constantine Angelopoulos, a citizen of the United States, pursuant to section 204 of the said Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 661), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of a citizen of the United States. The amendment is technical in nature.

ANA JACALNE

The Senate proceeded to consider the bill (S. 1180) for the relief of Ana Jacalne which had been reported from the Committee on the Judiciary, with an amendment, at the beginning of line 7, strike out "Steven Jacalne, a citizen" and insert "Mr. and Mrs. Steven Jacalne, citizens"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Ana Jacalne may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, and a petition may be filed in behalf of the said Ana Jacalne by Mr. and Mrs. Steven Jacalne, citizens of the United States, pursuant to section 204 of such Act.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 662), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of a citizen of the United States. The bill has been amended in accordance with established precedents.

DR. SAMAD MOMTAZEE

The Senate proceeded to consider the bill (S. 1327) for the relief of Dr. Samad Momtazee which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after word "of" where it appears the first time, strike out "June 1962, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available." and insert "July 4, 1962"; so as to make the bill read:

S. 1327

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Samad Momtazee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 4, 1962.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 663), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended in accordance with established precedents.

JOSE D. NEUGART

The Senate proceeded to consider the bill (S. 2120) for the relief of Jose D. Neugart which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "of" strike out "November 6, 1960" and insert "November 5, 1960"; so as to make the bill read:

S. 2120

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Jose D. Neugart shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 5, 1960.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed

in the RECORD an excerpt from the report (No. 664), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. This bill has been amended to reflect the proper date upon which the beneficiary first entered the United States.

DR. JOSE FUENTES ROCA

The Senate proceeded to consider the bill (S. 2248) for the relief of Dr. Jose Fuentes Roca which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of" strike out "August 5, 1961" and insert "September 5, 1961"; so as to make the bill read:

S. 2248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jose Fuentes Roca shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 5, 1961.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 665), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

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

CITA RITA LEOLA INES

The Senate proceeded to consider the bill (S. 107) for the relief of Cita Rita Leola Ines which had been reported from the Committee on the Judiciary, with amendments, in line 3, after the word "sections" strike out "101(a)(27)(A)" and insert "203(a)(2)"; and in line 7 after the word "States" strike out the period, insert a colon and *"Provided,* That no natural parent or step-parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act."; so as to make the bill read:

S. 107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 203(a)(2) and 204 of the Immigration and Nationality Act, Cita Rita Leola Ines shall be held and considered to be the natural-born child of Carolina Ines Campomanes, a lawful permanent resident of the United States: *Provided,* That no natural parent or step-parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 666), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to qualify for second preference status as the unmarried daughter of a permanent resident of the United States. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization and the Assistant Secretary of State for Congressional Relations.

COPYRIGHT PROTECTION

The joint resolution (S.J. Res. 114) extending the duration of copyright protection in certain cases was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 114

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case in which the renewal term of copyright subsisting in any work on the date of approval of this resolution, or the term thereof as extended by Public Law 87-668, or by Public Law 89-142 (or by either or both of said laws), would expire prior to December 31, 1968, such term is hereby continued until December 31, 1968.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 667), explaining the purposes of the joint resolution.

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

PURPOSE

The purpose of this legislation is to continue until December 31, 1968, the renewal term of any copyright subsisting on the date of approval of this resolution, or the term as extended by Public Law 87-668 or by Public Law 89-442 (or by either or both of said laws) where such term would otherwise expire prior to December 31, 1968. The joint resolution would provide an interim extension of the renewal term of copyrights pending the enactment by the Congress of a general revision of the copyright laws, including a proposed increase in the length of the copyright term. This resolution would be the third such interim extension of copyright. The second extension (Public Law 89-142) will expire on December 31, 1967.

This legislation merely provides for the prolongation of the renewal term of copyright and does not involve creation of a new term of copyright.

STATEMENT

This legislation arises from a study of the the U.S. copyright system authorized by the Congress in 1955. After extensive preparatory work, copyright revision bills were introduced in both Houses during the 88th Congress and again in the 89th Congress. In the latter Congress, hearings were commenced on this legislation. At the start of the current Congress, copyright revision bills (S. 597 and H.R. 2512) were again introduced. The House of Representatives on April 11, 1967, passed an amended version of H.R. 2512. This committee's Subcommittee on Patents, Trademarks, and Copyrights has held 17 days of hearings on copyright law revision. These hearings were concluded earlier in this session. Both the bill passed by the House of Representatives and S. 597 would increase the copyright term of new works from 28 years, renewable for a second period of 28 years, to a term for the life of the author and for 50 years thereafter. They also provide for a substantial extension of the term of subsisting copyrights.

Because of difficulties which have arisen concerning certain provisions of the revision bill (not relating to the increase in copyright term), it is apparent that action on the revision bill cannot be completed before the expiration on December 31, 1967, of the temporary extension of copyright term. In these circumstances, it seems desirable that the terms of expiring copyrights should be extended so that the copyright holders may enjoy the benefit of any increase in term that may be enacted by the Congress. It is the view of the committee that the same considerations that led to the enactment of Public Law 87-668 and Public Law 89-142 warrant the approval of this joint resolution.

After a study of the joint resolution, the committee recommends that the legislation be favorably considered.

EXTENSION OF TIME FOR COMMITTEE TO FILE REPORT

Mr. DIRKSEN. Mr. President, in connection with H.R. 2516, the so-called civil rights bill, the Senate on August 25, 1967, ordered that the bill be returned to the Committee on the Judiciary with a direction that it be reported to the Senate within 60 days.

The committee met on yesterday and took action on a motion which provides that on Wednesday next, the committee will consider this bill at 10 o'clock; that the committee will proceed to vote at 11, and that it will continue to vote until it has finally disposed of the bill at or before 5 o'clock on Wednesday next.

That motion also contains a provision that the committee rule which entitles a member to have a bill go over for a week be set aside, and it also contains a provision that the bill not be physically reported to the calendar until the following Monday, to enable the committee staff and individual members to prepare reports to accompany the bill.

Now, in order to do that, it will go beyond October 24. I ask unanimous consent that the order entered by the Senate on August 25, 1967, be modified to direct that on October 30, the bill be reported in conformity with the Senate request and direction.

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

ORDER FOR RECOGNITION OF SENATOR JACKSON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the time allotted to the distinguished Senator from West Virginia [Mr. BYRD], the distinguished junior Senator from Washington [Mr. JACKSON], be recognized for up to 20 minutes.

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

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON STRATEGIC AND CRITICAL MATERIALS STOCKPILING PROGRAM

A letter from the Office of the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the 6-month period ended June 30, 1967 (with an accompanying report); to the Committee on Armed Services.

AMENDMENT OF SECTION 17 OF INTERSTATE COMMERCE ACT

A letter from the Chairman, Interstate Commerce Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 17 of the Interstate Commerce Act as amended to provide for judicial review of orders of the Commission, and for other purposes (with accompanying papers); to the Committee on Commerce.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the City Council of the City of Newport Beach, Calif., favoring the enactment of some form of a Federal tax-sharing program, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, without amendment:

S. 2068. A bill to repeal certain acts relating to containers for fruits and vegetables; exportations of tobacco plants and seed; naval stores; and wool; and for other purposes (Rept. No. 668).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, with an amendment:

S. 2179. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans hospitals (Rept. No. 669).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

S. 108. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine (Rept. No. 670).

By Mr. BYRD of West Virginia, from the Committee on Armed Services, without amendment:

H.R. 11767. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif. (Rept. No. 671).

BILLS INTRODUCED

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

By Mr. RIBICOFF (for himself and Mr. JAVITS):

S. 2557. A bill to establish within the Department of Justice a Division for Investigation of Missing Persons, and for other purposes; to the Committee on the Judiciary.

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

By Mr. MORSE:

S. 2558. A bill for the relief of Mrs. Charlotte V. Williams; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2559. A bill for the relief of Dr. Rafael Luis Bejar Arias; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 2560. A bill to provide for orderly trade in stainless steel table flatware; to the Committee on Finance.

RESOLUTION

AMENDMENT OF STANDING RULES OF THE SENATE

Mr. CLARK submitted a resolution (S. Res. 179) amending the Standing Rules of the Senate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

ESTABLISHMENT OF A DIVISION FOR THE INVESTIGATION OF MISSING PERSONS

Mr. RIBICOFF. Mr. President, I introduce for appropriate reference, a bill to establish within the Department of Justice, a Division for the Investigation of Missing Persons. The division would, upon request of the police of a community, county, or State, conduct investigations for the purpose of locating any person missing for 72 hours or longer, or missing under circumstances which give rise to the belief that such person may be victim of a criminal offense.

Mr. President, each year approximately a quarter million people in the United States disappear. Approximately 95 percent of these people reappear or are found, but there are an estimated 5,000 to 10,000 persons per year who disappear permanently. Some of these people intend to disappear and this, taken alone, is not a criminal offense. But often there are serious and tragic consequences which result when a person drops out of sight. Relatives spend great effort, time, and expense to determine whether the person has been injured or kidnaped, or is dead. In the case of one of my constituents, over 2 months elapsed before his college-age son was found dead, and the family's long agony will never be forgotten by those who know them.

A great many difficulties beset any attempt to organize and sustain a search for a missing person. When someone disappears in the United States, he vanishes into any one of 50 States and thousands of communities, each of which has its own separate police force. There is no focal point or clearinghouse to which citizens and policemen may turn for information or reports on missing persons. Nor is there any such bureau to which policemen can send descriptions of persons whom they suspect might be missing from some other unidentified community. The missing persons problem is instead handled by an unsystematic, informal, and often ineffective exchange of information.

Where no Federal laws appear to have been violated, the FBI does not have jurisdiction and thus cannot enter actively into investigative efforts. Thus the local police in a great many cases have no one to whom they can refer cases, and their own staff capabilities are usually limited. Nor is it difficult to understand why local police, overburdened as they often are, tend sometimes not to move very quickly in search of missing persons—since so many reappear of their own accord. Except for the dramatic search posse which sometimes comb an area for lost children, organized systematic location efforts directed by local police are rarely undertaken.

What I hope we can accomplish here is the creation of a highly skilled, resourceful investigative group with an excellent and coordinated data-exchange and communications system. Upon request of local police, the agency established under this bill would assist in investigation and in exchange of information across the Nation. It would fill the quite considerable gap which now exists between the point at which local police usually reach the limits of their authority and competence, and the narrowly defined group of cases which the FBI may enter—those in which there is some evidence of kidnaping, or those in which foul play is suspected, both of which call for FBI involvement after 24 hours.

There is a need for a centralized and computerized national center where information on missing persons is readily available for local police departments throughout the Nation.

Consider, for example, the missing persons problem created by the growing number of misguided youngsters who run away from home to live as "hippies."

The East Village in New York and Haight-Ashbury district in San Francisco have become meccas for hippies and other youthful dropouts from society.

The New York Police Department and the San Francisco Police Department each receive hundreds of missing persons reports a week from distraught parents all over America who suspect their missing children are living in the "hippie" havens.

In New York City alone, some 11,000 persons were reported missing in the city last year. Eighty-five percent of these were youths under 18.

But the East Village and Haight-Ashbury, while the best known, are actually only two of many areas in the larger cities where youngsters congregate.

Teenagers adrift, away from home and with no visible means of support are picked up by police not only in New York and San Francisco, but in cities all over the Nation.

And, chances are, somewhere in America a parent has filed a missing persons report on every one of these youngsters.

A computerized records system at the Justice Department would be an impor-

tant aid for local policemen as they search for these youngsters.

It would also assist police in quickly identifying those youngsters they pick up or detain.

Finally, it would be some consolation, however small, to the parents of missing children. These parents would at least know that the very best and most efficient communications network is at work on their behalf in finding their children.

Mr. President, I ask that this bill be given careful consideration by the appropriate committee so that some means may be developed to deal with this problem.

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

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD as requested by the Senator from Connecticut.

The bill (S. 2557) to establish within the Department of Justice a Division for Investigation of Missing Persons, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2557

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established within the Department of Justice a Division for Investigation of Missing Persons. Such Division shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed for officers of Level III of the Federal Executive Salary Schedule. The Director shall discharge his duties under the supervision and direction of the Attorney General.

(b) The principal office of the Division shall be situated within the District of Columbia. The Director shall establish such other offices of the Division as he shall determine to be required for the performance of its duties. Subject to the civil service laws and the Classification Act of 1949, the Director may appoint and fix the compensation of such other personnel of the Division as he may determine to be required for the performance of its duties.

SEC. 2. It shall be the duty of the division to—

(1) conduct appropriate investigation, upon request duly made by any police or investigative organization of any State, any political subdivision of a State, the District of Columbia, or the Commonwealth of Puerto Rico, for the purpose of locating any person who is reported by any such organization to have been missing for 72 hours or longer or to be missing under circumstances which give rise to belief that such person may be the victim of a criminal offense;

(2) transmit appropriate reports of the results of any such investigation to the organization which requested that such investigation be made; and

(3) in the case of any investigation so requested in aid of actual or prospective civil or criminal proceedings against the missing person sought, furnish to such organization all evidence obtained by the Division in the course of its investigation which is pertinent to such proceedings.

Mr. JAVITS. Mr. President, I just heard the Senator from Connecticut explain his bill to establish within the Department of Justice a division for the investigation of missing persons. The bill seems most appropriate and timely.

I ask unanimous consent that my name may be listed as a cosponsor.

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

AMENDMENTS TO MEDICAID

AMENDMENTS NOS. 411 AND 412

Mr. KENNEDY of New York. Mr. President, I submit, for appropriate reference, two amendments to H.R. 12080, the omnibus social security welfare bill now pending in the Senate Finance Committee.

These documents relate to title XIX, medicaid. Their purpose is to lower the enormous costs of that beneficial program without injuring the millions of Americans who are deservedly aided by it. They will help to alleviate two of the most serious problems that have arisen with medicaid, particularly in my State of New York.

The first contemplates variations in the income levels of eligibility within a State based on differences in shelter costs within a State. Studies have shown that shelter costs are the most significant variable in the cost of living as between urban and rural areas. The cost of rent and home purchase in rural areas is far less than in the cities. An income of $5,000 a year therefore buys far more in rural areas than it does in the city. As a result, there is no real need that eligibility levels for medicaid be as high in the rural areas of New York State as they are in its large cities, and my amendment would require the States to take variations in shelter costs into account when they determine eligibility levels. I believe this is an important and constructive step forward, and would help us significantly in the State of New York.

This amendment would alleviate what has become a near-crisis situation in New York State. In some of our rural counties 75 to 80 percent of the population is eligible for medicaid under the income eligibility levels which the State established. In these counties, welfare costs have skyrocketed over the past 18 months. Increases of 50 and 60 percent in the cost of welfare are common, and 90 percent or more of the increases are due to the cost of medicaid. One county executive wrote to me that welfare costs in his county are up almost 60 percent—over $8 million—in just 1 year. He pointed out that this will cause local taxes to double in short order, with the prospect ahead in the near future of a tax rate triple the current level. Many counties have been forced to borrow to meet the obligations which medicaid has imposed.

It is no accident that the counties which have faced these difficulties are, by and large, counties where living costs, and particularly shelter costs, are lower than they are in some of the most heavily urban areas. The fact is, consequently, that in these areas medicaid is available to some who simply do not need it. Not surprisingly, these are the areas in which the greatest opposition to the program has been expressed. Under my amendment, the State would objectively determine differences in shelter costs around the State, and would accordingly establish differences in eligibility levels. The result would be decreases of as much as 20 percent in eligibility levels in some of the counties which are the hardest pressed at the present time. A further result would be that medicaid would come closer to being a program which in fact serves only those who need it.

The second amendment would allow far more stringent regulation of the costs of hospital care and physician services than exists at the present time. Medical costs have risen greatly in the past year and a half, and it is no accident that this has occurred since medicare and medicaid have been in effect. Many of these costs are unavoidable, of course, as nurses and other personnel finally begin to receive a living wage for their work. And the costs of materials and supplies have risen. But in some areas of our country, unfortunately, there are some physicians who and some institutions which have literally reaped bonanzas from these programs. A newspaper report recently, for example, indicated that in California 1,200 physicians have received $83 million in the last 18 months in reimbursement under medi-Cal, that State's title XIX program, an average of $70,000 for each physician.

In New York State, the physicians' fees paid under medicaid have increased substantially over the past year. Fees for office visits to general practitioners and specialists have more than doubled. If these fees, as well as the reimbursement to hospitals and nursing homes, were regulated under my amendment, the fiscal pinch which many counties in New York have felt as a result of medicaid would be substantially alleviated.

The amendment would operate as follows: for inpatient care, it would limit payments to hospitals and nursing homes to the amount paid for comparable services by either the Blue Cross Plan in the area or title XVIII, whichever is less. At the same time, it would provide incentive payments for the efficient operation of hospitals and nursing homes based upon their demonstrated ability to develop new management procedures and discharge patients promptly. For outpatient care, the amendment directs that an outpatient visit be defined and that it must include seeing a physician, and it limits payments to a hospital for an outpatient visit to a ceiling of 18 percent of the per diem payment for inpatient care. For payments for the services of physicians and other professionals, the amendment directs that fee schedules shall be based upon the average level of fees charged in the county or metropolitan area over the 10 years previous to the adoption of the plan. The amendment would allow the development of special reimbursement methods for group practice plans.

These are by no means the only problems which beset medicaid. Medicaid was a program with great promise. Its purpose was to make medical care available to millions of Americans for whom routine medical attention was previously an unattainable luxury and catastrophic illness a bankrupting disaster. Yet in New York State, and here in Congress, it is apparent that public confidence in the program has been badly shaken. I

believe that adoption of the two amendments I have proposed today would help to restore that shaken confidence, but I think other steps need to be taken as well. I therefore call on Governor Rockefeller to establish a blue-ribbon commission composed of medical experts, fiscal experts, Government officials, consumers of the medical care which medicaid provides, and other relevant persons, to look into all of the issues which have been raised and to make recommendations for the future. The commission could investigate all of the components of the cost of medicaid—the extent to which the surprisingly high cost of the program is a result of abuse by individual physicians and other professionals and by inefficient hospitals and nursing homes which have had no incentive to reduce management and administrative costs, and the justification for the suddenly increased fee schedules for services of physicians and other professionals that are now in effect around the State. The commission could look into the fiscal burdens on local government around the State and recommend steps to ease those budens. Governor Rockefeller has already stated that he will ask the legislature to act to have the State take over some or all of the local share of the costs, and I support that proposal.

The commission could also look into the quality of care which is being provided under medicaid around the State, and make recommendations for new laws and new procedures to assure that the quality of care is maintained at the highest level possible. The commission, in summary, would determine just what the taxpayer's dollar is buying with medicaid, and could take us a long way toward understanding what new forms of delivering health services must be developed and how we are going to develop them if the provision of health care to those of our citizens who need it is not going to bankrupt us.

There is one other matter of importance at the Federal level. The House of Representatives imposed a limitation on Federal participation in programs under title XIX which is wholly unreasonable and unworkable. It will be an unwarranted intrusion in New York State, but it will be nothing short of disastrous elsewhere. The 150-percent ceiling which the administration originally proposed earlier this year was based on each State's public assistance definition of minimum need. The 133-percent provision in the House bill is based on the amount which the State actually pays to its public assistance recipients, which in many cases is a vastly smaller amount that its definition of minimum need. The original intention of title XIX was that medical indigency be defined at a level substantially in excess of a State's public assistance definition of minimum need. The House bill will in many States have the opposite effect, and is therefore totally unrealistic.

For example, Mississippi, according to HEW figures, was paying 22.8 percent of minimum need to its ADC children in January of this year. When the 133⅓-percent limitation in the House bill goes into effect, the ceiling for medical assistance in Mississippi will be approximately 30 percent of its own definition of minimum need. The State of Ohio is another good example. In January 1966 its definition of minimum need was $224 a month for a family of four. However, the ADC payments were actually $170 a month for a family of that size. When the 133⅓-percent limitation goes into effect, the ceiling on medical assistance for a family of four in Ohio will, therefore, be approximately $227 a month—an unacceptably low figure.

What is really involved even in the 150-percent limitation originally proposed is a failure of insight about the connection between ill health and dependency, a failure to realize that the provision of adequate health care to the poor depends upon an infusion of funds of the magnitude which title XIX as originally enacted was intended to supply. Thus, if we cut into title XIX, we cut into the possibilities of better health care for the poor.

Nevertheless, I think we must realistically face up to the fact that some ceiling is likely to be imposed. If the bill as it emerges from the Senate Finance Committee contains a ceiling lower than what the administration proposed, I intend to join Senator JAVITS in seeking on the Senate floor to raise the ceiling to the 150-percent level. That is the least we can do.

Medicaid, as I have said, was a program of great promise. It was a new hope for millions of Americans to receive health services never before available to them. That hope has now been tarnished. I believe, however, that if the amendments I propose are enacted, we will have taken the first steps toward instituting the kind of regulation that can make medicaid a viable program for the future.

I ask unanimous consent that the amendments be printed in the RECORD at this point in my remarks.

The ACTING 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. 411 and 412) submitted by Mr. KENNEDY of New York, were referred to the Committee on Finance, as follows:

AMENDMENT NO. 411

On page 160, insert the following between lines 6 and 7:

"DIFFERENCES IN STANDARDS WITH RESPECT TO INCOME ELIGIBILITY UNDER TITLE XIX

"SEC. 232. Effective July 1, 1969, section 1902(a)(17) of the Social Security Act is amended by—

"(a) striking out '(17)' and inserting in lieu thereof '(17)(A)';

"(b) redesignating clauses (A), (B), (C), and (D) as clauses (i), (ii), (iii), and (iv), respectively;

"(c) striking out '; and provide' and inserting in lieu thereof ', and (B) provide';

"(d) striking out 'income by' and inserting in lieu thereof 'income (i) by'; and

"(e) adding at the end thereof before the semicolon the following: ', and (ii) by establishing, in accordance with standards prescribed by the Secretary, differences in income levels (but only in the case of applicants or recipients of assistance under the plan who are not receiving aid or assistance under the State's plan approved under title I, X, XIV, or XVI, or part A of title IV) which take into account the variations in shelter costs as between such costs in urban areas and such costs in rural areas'."

AMENDMENT NO. 412

On page 160, between lines 6 and 7, insert the following:

"UTILIZATION OF AND REASONABLE CHANGES FOR CARE AND SERVICES FURNISHED UNDER TITLE XIX

"SEC. 233. (a) Effective April 1, 1968, section 1902(a) of the Social Security Act is amended by inserting after paragraph (25) (added by section 229 of this Act) the following new paragraphs:

"'(26) provide such methods and procedures relating to the utilization of care and services available under the plan as may be necessary to safeguard against unnecessary utilization of such care and services;

"'(27) provide methods and procedures for payment for the care and services available under the plan as follows—

"'(A) in the case of in-patient care, a definition of and formula for determining reasonable cost shall be included in the plan, which formula shall provide—

"'(i) payments to any hospital, nursing home, or other institution in which inpatient care is provided, may not exceed the amount paid for comparable services by either the Blue Cross Plan in the area or title XVIII, whichever is less, unless adequate justification based upon hardship to a hospital can be supported by financial data,

"'(ii) that any hospital which provides complete medical services for inpatients as part of a per diem cost may, in the discretion of the state agency, be paid per diem rates proportionately higher than Blue Cross or title XVIII,

"'(iii) special ceilings on per diem payments to hospitals, nursing homes, and other institutions in situations in which occupancy rates average less than 80 per centum.

"'(iv) provisions for negotiated rates with hospitals, nursing homes, and other institutions if the State chooses to use some basis of payment which reimburses on a basis less than cost, as defined above, and

"'(v) provisions for incentive payments for efficient operation of hospitals, nursing homes, or other institutions based upon the demonstrated ability of an institutions to discharge patients promptly or upon other measurable factors;

"'(B) in the case of outpatient care—

"'(i) an outpatent visit shall be defined in the plan and the minimum services for such a visit, which shall include seeing a physician, shall be described,

"'(ii) payments for an outpatient visit may be negotiated or cost-based, but if negotiated, shall not result in payments higher than cost,

"'(iii) payments to a hospital for an outpatient visit may be no higher than 18 per centum of the per diem payment for inpatient care, and

"'(vi) the plan shall include provisions per capita payments to hospital-based group practice plans;

"'(C) in the case of payments to physicians, dentists and allied professions—

"'(i) fee-for-service payments to physicians, dentists and allied professions shall be based open a fee schedule established by the State,

"'(ii) the fee schedules shall reflect geography and qualifications of physicians as established by the Board Certification Program of the American Medical Association,

"'(iii) the fee schedules shall be based upon the average level of fees charged in the county or metropolitan area over the ten years previous to the adoption of the plan, and

"'(iv) the plan may establish appropriate payment methods for group practice units.'

"(b) Section 1902(a)(13) of the Social Security Act is amended by striking out clause (B) thereof."

AMENDMENT TO MEDICAID

AMENDMENT NO. 413

Mr. JAVITS. Mr. President, I send to the desk for printing an amendment to H.R. 12080 which would allow the individual States the greatest flexibility in devising their programs of medical assistance, under title XIX of the Social Security Act.

There has been a good deal of criticism of the medicaid program. In particular, the plan of my own State of New York has been quite controversial—both in the State and nationally. I think it fair to say that the income eligibility standards established by the State of New York for medical assistance had a great deal to do with the fact that H.R. 12080 contains a ceiling on the income level for eligibility to medicaid, for which Federal matching funds would be available. The New York plan is large—and it has been expensive. However, one reason for the large size of the New York program is the fact that present Federal law has kept it from being more exactly shaped to the needs to be met.

In 1966 I introduced amendments to title XIX which would have given the States greater flexibility. In light of the strong support for some sort of ceiling on Federal participation, I believe there is even stronger need for this flexibility now. In particular, a State should not be required to set the same eligibility standard for all its geographic parts. The present New York standard cannot be seriously questioned as applied to the large cities. For example, a four-member family earning $6,000 a year in New York City needs medical assistance. However, in the rural upstate counties, this figure may well represent an income too high for eligibility and may well lead to so many eligible recipients that the county cannot meet its share of the financial burden. Nevertheless, present law inhibits New York, for example, from setting different income standards for different parts of the State, depending upon various average income levels, different costs of living, and, a different scale of health costs in geographic regions of the same State. I believe that the State should be allowed to make such distinctions where necessary and practical. Such a change in the law would permit the development of programs more relevant to the real needs of a State—and less expensive.

Another Federal requirement which unnecessarily adds cost to a State program is that which prohibits a deductible feature for hospital bills. Such a deductible is acceptable as far as medical costs are concerned; it should not be prohibited for hospital bills.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred.

The amendment (No. 413) was referred to the Committee on Finance.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950—AMENDMENT

AMENDMENT NO. 414

Mr. MANSFIELD proposed an amendment to the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts, which was ordered to be printed.

(See reference to the above amendment when proposed by Mr. MANSFIELD, which appears under a separate heading.)

ADDITIONAL COSPONSORS OF BILLS

Mr. RIBICOFF. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Hampshire [Mr. COTTON] be added as a cosponsor of the bill (S. 2552) to provide for orderly trade in antifriction ball and roller bearings and parts thereof.

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

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New York [Mr. KENNEDY] and the Senator from Oregon [Mr. MORSE] be added as cosponsors of the bill (S. 2467) to amend the Social Security Act to permit an individual to become entitled to hospital insurance benefits under title XVIII of such act, if he is otherwise qualified therefor, without filing application for benefits under title II of such act.

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

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 19, 1967, he presented to the President of the United States the following enrolled bills and joint resolution:

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 Travisso y Perez;

S. 1269. An act for the relief of Dr. Gonzalo Rodriquez;

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;

S. 1938. An act for the relief of Dr. Orlando Hipolito Maytin; and

S. J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

NOTICE OF HEARINGS ON CONGRESSIONAL REPRESENTATION FOR THE DISTRICT OF COLUMBIA

Mr. BAYH. Mr. President, I wish to announce that the Subcommittee on Constitutional Amendments shall hold hearings on November 8 and 9, 1967, on Senate Joint Resolutions 31 and 80. These resolutions are proposed constitutional amendments designed to provide for the citizens of the District of Columbia representation in the Congress.

The hearings shall begin at 10 a.m. each day in room 318 of the Senate Office Building. Persons interested in these hearings should contact the subcommittee staff in room 419 of the Senate Office Building or on extension 3018.

SECRETARY GARDNER COMMENDED FOR SPEECH AT UNIVERSITY OF NORTH CAROLINA

Mr. SPONG. Mr. President, John W. Gardner, Secretary of the Department of Health, Education, and Welfare, delivered a thoughtful and perceptive speech last week on our domestic problems, and about the general mood of the Nation. Mr. Gardner very ably observed that the first duty of responsible citizens today is to bind together rather than tear apart, and that the fissures in our society are dangerously deep from dissent and divisiveness. He delivered his address at a great Southern educational institution, the University of North Carolina, at Chapel Hill. Mr. President, I have not always agreed with the policies and programs of the agency he heads, but I commend Mr. Gardner's message to the Senate.

I ask unanimous consent that the text of Mr. Gardner's remarks be printed in the RECORD.

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

REMARKS BY JOHN W. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE[1]

My present job gives me a close-up view of the domestic problems of this Nation. I'd like to talk about those problems, and about the mood of the nation.

In the early years of this Republic, our people had wonderfully high hopes for the new nation. It was to be a model for all mankind, a city on a hill, a haven of liberty and reason and justice.

Today we are unrivaled in wealth and power. We have all the outward trappings of success. What of the dream?

[1] As delivered at the University of North Carolina, Chapel Hill, North Carolina, Thursday, October 12, 1967.

I don't think anyone would deny that we are uneasy in our affluence. Do I need to recite the list of anxieties—racial strife, poverty in the midst of plenty, urban decay, crime, and so on and on?

The Bible says "Thou shalt grope at noonday, as the blind gropeth in darkness." One feels occasionally that for us it is that kind of noonday.

But it isn't.

There is a kind of comfort in thinking that our troubles are more distressing than ever before. But a close reading of history denies us that comfort. The truth is that our blessings are greater than ever before. Our troubles are no worse. They are different.

It was an error to suppose, as so many once supposed, that we could fashion a society free of problems. The problems will never cease. They will only change their character.

What is the character of the problems we face in this Nation today? How shall we cope with them?

The problems themselves are easily identified. Among them I would list the search for an enduring peace, the eradication of poverty, renewal of the cities, the requirement that we do justice to Negro Americans, the improvement of education, population control, the preservation of our natural environment, the reshaping of governmental processes, and economic growth.

But we could discuss those items exhaustively without ever getting to the sources of uneasiness for many Americans today, an uneasiness that stems not from any one problem but from all, an uneasiness that goes directly to the question of where we are headed, of our health and soundness as a society, and of the relationship between the individual and society.

Ours is a vast and complex society. It's hard to know where you fit in—if indeed you do fit in. It's hard to identify anything you can call your community. It's hard to say who your leaders are—if there are any leaders in an intricately organized society. It's hard to feel any responsibility for what happens, or to feel any pride if things happen well, or to know what to do about it when they don't.

We don't want an impersonal society in which everyone is anonymous, in which no one has a sense of belonging, in which individuality is smothered by organization, in which rootlessness is the universal condition and irresponsibility the universal affliction.

But how are we to avoid those hazards?

One thing we are going to have to do is to restore a sense of community and participation at the local level, which is the only level that will have immediate meaning for large numbers of Americans.

Everything about modern life seems to conspire against a sense of community—and as a result we have lost something that most of us need very much.

We need the assurance of identity that a healthy community offers. We need the mutual obligations of community life. Above all, perhaps, we need the sense of participation—and the experience of participation—that is possible in a coherent community.

All that we know about the individual and society, and much that we know about the learning process suggest that the individual actively participating is better than the individual insert or passive—a better learner, a better citizen, a more complete person, a more self-respecting individual.

The non-participant individual, without roots, without a sense of identity or belonging is a hazard to everyone including himself. He is a ready recruit to strange causes. He is always liable to lash out in desperate efforts to find meaning and purpose. We have too long pretended that people can live their lives without those ingredients. They cannot. And if they cannot find socially worthy meanings and purposes they will cast about desperately and seize upon whatever comes to hand—extremist philosophies, nihilist politics, bizarre religions, far-out protest movements.

Individuals actively participating in a community where they can see their problems face to face, know their leaders personally, sense the social structure of which they are a part—such individuals are the best possible guaranty that the intricately organized society we are heading into will not also be a dehumanized, depersonalized machine. They are also the best hope for curing the local apathy, corruption and slovenliness that make a mockery of self-government in so many localities.

Responsibility is the best of medicines. When people feel that important consequences (for themselves and others) hang on their acts, they are apt to act more wisely. It is not always easy to have that sense of responsibility toward a distant Federal Government. It helps if the ground on which responsibility is tested is at one's doorstep. Every man should be able to feel that there is a role for him in shaping his local institutions and local community.

To achieve that goal, as President Johnson has so often emphasized, we are going to have to have far greater concern for the vitality of State and local government. We shall need vigorous local leadership in and out of government. A great many of our best people are going to have to roll up their sleeves and pitch in to help make this society work.

To eradicate poverty, rebuild our central cities, lift our schools to a new level of quality and accomplish the other formidable tasks before us will require a great surge of citizen dedication. Everyone will have to lend a hand. Industry, labor, minority groups. State and local government, the universities, the churches, farm groups, the press—all will have to pitch in.

If we imagine that the Federal Government alone, or Federal, State and local governments alone can solve those problems, and that everyone else can stand by and play sidewalk superintendent, we are deceiving ourselves. It won't work. The renewal of our cities, the rebuilding of our society will require a barn-raising spirit of mutual endeavor.

If that isn't clear to you, then perhaps you haven't grasped the dimensions of the tasks facing this Nation. The problems won't solve themselves, and they won't be advanced toward solution by bombast or hand wringing or cynicism or rage or self-pity on the part of any of us. They will yield only to unremitting effort by people who have the resilience of spirit and steadiness of purpose to do the work of the day as it has always been done—against odds.

We can dream great dreams and talk brilliantly of what is now bad that should be better. But when the time for doing comes—and it's long past—we must recognize that as President Johnson put it, the kind of society we want is going to have to be built brick by brick in the heat of the day, by people who have taken the trouble to learn how the society runs and how it can be changed.

The problems are real. It doesn't require the instincts of a reformer or the eye of a muckraker to detect social evils in this land today. All it requires is the ability to follow the newspapers, to scan the data of infant mortality among the poor, to read the crime statistics, to see the manifold signs of urban disintegration, to observe the bitterness of racial conflict.

I imagine that for most of us gathered here today life is reasonably comfortable. It is easy to suppose that we are safely insulated from the problems that beset this land, that they are someone else's problems, not ours.

But they are grimly and irrevocably the problems of our generation, and none of us can escape. There isn't any place to hide. The consequences of poverty, racial conflict, environmental pollution, urban decay, and other problems will affect the quality of life for everyone here today, and for everyone in this land, the comfortable and the uncomfortable. It won't be a decent life for any of us until it is for all of us.

Consider the recent turn toward violence. Where will it lead? Where *can* it lead? There are bitter and vindictive people on both sides who hope for the worst. But you and I have to believe that a saner path is possible.

Despair in the ghettoes cannot be cured by savagery in the streets. Violence begets violence. It is time to speak out against those on either side who through words or actions contribute to conflagrations of bitterness and rage. They wreak more havoc than they know. They may create ruinous cleavages and paralyzing hatreds that will make it virtually impossible for us to function as a society.

This is a day of dissent and divisiveness. Everyone speaks with unbridled anger in behalf of his point of view or his party or his people. More and more, hostility and venom are the hallmark of any conversation on the affairs of the nation.

There used to be only a few chronically angry people in our national life. Today all seem caught up in mutual recriminations—Negro and white, rich and poor, conservative and liberal, hawk and dove, Democrat and Republican, labor and management, North and South, young and old.

I've listened to them all, and at this moment I'd like to say a word not for or against any of them but in behalf of a troubled nation.

Today the first duty of responsible citizens is to bind together rather than tear apart. The fissures in our society are already dangerously deep. We need greater emphasis on the values that hold us together.

We need a greater common allegiance to the goals and binding values of the national community. A society or a nation is more than just a lot of people. A lot of people are a crowd or a population. To merit the term *society* or *nation* they have to have some shared attitudes and beliefs, and a shared allegiance. If the nation is to have any future, people have to care quite a lot about the common enterprise.

We know that many are willing to die for their country. We also have to care enough to live for it. Enough to live less comfortably than one might in order to serve it. Enough to work with patience and fortitude to cure its afflictions. Enough to forego the joys of hating one another. Enough to make our most cherished common purposes prevail.

Today extremists of the right and the left work with purposeful enthusiasm to deepen our suspicion and fear of one another and to loosen the bonds that hold the society together. The trouble, of course, is that they may succeed in pulling the society apart. And will anyone really know how to put it together again?

The cohesiveness of a society, the commitment of large numbers of people to live together, is a fairly mysterious thing. We don't know what makes it happen. If it breaks down we don't know how one might go about repairing it.

Back of every great civilization, behind all the panoply of power and wealth is something as powerful as it is insubstantial, a set of ideas, attitudes and convictions—and the confidence that those ideas and convictions are viable.

No nation can achieve greatness unless it believes in something—and unless that something has the moral dimensions to sustain a great civilization.

If the light of belief flickers out, then all the productive capacity and all the know-how and all the power of the nation will be as nothing, and the darkness will gather.

If enough people doubt themselves and their society, the whole venture falls apart. We must never let anger or indignation or

political partisanship blur our vision on that point.

In Guatemala and Southern Mexico one can observe the Indians who are without doubt the lineal descendants of those who created the Mayan civilization. Today they are a humble people, not asking much of themselves or the world, and not getting much. A light went out.

The geography and natural resources are virtually unchanged; the genetic make-up of the people is no doubt much the same. They were once a great people. Now they do not even remember their greatness. What happened?

I suspect that in the case of the Mayans, the ruling ideas were too primitive to sustain a great civilization for long.

What about our own ideas? Can they sustain a great civilization?

The answer depends on what ideas we are talking about. Americans have valued and sought and believed in many different things—freedom, power, money, equality, justice, technology, bigness, success, comfort, speed, peace, war, discipline, freedom from discipline and so on.

I like to believe that most Americans would agree on which of those values might serve as the animating ideas for a great civilization.

In my present job, I deal with a side of American society in which the existence of certain ruling ideals is visible and inescapable. I see children being taught, the sick healed, the aged cared for, the crippled rehabilitated, the talented nurtured and developed, the mentally ill treated, the weak strengthened.

Those tasks are not done by unbelieving people. Those tasks are carried forward by people who have at heart what I like to call the American Commitment.

I believe that when we are being most true to ourselves as Americans we are seeking a society in which every young person has the opportunity to grow to his full stature; a society in which every older person can live out his years in dignity; a society in which no one is irreparably damaged by circumstances that can be prevented.

All too often we have been grievously unfaithful to those ideas. And that infidelity can be cured only by deeds. Such ideas cannot be said to be alive unless they live in the acts of men, unless they are embedded in our laws, our social institutions, our educational practices, our political habits, our ways of dealing with one another. We must act in the service of our beliefs.

Every individual is of value.

The release of human potential, the enhancement of individual dignity, the liberation of the human spirit—those are the deepest and truest goals to be conceived by the hearts and minds of the American people.

And those are ideas that can sustain and strengthen a great civilization. But we must be honest about them. We must live by them. And we must have the stamina to hold to our purposes through times of confusion and controversy.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CHARLES O. FINLEY—THE ALL-AMERICAN DISGRACE TO SPORT

Mr. SYMINGTON. Mr. President, at long last the people of Kansas City and the Midwest have rid themselves of one of the most disreputable characters ever to enter the American sports scene.

The American League owners have pledged, have given an irrevocable covenant, to the mayor of Kansas City, to the presiding judge of Jackson County, to the president of the Kansas City Sports Complex, to the president of the Kansas City Chamber of Commerce, to me personally and above all to the fans of Kansas City, that Kansas City will have an American League franchise by March 1, 1968, at the latest and will be ready to play at the opening of the 1969 season.

This means that despite the unprecedented effort of Kansas City to maintain major league baseball, and its superb record of attendance in the face of the obstacles Mr. Finley imposed, the fans will have no baseball for 1 year, 1968.

But this loss is more than recompensed for by the pleasure resulting from our getting rid of Mr. Finley.

Nevertheless, and based on the record, we were surprised the American League owners did not kick Mr. Finley out of organized baseball.

Our only regret is that Mr. Finley has now been foisted on our good friend, former Senator Bill Knowland. Knowing Bill as we do, and knowing Mr. Finley, it will be interesting to see how long this works out.

Later we will present to the Senate a few of the actions, and methods, Mr. Finley used in his efforts to wreck the hopes of his players, and the fans of Kansas City and this Midwest area.

JUNIOR COLLEGE ELIGIBILITY UNDER THE IMPACTED-AID PROGRAM

Mr. MURPHY. Mr. President, last year, as my colleagues may recall, I opposed the administration's efforts to eliminate the eligibility of junior colleges under the so-called impacted-aid program, Public Law 81-815 and title I, Public Law 81-874.

Because of the importance of this issue, I appeared on April 5, 1966, before the Education Subcommittee and strongly urged the subcommittee to reject the administration's recommendation and accept my amendment, which continued junior college eligibility. The subcommittee, and later the full Labor and Public Welfare Committee, agreed with me, and as a result, the Senate adopted the Murphy amendment continuing junior college eligibility. Congressman BELL of California led this fight on the House side.

Again this year it appeared that the loss of funds was threatened. Recently, the California State Legislature passed, and the Governor signed into law, legislation establishing a new 15-member Board of Governors of California Community Colleges, which will be the new governing body for the State's junior colleges. The new board will succeed to the responsibilities previously exercised by the State board of education, the director of education, and the department of education.

As a result of this administrative change, I heard disturbing reports that the Department of Health, Education, and Welfare was about to render a ruling making California junior colleges no longer eligible for the impacted-aid assistance.

With the Elementary and Secondary Education Act presently being considered in executive session by the Subcommittee on Education, I was determined not to allow this "vehicle" to clear the Congress and then to hear the Department had ruled California junior colleges ineligible.

To prevent the loss of funds, I prepared an amendment which I planned to offer, if necessary, to the Elementary and Secondary Education Act, and which, incidentally, I am confident would have been accepted by the subcommittee. I also pressed the Department to render an immediate decision on this matter and provided them with a copy of the California State law.

I was pleased, Mr. President, to have received late yesterday a letter from Mr. James F. Hortin, Acting Director, Office of School Assistance in Federally Affected Areas, ruling that California would remain eligible. I ask unanimous consent that his letter be printed in full at this point in my remarks.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., October 18, 1967.

Hon. GEORGE MURPHY,
U.S. Senate, Washington, D.C.

DEAR SENATOR MURPHY: Thank you for the copy of the California State Law, Chapter 1549, approved by the Governor on August 20, 1967, relative to junior colleges (grades 13 and 14) which you sent to our office yesterday.

The provisions of the new Act have been reviewed by our Counsel and the Commissioner has determined that those junior colleges in California which were considered to be legal "local educational agencies" for purposes of Public Law 81-815 and Title I, Public Law 81-874, under the terms of the previous California law are not precluded from the same classification under the new Act.

Should you have need for further information relative to this matter we will be glad to oblige.

Sincerely yours,

JAMES F. HORTIN,
Acting Director, School Assistance in Federally Affected Areas.

Mr. MURPHY. Mr. President, I am extremely proud of the educational system in the State of California. In my judgment, it is unparalleled in the Nation. The junior colleges are an important part of this great educational system. At this very moment in California 84 out of every 100 college freshmen and sophomores are in our junior college system. This statistic in itself underscores their importance.

California has been the pioneer in the junior college movement which has spread throughout the Nation. As of October of last year, there were 78 junior colleges in the State, and there may be more now for they are growing so fast that I have trouble keeping track of them. By early 1970, it is expected there will be 100. Had a ruling been made that the California junior colleges were ineligible, a heavy blow would have been inflicted upon some of these colleges.

Since California has been the leader in the junior college movement, I believe that any decision harmful to the California system might have national repercussions. And, Mr. President, the junior colleges continue to grow nationally. I am advised that there were approximately 850 junior colleges in the country last year, and 67 new ones will open this year. These junior colleges were attended by 1.5 million last year and an additional 250,000 students will be enrolled this school year.

I, of course, am delighted over the ruling of the Department. I am pleased no amendment will be necessary. This ruling of the Department will be applauded by educators, citizens, and particularly the junior college students.

I also ask unanimous consent, Mr. President, that the language of the California act creating the new governing board for the junior colleges be printed at this point in my remarks.

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

[Approved by Governor August 30, 1967. Filed with Secretary of State August 30, 1967.]

SENATE BILL 669

An act to amend section 22700 of, and to add chapter 1.5 (commencing with section 185) to division 2 of, the Education Code, relating to higher education, and making an appropriation therefor

The people of the State of California do enact as follows:

SECTION 1. Chapter 1.5 (commencing with Section 185) is added to Division 2 of the Education Code, to read:

"CHAPTER 1.5. THE BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES

"185. There is in the state government a Board of Governors of the California Community Colleges, consisting of 15 members, who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

"The first members of the board shall be appointed by the Governor on or before January 15, 1968, and the Governor shall designate the date of the first meeting of the board. At least seven of the initial members shall have served as members of local junior college governing boards in this state prior to their appointment to the Board of Governors of the California Community Colleges. Any such member must resign from the local junior college governing board before his appointment if he is serving on a local junior college governing board at the time of his appointment.

"186. The terms of office of the members of the board shall commence on January 15, 1968, and the members shall enter upon their duties on that date and shall classify their terms of office by lot so that four of the terms of such appointive members shall expire on January 15, 1969, four of the terms of such appointive members shall expire on January 15, 1970, four of the terms of such appointive members shall expire on January 15, 1971, and three of the terms of such appointive members shall expire on January 15, 1972. Thereafter, the terms of office of the members of the board shall be four years.

"At the first meeting of the board, and annually thereafter, the members shall select two of their members to serve as chairman, and vice chairman, respectively.

"187. Members of the board shall be selected from outstanding lay citizens of California who have a strong interest in the further development and improvement of the public junior colleges.

"188. Any vacancy on the board shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the Senate. The appointee to fill a vacancy shall hold office only for the balance of the unexpired term.

"189. Members of the board shall serve without pay. They shall receive their actual and necessary traveling expenses while on official business. The headquarters of the board and the chief executive officer shall be in Sacramento.

"190. The board shall appoint a chief executive officer, designate his title, and fix his salary.

"191. The chief executive officer shall serve at the pleasure of the appointing power. He shall execute such duties and responsibilities as may be delegated to him by the board.

"192. The chief executive officer shall employ and fix the compensation, in accordance with law, of such assistants, clerical, and other employees as he may deem necessary for the effective conduct of the work of the board and the chief executive officer.

"193. The board shall have the power to adopt such rules and regulations, not inconsistent with law, as are necessary for its own government and to enable the board to carry out all powers and responsibilities vested in it by law.

"194. All official acts of the board shall require the affirmative vote of at least eight members. The vote of all members shall be recorded.

"195. All meetings of the board shall be open and public except as otherwise provided.

"The board may hold executive sessions closed to the public to consider the employment of any person, or the dismissal or other form of disciplinary action to be taken against any officer or employee under the jurisdiction of the board, except where such person, officer, or employee requests a public hearing. The board may exclude from any such meeting, whether public or closed to the public, during the examination of a witness, any or all other witnesses in the matter being investigated.

"196. It is the intent of the Legislature that the Board of Governors of the California Community Colleges shall provide leadership and direction in the continuing development of junior colleges as an integral and effective element in the structure of public higher education in the state. The work of the board shall at all times be directed to maintaining and continuing, to the maximum degree permissible, local autonomy and control in the administration of the junior colleges.

"197. Commencing on July 1, 1968, the Board of Governors of the California Community Colleges shall succeed to the duties, powers, purposes, responsibilities, and jurisdiction heretofore vested in the State Board of Education, the Department of Education, and the Director of Education with respect to the management, administration, and control of the junior colleges. Whenever in any law relating to the management, administration and control of the junior colleges reference is made to the State Board of Education, the Department of Education, or the Director of Education, such reference shall be deemed to mean the Board of Governors of the California Community Colleges.

"198. The State Board of Education is designed as the state educational agency to carry out the purposes and provisions of Public Law 815 and Public Law 874 of the 81st Congress, and is vested with all necessary power and authority to perform all acts necessary to receive the benefits and to allocate, upon the advice and recommendations of the Board of Governors of the California Community Colleges, the funds provided by such acts of Congress to public junior colleges."

SEC. 2. Section 22700 of the Education Code is amended to read:

"22700. There is hereby created an advisory body, the Coordinating Council for Higher Education, to be composed of three representatives each of the University of California, the California State Colleges, the public junior colleges, the private colleges and universities in the state, and six representatives of the general public. The university shall be represented by the president and two regents appointed by the regents. The California State Colleges shall be represented by the chancellor and two trustees appointed by the trustees. Public junior colleges shall be represented by a member of the State Board of Education or its chief executive officer as the board may from time to time determine, and a member of a local public junior college governing board and a public junior college administrator. The junior college governing board member shall be selected by the State Board of Education from a list or lists of five names submitted for its consideration by any association or associations of statewide coverage which represent junior college governing boards. The public junior college administrator shall be selected by the State Board of Education from a list of five names submitted for its consideration by the California Junior College Association. The private colleges and universities shall be represented by three persons, each of whom shall be affiliated with a private institution of higher education as a governing board member or as a staff member, in an academic or administrative capacity and shall be appointed by the Governor after consultation with an association or associations of such private institutions and subject to confirmation by the Senate. The general public shall be represented by six members appointed by the Governor subject to confirmation by the Senate. The terms of the appointments made pursuant to this section shall be as follows:

"(a) The representatives appointed by the regents shall serve one-year terms.

"(b) The representatives appointed by the trustees shall serve one-year terms.

"(c) The member of the State Board of Education or its chief executive officer who represents the public junior colleges shall serve until the first meeting of the board in the next succeeding calendar year following his appointment.

"(d) Except as otherwise provided in this subdivision, the term of office of all of the other members of the council appointed pursuant to this section is four years, and they shall hold office until the appointment of their successors.

"The terms of such members in office on November 1, 1965, shall expire as follows:

"(1) The term of the member who, as a member of a local public junior college governing board, is representing the public junior colleges, the term of one of the members representing the private colleges and universities, and the term of one of the members representing the public shall expire on November 1, 1965.

"(2) The term of one of the members representing the private colleges and universities, and the term of one of the members representing the public shall expire on November 1, 1966.

"(3) The term of the member who, as a public junior college administrator, is representing the public junior colleges and the term of one of the members representing the public shall expire on November 1, 1967.

"(4) The term of the other member representing the private colleges and universities, and the term of one of the members representing the public shall expire on November 1, 1968.

"(5) The terms of the other two members representing the public shall expire on November 1, 1969.

"On or before November 1, 1965, the Governor shall designate the order in which the terms of his appointees expire pursuant to this subdivision.

"(e) Any person appointed pursuant to

this section may be reappointed to serve additional terms.

"No appointing authority specified in this section shall appoint any person to alternate membership on the council with the following exceptions who shall be appointed by the appropriate appointing authority; two alternates for the president and the two representatives of the regents; two alternates for the chancellor and the two representatives of the trustees, and one alernate for the one representative of the State Board of Education. Each alternate shall be a member of the appropriate appointing authority and shall be appointed for an annual term.

"No person appointed pursuant to this section shall, with respect to any matter before the council, vote for or on behalf of, or in any way exercise the vote of, any other member of the council.

"Commencing on February 1, 1968, the public junior colleges shall, notwithstanding the preceding provisions of this section, be represented exclusively by two members of the Board of Governors of the California Community Colleges chosen annually by the board, and the chief executive officer of the California Community Colleges; provided that, the member of the State Board of Education or the board's executive officer, the member of the local junior college governing board, and the public junior college administrator (to be replaced by the chief executive officer of the California Community Colleges) shall continue to serve until the successors are designated and qualify to serve. The representatives of the public junior colleges shall serve for one-year terms. One alternate member may be designated by the Board of Governors of the California Community Colleges."

SEC. 3. The Co-ordinating Council for Higher Education, as soon as this act becomes effective, shall undertake a study of all of the duties, powers, responsibilities, and jurisdiction in the management, administration, and control of the junior colleges and shall report to the Governor and to the Legislature on or before December 1, 1968, on the appropriate functions which should be performed (a) by local school boards maintaining junior colleges and (b) by the Board of Governors of the California Community Colleges.

SEC. 4. There is hereby appropriated from the General Fund for the support of the Board of Governors of the California Community Colleges the sum of ten thousand dollars ($10,000), or so much thereof as may be necessary, to be expended for expenses incurred by the board pursuant to Chapter 1.5 (commencing with Section 175) of Division 2 of the Education Code, including planning for the uninterrupted performance of the functions and duties transferred to the board.

ARMY OF SOUTH VIETNAM BEARS ITS SHARE OF WAR BURDEN

Mr. INOUYE. Mr. President, I wish to invite attention to recent remarks made on the Senate floor suggesting that the South Vietnamese are not bearing their share of the burden in resisting Communist efforts to take over their country.

The facts of the case do not support this impression. There are presently over 700,000 men in the regular and paramilitary forces of the Republic of Vietnam. Thus, of approximately 4.5 million adult males throughout the country nearly one in six is in armed service. A comparable figure for the United States would be approximately 8 million men in the Armed Forces. These forces have almost constantly borne heavier killed-in-action losses than United States and free world allied forces. Reliable figures for combat deaths since January 1965, when the big U.S. military buildup began, through August 1967, show 27,738 South Vietnamese combat deaths compared with 12,592 Americans killed in action during the same period.

On April 24, 1967, General Westmoreland said this in evaluating the performance of the Vietnamese Armed Forces:

> I have worked with the Vietnamese military for more than three years, and I have learned to understand and admire them. A look at their record in combat, as well as in political administration, reveals an exceptional performance, when all is considered. . . . In my book, the Republic of Viet-Nam Armed Forces have conducted themselves with credit. As I tour the country several times each week, I am encouraged by the obvious improvement in the morale, proficiency and quality of their fighting forces.

Moreover, the South Vietnamese have borne a heavy load of civilian casualties resulting from Vietcong terrorism. These civilian losses are part of the price the Vietnamese people pay while resisting aggression. These are also casualties suffered in the common cause.

For example, there were 816 South Vietnamese either killed, wounded, or kidnaped in the Vietcong antielection campaign in the weeks immediately prior to the presidential elections on September 3. Since 1960 the Vietcong have assassinated more than 12,000 civilian village and hamlet officials and kidnaped 41,000 others.

The Vietnamese have been fighting for over 25 years against the Japanese, the French, and now against the Communists. While there are no accurate figures for the total casualties they have suffered during this struggle for freedom and self-determination, it has been estimated that close to a half million South Vietnamese have died because of the war since 1959.

In our natural impatience at the length and cost of our involvement in Southeast Asia, it would be unwise to disregard the political, social, and economic achievements of the last few years. Examples are:

First, the drafting and promulgation of a new constitution by a body of representatives of the people, the election of the executives and legislators provided for in the constitution, and the beginning of the development of a loyal opposition to the officials newly elected to power. For the first time in its history, South Vietnam has meaningful parliamentary institutions. The fact that these institutions were produced in time of war by free elections is indeed an accomplishment of which any free world government might well be proud. One might note in passing that during World War II, neither Great Britain nor France, countries with long parliamentary traditions, conducted nationwide elections.

Second, the village and hamlet elections of April to June of this year which have brought representative government to 1,037 villages and 4,616 hamlets in secure parts of the country;

Third, the encouraging initiatives of the South Vietnamese Ministry of Revolutionary Development in the fields of agricultural reform, self-help, and the rapid development of effective revolutionary development cadre to work in the pacification of rural Vietnam;

Fourth, the imaginative and courageous economic policies of the South Vietnamese Government which have held inflation, inevitable in any wartime situation, within manageable limits; and

Fifth, the striking progress made toward the resolution of the important highlander minorities problem through the recent passage of a minorities bill of rights and land tenure law, and the fulfillment of longstanding promises in the fields of education, social welfare and justice. The Government of the Republic of South Vietnam is now well advanced in the progress of reintegrating the Montagnard rebels into the government structure. One former rebel leader is now a senator.

The assertion that the Vietcong is "way ahead" of the Saigon Government in terms of effective political organization in the countryside is inaccurate and unwarranted. It would be acceptable only to those who confuse the working of naked terrorism with the art of government. It loses sight of the fact that confiscatory, externally directed and supported guerrilla type of administrative efficiency, which deals in no economic or social programs but only in promises and propaganda, is an activity far different from the massive responsibilities of the GVN, youthful and ill trained as it may at times seem to be. The Vietcong do not have to maintain roads and bridges—they blow them up. They have no educational program, unless it is that of terrorizing schoolteachers into preaching their political line. They have no health program, no seed or fertilizer improvement programs, no irrigation programs. They make refugees, whereas the national government tries, with remarkable success, to care for them. The Vietcong do have a land reform program of a sort. It is unique in its simplicity. It consists of a simple declaration that all land belongs to the people they are propagandizing at the moment. They have a very simple taxation system: taking everything that impressed porters can carry; and they have a most effective military conscription program beginning with 14-year-olds.

The late Prof. Bernard Fall, a noted historian and authority on the 20th century struggles of the Vietnamese people, preached that the side which will win the present struggle in Vietnam will be the side that outadministers the other; but he clearly recognized and emphasized the massive handicap of the side that has to defend and improve a society compared to the side which can concentrate exclusively on tearing it down.

When the progress of the South Vietnamese Government and people is viewed as having been achieved despite these handicaps, myths about the popular appeal of the Vietcong and despair over the slow rate of progress of the GVN both tend to disappear.

DANGER OF RETURN TO LOGROLLING IN WORLD TRADE

Mr. JAVITS. Mr. President, the current import quota hearings of the Senate Fi-

nance Committee have engendered nationwide, even worldwide interest. During the committee's 3 days of hearings the pros or cons of existing U.S. trade policy have been and will be debated. The hearings which started out to consider four or five quota proposals have become a much more important battleground—between those supporting our current trade policies which have been enormously beneficial to this country and those who would have us believe that a policy of retaliation and counterretaliation would be more profitable.

I testified before the Senate Finance Committee this morning because I wished to reaffirm my position, that on balance, the interests of New York and the country lie in the continuation of existing U.S. trade policy.

In view of the loud protestations of those who are demanding quotas, I think the Senate and the country should be aware of the fact that there are major domestic corporations who are greatly concerned about these proposed quotas as well as the Committee for National Trade Policy and various importer groups.

I ask unanimous consent that the text of my testimony as well as a series of wires sent to me today by these corporations and groups be printed in the RECORD.

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

TESTIMONY OF SENATOR JACOB K. JAVITS BEFORE THE SENATE FINANCE COMMITTEE ON PROPOSED IMPORT QUOTA LEGISLATION, OCTOBER 19, 1967

Mr. Chairman, I am very appreciative of the opportunity to appear before the committee this morning in opposition to measures proposing quotas on various items of imports into the U.S. There is grave suspicion in the world that the bills now pending before this Committee, signal a new wave of protectionist sentiment in the U.S., reversing our Post War trade policy in favor of a species of log rolling and favor swapping that the world thought had gone out thirty years ago.

Personally, I am persuaded that should these quota bills be enacted into law, they *would* undermine the basis of our postwar policy of trade liberalization and that this, in turn, could return us to the international trade wars of the 1930's and a continuous round of retaliation and counter-retaliation until the economic health of the world economy itself would be imperiled.

These quotas pose other dangers to the United States economy:

1. They would result in higher prices for millions of U.S. consumers and thereby contribute to inflation;

2. They would endanger billions of dollars worth of U.S. exports and thereby worsen our balance of payments position, contribute to unemployment and loss of profits;

3. They threaten individual enterprise and would impose even more government controls and bureaucracy on U.S. industry than at present.

They would create new difficulties for the industries they are ostensibly protecting—if past experience with quotas is a good guide to the future—because they are inflexible.

I am also strongly opposed to these bills because I consider the well-publicized plan of the sponsors to append them to the Social Security bill very damaging to the hopes of a large segment of the American people, our senior citizens. In the end this may not be done—particularly if the counsel of many leaders on both sides of the aisle is followed. But if it is attempted, it should be clear that they would jeopardize a well-earned social security "raise" for those Americans who spent their life in hard work and deserve more decent retirement incomes.

In recent months there has been much said in the Senate about the usurpation by the Executive Branch of the powers of Congress in the field of foreign trade. *It seems to me the new protectionist drive for import quotas in turn represents an excessive use of Congressional power on behalf of certain industries at the expense of the public at large and the nation.*

As a legislator, I have an obligation—as have other members of Congress—to concern myself with the problems of my constituents resulting from strong foreign competition. For these and other reasons I have supported measures coming before the Senate which contributed to their economic health, such as the 1964 tax cut, the 7% investment tax credit, small business loans and the adjustment assistance provisions of the Trade Expansion Act of 1962.

But, I also believe that members of Congress have an obligation to assure that the solutions they support to help their constituents are based on objective evidence; (the Tariff Commission was created by Congress expressly for that purpose) are tailored specifically to help sectors of industry claiming serious import injury; and are consistent with the over-all national interest. *I do not believe that across-the-board quotas covering an entire industry or import limitations achieved by allegedly "voluntary" international or bilateral agreements reached with supplying nations is the way of going about helping injured industries and displaced workers.*

My own prescription for sectors of industry hurt by imports consists of: 1) adjustment assistance in line with Title III of the Trade Expansion Act, but substantially liberalized by making a favorable finding for this purpose easier than at present and by providing more liberal loans, tax benefits and retraining programs for workers in the injured firms or sectors of industry. This avenue has by no means been exhausted; 2) a Federally-supported program to attack the basic causes of obsolescence, either directly through a modernization fund or by guarantees or subsidies to commercial banks and private investors which undertake significant modernization programs in industries threatened by obsolescence which cannot otherwise help themselves; and 3) the elimination of government policies, such as "two-price cotton" which contribute to difficulties of certain industries facing foreign competition.

Lest I am accused of being entirely altruistic, I wish to give another reason—a very practical reason—for my opposition to these quotas. If enacted, they would on balance seriously undermine the foundation of my own state of New York's welfare and economy—our commerce with the rest of the world. As far as New York is concerned, this commerce consists of an estimated $1.5 billion in manufactured exports originating in the state in addition to more than $75 million in agricultural exports originating in the state; substantial imports of raw materials and parts needed for products manufactured in the state; $15.9 billion of foreign commerce shipped through the Port of New York for destinations all over the U.S. According to a study made by the First National City Bank recently, an estimated 375,000 jobs are involved in loading, unloading, trucking and producing these goods in the Port of New York area. Millions of dollars in income for the steamship lines, airlines, railways, truck carriers, banks, insurance companies, freight forwarders, customs brokers and tax revenues for the local, state and federal governments are also involved. It can be seen clearly how gravely restrictions on U.S. foreign commerce could hurt New York's economy as well as that of the nation.

I do not wish to go over the ground covered very effectively by representatives of the Executive Branch yesterday. But I would like to identify several key points in the debate.

The appearance of temporary relief for certain U.S. industries from import competition by mandatory quotas should not be confused with permanent improvement in the U.S. trade position. On the contrary, these quotas will very likely worsen our trade position.

The value of imports involved in those quota proposals already introduced—namely for steel, lead and zinc, meat, textiles, footwear, electronic products, hardwood plywood, ground fish, strawberries and honey—totaled $3.6 billion in 1966. Quota proposals involving a tightening up of already existing quotas—namely cotton textiles, petroleum, and dairy products—involved another $2.7 billion in imports, with the two categories covering an estimated $6.3 billion of our 1966 imports or 25% of our total import of merchandise that year. This does not mean that this amount of imports would be eliminated. This only indicates that this much of our imports would be exposed to drastic cuts. It must also be emphasized that for every restriction we impose on certain imports, an equivalent limitation on our exports can be expected to be imposed by other countries on some U.S. industry, unless we give concessions of equal value in other areas. Now, which industry shall be selected to pay for higher protection on steel, oil, textiles and so forth?

Let us consider, for example, the steel industry's case for increased protection. By every measure I have seen, the steel industry is in pretty healthy condition. Shipments of steel mill products for example have increased from 71 million tons in 1962 to 90 million tons in 1966. Employment has increased from 521,000 in 1962 to an estimated 576,000 in 1966. Total dividends paid by the steel industry have increased from $445 million in 1963 to $484 million in 1966 according to the American Iron and Steel Institute, and according to the same source, profits per each dollar of revenue have stayed at 6% in 1965 and 1966. It is true that imports during the past two years have totalled close to 11% of domestic consumption of steel. However, it seems to me that an industry which has 89% of a market is doing pretty well indeed.

It is also true that in the past three or four years steel exports have declined. However, if the millions of tons of steel purchased each year in the United States for manufactured products destined for eventual export is included in steel export data, the industry's export position appears in a better light. The import-export equation for steel mill products changes considerably if this factor is taken into account. Such data for two industry classifications, machinery and transport equipment, show a net export surplus of between two to two and a half million tons of steel a year! The industry's capital expenditures in 1966 were $2 billion and now are projected around $2½ billion this year. With increased utilization of the oxygen process of steel making and more efficient and competitive distribution facilities, this industry is in an excellent position to face competition from abroad more effectively. As Secretary Trowbridge pointed out in his testimony yesterday, the reason for increased imports in the last four or five years has been the heavy demand for steel accompanied by more diverse purchasing by some large users who, fearing a domestic shortage, are looking for price advantages, meet their needs by buying both foreign and domestic steel.

In other words, one of the major reasons

for higher steel imports are domestic steel shortages resulting from strikes and other reasons. In the absence of such imports serious bottlenecks and price increases could result in significant damage to important steel users in this country. The quotas could also result in higher steel prices which would inevitably lead to increase in use of competing materials such as plastics, copper, aluminum, concrete and paper.

In this connection, I would urge this Committee to consider the claim made by the American Institute for Imported Steel that it is automation in the steel industry rather than imports that has been the principal contributor to the loss of jobs. They cite the closing last year by the U.S. Steel Corporation of its last remaining mill in Donora, Pennsylvania, and by Jones and Laughlin Company which in March of 1966 shut down a nail plant at Aliquippa, Pennsylvania as another factor for loss of jobs in the industry. They also claim that an ever smaller number of production workers are required to produce an increasingly quantity of steel again contributing to jobs losses.

I would also suggest that the Committee consider the recent evidence put forth by Congressman Thomas Curtis of Missouri who has claimed that between 4 to 10% of steel imports in 1966 were by American steel producers themselves, who needed imports to break production bottlenecks in a year of exceedingly strong demand for steel.

In conclusion, I cannot emphasize strongly enough that quotas, while ostensibly assisting an industry in trouble, result in increased government controls over industry, increase the need for more bureaucracy and inject new inflexibilities into an industry. The administration of quotas requires a tremendous amount of paper work with questions arising daily over the specific application of the quota such as clearing commodities for withdrawal, determining when a quota has been filled, collection of fees and other charges, payments of refunds, and the administration of specific provisions of the quota including country or origin markings, chemical analyses, port of entry charges, immediate delivery of perishable goods, dock strikes, etc. One of the big problems with the lead and zinc quotas, for example, was that smelters were unable to acquire sufficient quantities of ore of the grades necessary for their smelting operations. The surplus lead and zinc situation which was a problem that lasted for over 15 years changed to one of shortage. Italy, for example, which had an allocation under the original quota proclamation, chose not to fill it. Since there was no provision for reallocating unused quotas, the total supply for the domestic market was decreased while other supplying countries were prevented from increasing their exports to the United States. I could cite other examples of licensing difficulties, of problems involving evasion of quotas which underline the short-sightedness of these quota proposals.

I hope that the pressures now put on Congress for quotas will serve one useful purpose—as a warning to the Administration that substantial segments of U.S. business are dissatisfied with present world trade patterns and the non-tariff barriers they face abroad. Except for the anti-dumping code the Kennedy Round scarcely touched the vital area of non-tariff barriers. Yet these are the real inhibitors of expanded and liberalized world trade.

New quotas are not the way to reduce or eliminate non-tariff barriers abroad. They would only compound the problem. But we should take heed that unless and until U.S. trade negotiators go up against their foreign counterparts to hammer out agreements to open up protected European and Japanese home markets pressure for U.S. quota legislation will continue to plague us.

U.S. trade officials know well the variety of subtle and tacit devices by which the foreign industrialized nations exclude or restrict U.S. products from their home markets, all the while demanding free and open access to American markets.

The urgent need for U.S. trade policy is to work on behalf of expanded U.S. exports into protected foreign markets. Non-tariff barriers must be the prime target of this policy.

Both this nation and our trading partners must recognize that this is an age of interdependence between the economies of dozens of nations. As the leading industrial nation of the world, the U.S.—in its own self interest—must do all it can to contribute to the freer competition in world trade, not to lead the way in erecting trade barriers that will, in any event, be no more effective than the original Wall of China.

PEORIA, ILL.,
October 18, 1967.

Hon. Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

Caterpillar strongly opposes import quota bills currently under consideration by Senate Finance Committee. Believe they would be catastrophic for U.S. foreign trade and undo many of gains of Kennedy Round and other trade negotiations which have encouraged export expansion during last thirty years. They would be a serious and ill advised step backward.

WILLIAM BLACKIE,
Chairman, Caterpillar Tractor Co.

CINCINNATI, OHIO,
October 18, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.:

I strongly urge you to use all of your persuasiveness with your colleagues in the Senate to defeat current efforts to place import quotas on textiles and allied products. Such quotas would waste the work of the Kennedy Round negotiators before the nation has had an opportunity to judge the results of their agreements. It would be much more prudent to gain more experience under the new agreements rather than destroy them prematurely with import quotas. We fear the result of precipitative action would be higher prices and more limited selections of consumer merchandise.

FRED LAZARUS, Jr.,
Chairman, Executive Committee,
Federated Department Stores, Inc.

PHILADELPHIA, PA.,
October 18, 1967.

Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

I wish, by this wire to express the strongest possible opposition to the series of individual quota bills now pending before the Senate Finance Committee. These bills collectively would vitiate the hard won agreements obtained in the Kennedy round negotiations. Moreover any quotas at this time would reflect not only a lack of good faith with our negotiating partners in the Kennedy round but also a more basic lack of faith in the operations of a free enterprise economy for which we are the leading spokesman throughout the world. Freer world trade is an extension of the free competitive market which we have domestically and have espoused throughout the world. The facts testify to the effectiveness of this system. As we have progressively lowered our tariff and other trade barriers since 1933, our markets throughout the world have expanded manyfold. Our economy has grown in part through sales to foreign nations. Many U.S. industries and substantial U.S. employment depend upon sales in foreign markets which are only supported through sales by foreigners to U.S. from foreign countries. It is misrepresentation to argue that a minor quota here or a minor quota there will not significantly influence our economic posture in the world. The adoption of any quotas at this point in time will antagonize foreign sellers and lead to retaliation that will hurt U.S. industry. Moreover the adoption of any one quota encourages proliferation to many other quotas. There is no line which can be adequately drawn between safe quotas and unsafe quotas. The adoption of any single quota limitation on imports at this time will be publicized throughout the world as a reflection of attitude. Even industries most directly and apparently adversely affected by tariff reduction should recognize that the benefits to the U.S. economy from increased sales abroad will expand all domestic markets including those of firms with overseas competitors. It is difficult for anyone to document a single case where a past reduction of tariff has specifically hurt a particular industry, but our economic record of the past thirty years gives testimony to the incalculable benefits of broadening markets for American industry.

HOWARD C. PETERSEN,
Chairman of the Board, the Fidelity Bank.

NEW YORK, N.Y.,
October 18, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.:

Thank you for your telegram notifying me of your impending testimony concerning the import quota bills now under consideration by the Senate Finance Committee. As a member of the Executive Committee of the United States Council of the International Chamber of Commerce, I have cosigned with the other council members a telegram which opposes this import quota legislation. This telegram is being sent today by James A. Linen, chairman of the United States Council of the ICC, to Senator Russell Long, chairman of the Senate Finance Committee. A copy of Mr. Linen's telegram is being sent to your office.

My best regards,

ARTHUR K. WATSON,
President, IBM World Trade Corp.

BOSTON, MASS.,
October 18, 1967.

Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

We feel a change in the basic trade policy of desiring freer trade throughout the free world would be a mistake despite current monetary problems and urge your opposition to rigid import quotas which would surely induce retaliation abroad.

THOMAS D. CABOT,
Chairman, Cabot Corp.

NEW YORK, N.Y.,
October 18, 1967.

Senator JACOB K. JAVITS,
U.S. Senate
Washington, D.C.:

I commend you on your forthcoming appearance before the Senate Finance Committee in behalf of enlightened and liberal American foreign trade program on the basis of my experience in international business and my continued interest in U.S. trade policy toward both developed and underdeveloped countries I believe that at no time in our history is it more important to exert strong leadership in liberalizing trade and tariffs for two reasons our role of responsible leadership demonstrated in the Kennedy Round must be sustained both in good faith and in effective economic relations, and secondly realistic self enlightenment suggest that we should not invite reciprocal adverse reaction from our trading partners damaging our overseas markets and export trade the Kennedy Round would be irrevocably harmed in my opinion by untimely and counterproductive import quota bills and other restrictive trade actions I urge you to do all pos-

sible to offset these proposed measures both in the interest of our own nation and in the interest of constructive world relations. Best wishes.

H. J. HEINZ II,
Chairman, H. J. Heinz Co.

STAMFORD, CONN.,
October 19, 1967.

Hon. JACOB JAVITS,
U.S. Senate,
Washington, D.C.:

Deplore efforts establish import quota. Would be calamitous step backward undoing years of work by countries' far-sighted leaders to bring about better promise world peace and order and would short sightedly damage countries' prosperity. The best for majority must govern, not gain for a few.

W. H. WHEELER, Jr.,
Chairman, Pitney-Bowes Corp.

NEW YORK, N.Y.,
October 18, 1967.

Hon. JACOB K. JAVITS,
Senate Building,
Washington, D.C.:

Regret unable comment meaningfully on proposed import legislation without having studied the bills. My own views on trade policy were sent out last July 20 before joint subcommittee on foreign economic policy where I said, "The great promise of the Kennedy round is the effective increase in export opportunities brought about by the reciprocal reductions in foreign tariffs. I feel strongly U.S. businessmen should approach the results in this affirmative manner."

Regards,

DAVID ROCKEFELLER,
Chase-Manhattan Bank.

NEW YORK, N.Y.,
October 18, 1967.

Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

I urge you to exert every effort against the possible passage of bills to impose import quotas. For too long the monkey on our economic back has been the false notion that trade restrictions insure our markets. Nothing could be more destructive to our post-war policy of an Atlantic trade partnership that has been supported by both parties. Nothing could be more harmful to the shared economic progress of the western world.

For most of the industrial countries, rapid economic growth has come to depend in large part on rapid expansion of international trade. This is why participants in the Kennedy round worked so hard for success. Rapidly growing exports of manufactures make a rapid growth of output possible.

This is why trade in manufactured products among the industrial countries in the post-war period has been growing even faster than industrial output, which is unprecedented.

The notion that national economies are neatly divided into domestic and international business is simply without substance. The fact is that every economy benefits from a growth in trade and is hurt by a contraction in trade. Efficient business managements can understand and deal with new competition arising from tariff reduction and can take advantage of the new export opportunities. But there is no way to cope with retaliatory tariff and other trade restrictions arising out of protectionism.

The sustained downward trend of industrial tariff rates in the post-war period has helped to create a favorable trade climate among the industrial countries. Failure of the Kennedy round would have been serious, not so much because tariffs would have remained uncut, but because business confidence in the future course of trade policy would have been seriously disturbed. Such confidence is now being disturbed by the moves toward protectionism in our country. These moves seem to contradict the whole principle of the Kennedy round which we initiated.

Post-war prosperity was largely built upon the dismantling of barriers to the movement of trade. This has proved to be a sound course and should not now be reversed.

WALTER B. WRISTON,
President, First National City Bank.

BUFFALO, N.Y.,
October 18, 1967.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

Our authority supports in principle unencumbered free trade and believe that no action should be taken to interfere with the free flow of international traffic.

NIAGARA FRONTIER PORT AUTHORITY.

WASHINGTON, D.C.,
October 18, 1967.

Senator JACOB K. JAVITS,
U.S. Senate Office Building,
Washington, D.C.:

As executive director of Committee for a National Trade Policy non-partisan organization devoted to liberalization of world trade in U.S. national interest congratulate you on what we know your testimony October 18th before Senate Finance Committee will be. You are one of very few Senators who are unqualified supporters liberal U.S. trade policy without departure in deference to special interest groups. Yesterday we sponsored meeting of representatives of some 100 national organizations and corporations favoring freer trade. They represented millions of people in the U.S. and we are convinced that the same broad consensus for freer trade still exists in this country as it did in 1962. Import restriction bills being considered by Finance Committee are the worst way for Government to respond to problems of foreign competition. They are inconsistent with enterprise system and would go far to reverse the trade policy this country has followed since 1934. They lead to a cartel system. Retaliation from our trading partners should be expected against our exports amounting to several billion dollars in trade coverage. These bills are irresponsible legislation and if enacted would make impossible the kind of world trade cooperation developed over the last 30 years.

JOHN W. HIGHT,
Executive Director, Committee for a National Trade Policy.

WASHINGTON, D.C.,
October 19, 1967.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

We urge that you, as a Senator representing hundreds of importers in New York State, oppose the quota bills during the Senate Finance Committee hearing this week.

These quota bills affect a wide variety of products and enactments by the Congress. Would be a complete reversal of a United States liberal trade policy since 1934. A return to protectionism could not fail to cause retaliation by other countries against American exports.

Quotas are one of the most unfair and discriminatory methods of regulating imports. Quotas are difficult to administer and impose even more Government control over an economy which claims to be based on free enterprise. Quotas create an artificial economic environment and once enacted survive long beyond the circumstances they were intended to alleviate.

GERALD O'BRIAN,
Executive Vice President, American Importers Association.

NEW YORK, N.Y.,
October 18, 1967.

Senator JACOB JAVITS,
U.S. Senate,
Washington, D.C.:

The members of our organization are the leading importers of nonferrous metals. While only lead and zinc are specifically included in the pending legislative proposals for import quotas, we must record our conviction that the adoption of import quotas of any kind is destructive to our Nation, these proposals violate the very spirit of the recently concluded Kennedy round. Not only would the prestige of the United States suffer throughout the world but the entire competitive business system of our Nation will inevitably be transformed into a system of cartels and monopolies. Those of us who have lived through the depression cannot forget the economic disintegration and despair which high tariffs helped create. We urge you to oppose vigorously all import quotas and to present our views to the Senate Finance Committee at its curent hearings on quotas.

AUBREY MOSS,
President, American Metal Importers Association, Inc.

NEW YORK, N.Y.,
October 18, 1967.

Senator JACOB JAVITS,
U.S. Senate,
Washington, D.C.:

The American Institute for Imported Steel, Inc., opposes all import quota legislation for all commodities unless clearly required for U.S. defense needs. There is no need for steel import quotas except to enable domestic steel industry to raise their uniform prices charged to consumers. The current protectionist drive endangers not only the achievements of the Kennedy round but the entire structure of international trade among the nations of the free world. The destruction or serious impairment of that trade would be catastrophic, and destroying ours and our trading partners' prosperity and leading to a depression. You, of course, have my authorization to present our views to the Senate Finance Committee. With highest esteem and personal regards.

KURT ORBAN,
President, American Institute for Imported Steel, Inc.

WASHINGTON, D.C.,
October 18, 1967.

Senator JACOB K. JAVITS,
Senate Office Building,
Washington, D.C.:

Import quota bills under consideration by Senate Finance Committee would affect at least 43 per cent of U.S. imports from Japan in 1966 or 1.3 billion dollars enactment of these bills would jeopardize U.S. exports to Japan valued at 2.3 billion dollars in 1966 because Japan would have right to retaliate under GATT. It would undermine essential economic partnership between U.S. and Japan and thus endanger basis of our Pacific alliance. Defeat of these import quota bills and similar restrictive legislation is imperative in the U.S. national interest. Earnestly urge strong support of our position.

NELSON A. STITT,
Director, United States-Japan Trade Council.

WASHINGTON, D.C.,
October 18, 1967.

Hon. JACOB K. JAVITS,
U.S. Senate, Senate Office Building,
Washington, D.C.:

As counsel for the American Fur Merchants Association, Inc., 224 West 30th Street, New York, leading fur dealers association in the United States, I wish to state emphatically that the association is strongly opposed to all types of import quota legislation now being

considered by Senate Finance Committee before which you are appearing this week. As regards our particular product, mink fur skins, President Johnson has ordered Tariff Commission to ascertain all facts on mink fur industry including impact of imports on the U.S. market. To even consider imposing an import quota on mink before Tariff Commission study even starts is unthinkable. My association feels strongly that a three day hearing on the imposition of import quotas on a wide variety of products is at the least unfair bordering on the side of autocracy. More power to your good right arm in your fight for a continuance of the liberal international trade policy which the United States has followed for the past thirty odd years.

JAMES R. SHARP.

GEORGIA'S EDUCATIONAL TELEVISION NETWORK

Mr. TALMADGE. Mr. President, it is my pleasure to call to the attention of the Senate an excellent article that appeared in the October issue of Broadcast Management/Engineering on the State of Georgia's educational television network.

As this very fine article points out, educational television in the United States is more than 10 years old, and Georgia has become a national leader in this field in just 2 years. A survey last spring showed that almost a million students in Georgia benefited from education courses telecast over the 10-station network.

Georgians are rightfully very proud of the progress that has been made in education in recent years, and this is another outstanding example of such advancement in my State.

I certainly want to commend everyone concerned with Georgia's excellent television educational network, and I ask unanimous consent that this article be printed in the RECORD.

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

GEORGIA'S SECRET IN BECOMING AN ETV LEADER? PLANNING, STANDARDIZATION, QUALITY

(NOTE.—Lou Peneguy, director of information of the Georgia Educational Television Network, immodestly claims the Georgia ETV network is No. 1 in the nation. No. 1, 2, or even 10, it's certainly a leader, as this material on engineering aspects, requested by BM/E, indicates.)

The question frequently posed to Georgia ETV officials lately is, "Since ETV in the U.S. is over ten years old, how has Georgia become a national leader in statewide ETV operation in two years?"

Within the past 24 months the Georgia Department of Education has dedicated five ETV stations. These were added to the service of its Warm Springs and Savannah stations. Another, WDCO, channel 15, Macon-Cochran should be broadcasting by the time this issue is circulated. In September, 1965, its Educational Television Services Executive Director, Lee Franks, contracted to have the stations interconnected.

Through a cooperative effort, WGTV, the University of Georgia station, and WETV, the Atlanta City Schools station, are affiliates of the 10-station network. This means Georgia has a rare combination of a state department of education, a university and a public school system harmoniously working together to originate daily programs on all educational levels.

A survey this spring reveals there were 920,215 student viewers of educational telecourses within the state of Georgia. Of Georgia's four-million population, 92 percent are within an ETV signal (98 percent with the addition of WDCO).

Behind the technical development of the Georgia ETV Network is Harvey J. Aderhold. Holder of U.S. Department of Commerce (pre-FCC) Radio Operator's License No. 414 since December 27, 1929, he began contract work for the Georgia Department of Education in 1958. He joined the Department as its Broadcast Engineer in May, 1962. Now the Network Director of Engineering, Aderhold regulates the daily activities of fifty-six members of his technical staff, who operate the Department's licensed stations.

With the assistance of national broadcast consultant, Earl Cullum, Aderhold created "a paper network" for the State Board of Education. It demonstrated how 18 TV stations would give a quality picture in every Georgia public school classroom. Instead of a plunge into the construction of the proposed paper network, the Board authorized the establishment of one station as an experiment. This was done by erecting WXGA-TV. Its first transmission was in December, 1961.

Through numerous tests in schools, within the WXGA-TV coverage, Aderhold decided by mounting all future Georgia ETV antennas on 1000 foot or higher towers, the entire state could be covered by ten stations.

The State Superintendent of Schools endorsed Aderhold's recommendation that all equipment installed for Georgia ETV programming would be first quality, new equipment. In agreement with the proposal, the State Superintendent said "Today's children have TV as commonplace at home. They enjoy it; they believe what it presents. In the same manner they learn to sing commercial jingles, they can be educated if the TV presentation is aired as good as, or better than commercial programming."

The second money-saving idea advanced by Aderhold was to have the interior of all Georgia TV transmitter buildings identically designed. With the same 2,230-square-foot interior floor plan, the architect's fees were less. Purposefully, the exteriors would be different.

Another practical advantage of identical floor plans is that new transmitter engineers can be trained in one station, and be transferred to another one without any on-the-job confusion. (A particular tool in the station repair shop where he is trained can be located in the same position on the bench as is a similar tool in the other transmitters.)

In each case, the transmitter room is located in the center of the building, with no outside windows. This is to keep the heart of the operation clean, easier to air condition, and to prevent outside distraction.

Included in the transmitter control room is a film and slide chain, and facilities to run audio tape or to make local announcements via microphone. Each station has am/fm radio receiving facilities to enable it to function on behalf of Civil Defense, if necessary.

Each station has all of the test equipment needed for normal, routine checks, and has an adequate electrical workshop to handle its own maintenance or repairs.

Each transmitter building is air conditioned by a central unit with motorized louvers. The louvers aid to retain the same year around operating temperature.

The transmitters, themselves, are fed air through roll-a-matic filters to eliminate dust.

A thermostat in the line between the transmitter and the heat exchanger is set to hold a continuous 130-degree water flow to the klystron. This has extended the life of the klystrons, and has stabilized the transmission.

For the comfort of the staff, each transmitter building is equipped with a completely furnished kitchen, lounge, large bedroom, and bathroom with shower.

For economy, too, all but one of the towers have elevators. (One station atop a high mountain, has its antenna on a short, self-supporting tower.) This makes it possible for the station personnel to maintain its tower . . . (i.e., changing the lights, re-touching rust spots, checking the line).

Again, to be thrifty, Aderhold has built most of the Department's stations on one acre of land. He obtained easements for the guy wires.

Each transmitter is staffed with three assistant engineers and a full-time utility man. The latter is necessary to keep the lawns trimmed, shrubs clipped, and flower gardens weeded.

Director Aderhold keeps in contact with his crew from his office adjoining the Georgia Educational Television Network Control Center on Atlanta's Peachtree Street. He telephones each station's chief engineer twice daily to keep a constant flow of intrastaff communications.

The network interconnection by common carrier rather than by State owned microwave network was Aderhold's recommendation after he had investigated other statewide ETV interconnected systems. It is his attitude that commercial firms are specialized to service the 844 miles of microwave needed to tie together the Georgia ETV stations. His records prove his original theory was correct. From June, 1966 to June, 1967, on the overall network operation, there has been 99.7 percent of microwave efficiency. To check this efficiency, a Tekonixscope with a Polaroid camera affixed is housed in each station. Three test patterns (multiburst, stairstep, and widow window) are regularly sent down the line from Network Control to be photographed. At the same second the transmitters are photographing the test signals, so is Network Control. The photographs are mailed to the Control Center where they are compared to determine if there is any network line deterioration. If there is, the common carrier firm serving the transmitter where trouble appeared, is immediately notified.

As a double check, a multiburst test is super-imposed over network programming at all times. This impulse interlacing is done by a vertical internal keyer, and is seen at the stations on the scope. It is not observed by the average viewer.

Because the current Georgia Department of Education theory is that all in-school and teacher-refresher telecourses should be flawless, the 35-people at the Department's studio produce all of the programs on videotape.

Network Control, 6 miles from the studio, is equipped with dual equipment: two switchers, two audio boards, and four standard broadcast videotape playback machines. Two are available as a backup.

The Control Center can originate film or videotape color, it passes color, fed into the system by National Educational Television, or from the University of Georgia studio in Athens. All of the facilities are adapted to pass color.

Although all of the Network Control equipment has been wired so a single operator can handle all film, slides, remote feeds, and videotape playbacks without leaving the control panel, Aderhold insists that two men be on duty at it whenever the network is broadcasting. The effectiveness of his staff schedule has been rewarding. Network Control made only one error during its past year of performance.

Besides Network Engineering Director, Aderhold, the Network Control staff includes a Network Supervisor who coordinates the Center personnel. The staff does its own maintenance, its own testing, does videotape recording for other ETV stations (i.e., for

N.E.T. stations yet to be interconnected in the southeast). Occasionally it feeds a program to one of the Georgia Network affiliate stations when the latter operates on a different schedule than the rest of the network. Each of the network stations can break away to air a telecast of all interest.

At Control there is an Assistant Network Engineering Director who coordinates the engineering of the Control Center and the studio; a Project Engineer who handles the FCC licensing and regulations on the Georgia Department of Education stations and its three translators.

Under Aderhold's jurisdiction, too, is the technical operation of the remote bus. This is "old hat" to him, as he used to handle remotes regularly when employed by a commercial TV network.

When the Utilization wing inquired how it could show telecourse excerpts during its teacher and PTA meetings, Engineer Aderhold bought a small delivery van, and equipped it with a standard videotape playback unit which feeds TV receiver monitors placed in a school library, auditorium, etc., and assigned an engineer to it. The van has become such a practical asset that he has added a second one.

To survey the signal strength of any of the transmitters at any school, Aderhold established a Field Service staff. He maintains this staff has been an excellent public relations benefit between the Georgia Network and schools. It has saved some schools as much as $1000 by its advice to administrators.

An example of the results of the Field Services is reflected in a June memo from Aderhold to Mr. Franks which reads, "Our Department made the following reception check in 120 counties and 1129 schools:

Excellent reception in 879 schools
Good reception in 142 schools
Fair reception in 59 schools
Poor reception in 49 schools

With adaptation of suggestions previously made, we should have excellent reception in 99 percent of all schools in the state."

In nearly every situation, the school administrators listen to what is suggested by the Field Service engineer in regard to ETV reception as the network staffer is recognized as a qualified professional who is on their state level.

Network Engineering Head, Aderhold, reports that ¾ of his personnel has been selected from applications from commercial TV broadcast engineers; the other ¼ are enlisted from electronics trade schools.

Besides overseeing the station construction and day-to-day network technical operation, Aderhold is very involved in the Department's erection of a multimillion dollar TV studio, 4 miles South of the Capitol.

FORWARD THINKING IN ALL AREAS

This spring with William Smith, director, Mississippi ETV Authority, Mr. Franks coplanned the organization of a southeastern ETV network. Fourteen states are assisting in its development. It is scheduled to have its regional headquarters in Atlanta.

Within the past two years, Georgia ETV Network Utilization Administrator, O. Max Wilson, has built the nation's largest ETV Utilization division. A former teacher, he believes in extensive personal contact with school administrators and classroom teachers. His group held 142 meetings with over 10,000 adults across the state between June, 1966 and May, 1967; 68 of the meetings were expressly for 6674 Georgia classroom teachers. A vast number of the sessions relied on a videotape van, which will be described later in this article.

Georgia's recent fireballing into ETV by its Department of Education caused the U.S. Department of Education to request that Georgia Superintendent of Schools, Jack P. Nix, host the first National Conference for State Department of Education Personnel on Educational Television. One hundred twenty-five top state officials from 41 states attended the Atlanta meeting.

VICE PRESIDENT SPEAKS TO NATIONAL CONFERENCE OF CATHOLIC CHARITIES

Mr. HART. Mr. President, on October 10, 1967, Vice President HUBERT HUMPHREY gave a moving, challenging speech to the National Conference of Catholic Charities in San Francisco, Calif. He talked about the problems of our cities, the human problems there. He called upon all of us—not only the Catholic Church, but other churches, all levels of government, private industry, labor, and voluntary organizations—to put our best efforts into solving these problems that are on our very doorstep.

I ask unanimous consent that the Vice President's remarks be included in the RECORD at this point.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, NATIONAL CONFERENCE OF CATHOLIC CHARITIES, SAN FRANCISCO, CALIF., OCTOBER 10, 1967

In these days, time moves swiftly and rarely allows us the privilege of looking back. But this morning I will insist on this privilege—at least to think back over the three years since we last met.

As Sister Mary mentioned, it was in 1964 that I last talked from this platform, only three years ago. Yet, when one considers all that has happened, does it not seem an eternity?

Perhaps the more so for me because, three years ago, I was called to new responsibilities and began to see the sweep of events from a vantage point with a broader view. From where I sit, the scene is tumultuous.

But so it is, I'm sure, for all of us—for all men and for all their institutions. And nowhere has change been more dramatic than in the world of Catholicism.

I stand in awe at the new wave of ferment and vitality you have loosed upon an admiring world. Ecumenicism is the order of the day. What a prodigious dialogue you are carrying on, among yourselves as well as with the rest of mankind.

As never before, Catholics, Protestants and Jews are attending each other's services, joining each other's organizations, cooperating in each other's projects, marching together in social action. And these are not formal, meaningless gestures.

They are, I believe, the natural outgrowth of a renewed brotherhood, of a deeper mutual understanding of a spirit of openness which men ardently seek.

It is a tribute, may I say, to the everlasting validity, the continued freshness of the teachings of history's greatest rebel, Jesus Christ.

During these troubled years, the response of Catholicism—indeed of all churches—a response characterized by flexibility but rooted in the eternal, stands out as a dynamo of hope against the forces that would fragment the human race.

For me personally, one of the most memorable episodes of the last three years was my visit with Pope Paul in the Vatican. I pray for his good health and continued vigor.

Three years ago we were feeling the impact of two historic Encyclicals, Pacem in Terris and Mater et Magestra.

To these great letters from his predecessors, Pope Paul has now added his masterful Encyclical "On the Development of Peoples," a document remarkable for both the breadth of its humanity and the precision of its detail.

One of my most cherished possessions is a signed copy of this Encyclical which its illustrious author gave me this April. Its powerful opening phrases can serve as my challenging text for today and for many tomorrows:

"Freedom from misery, the greater assurance of finding subsistence, health and fixed employment; an increased share of responsibility without oppression of any kind and in security from situations that do violence to their dignity as men; better education—in brief, to seek to do more, know more and have more in order to be more: that is what men aspire to now when a greater number of them are condemned to live in conditions that make this lawful desire illusory."

That desire for an equal opportunity to achieve one's highest humanity is lawful in the highest sense within the Judeo-Christian tradition: it is equally lawful under the Constitution of the United States.

And to say that the desire for equal opportunity is illusory for a large minority of American citizens today, either because of racial discrimination or poverty, is no overstatement.

What have we done, and what can we do, to fulfill that lawful desire for the millions who live in our cities? That is the subject for our meeting today; and since we are looking back over the events of the last three years, let me simply state that I think the federal government, for its part, has been responsive to the need to the extent that its resources would permit.

We have not always been sure that what we were doing was the best course of action. But we, both in the Administration and in the Congress, operated on the assumption that doing something was better than doing nothing.

Our course has involved trial and error, and some political risk as well; but we have been ready to accept the results with our eyes open. For we knew that the poor and the city dwellers could only lose by inaction and delay.

The achievements we have made in the last three years have been achievements not for one Administration or one Congress, but for the American people as a whole—Medicare . . . the Elementary and Secondary Education Act . . . the Model Cities Program . . . rent supplements . . . the Job Corps . . . Head Start . . . Upward Bound . . . Neighborhood Youth Centers . . . Community Action centers. There is more on the way, including a vitally important Safe Streets and Crime Control bill.

I will not volunteer any detailed evaluation of these programs. I am, after all, speaking to a roomful of men and women whose life's work is ministering to the needy. You are uniquely qualified to judge these efforts, and your verdicts, I assure you, will be eagerly scrutinized in Washington.

I will point out, however, that we have made an important breakthrough in our notion about what we as a society are trying to achieve and how we should go about it.

We have, once and for all, laid to rest the idea that poverty and blighted opportunity can be adequately treated with charity or, in more modern parlance, "welfare."

We have decided to seek basic and lasting solutions, rather than contenting ourselves with palliatives.

We have decided that we are going to do whatever is necessary to throw open the door of American opportunity to every resident of this nation.

This broader task is one that the federal government cannot and must not undertake alone. We in Washington can dispense "welfare," but we cannot manage the intricate task of social growth that the permanent

elimination of poverty and blight will require.

As Thomas Jefferson said, "were we directed from Washington when to sow and when to reap, we should soon want bread."

This is a job for governments at all levels, particularly in the cities and neighborhoods themselves. That is where the people themselves have the greatest influence over their own destiny, and that is where they can make their particular needs known most effectively.

And it is a job which requires the full resources of private enterprise and private non-profit organizations.

The federal government can provide resources but the initiative, the drive, and the creative management that is going to get the job done will have to come from the communities themselves. That concept—federal support for local initiative—has been built into every piece of poverty and urban development legislation passed during the last three years.

Will this formula work? I think we already know that the answer is yes.

Federal dollars invested under the Model Cities Program can and will stimulate greater public effort and private investment in scores of cities.

Job Corps camps all over the country are being successfully run by private firms under government contract.

Industries have undertaken major on-the-job training programs for the hard-core unemployed, either with or without federal support . . . and they have found that it pays economic as well as social dividends.

Just two weeks ago President Johnson announced a 40 million dollar test program designed to support an intensive assault by the private sector on joblessness.

The life insurance companies of America recently pledged a billion dollars to finance low cost housing in slums and to provide employment opportunities in high unemployment areas.

Voluntary agencies—church groups, neighborhood committees, corporations set up by ghetto residents themselves—are building housing and providing community services with grants from governments at all levels.

There is Plans for Progress, a volunteer effort by American corporate business to assure employment on the basis of merit—only another example of private effort to right old wrongs and inequities.

The point is that all our institutional resources—governmental, voluntary, business and labor—are beginning to mesh in a cooperative national effort to build the "Cities of Hope" you have been discussing. What we are seeing is the development of a new American Ecumenicism—an ecumenicism which recognizes that all of us suffer if the few are left behind, together.

I know that the National Conference of Catholic Charities is part of this picture. To say that you shared in the growth of the ecumenical spirit would be an unforgiveable understatement. In your work you were ecumenical long before Vatican II. For ten years anyway you have been working harmoniously with a widening circle of non-Catholic agencies.

We have seen the steady growth of your concerns and your perspective. You have gone from a natural concentration on your own toward an inevitable involvement with the needs of the total community, from helping the poor to eliminating poverty.

Your spokesmen are heard with deep respect in Washington and I want to take this occasion to express the gratitude of the Administration for the intelligent and informed critical support they have given to social legislation.

I know that there has been a lot of theoretical discussion of "relevance" among Catholics. As a friend, let me just say that I think the Catholic Church and the Catholic charities are relevant in the United States today as never before, precisely as an instrument for creating a better life in the cities.

In a very practical sense, you are in an excellent position to help coordinate public and private efforts because your organization transcends the boundaries of separate communities and cities; because your mandate is not limited to people of a single ethnic or racial group. Moreover, your churches, schools and community centers are often in the very ghetto areas where the opportunities they afford are needed most.

But your role extends beyond the practical sphere. No mixture of money and material will, by itself, rekindle the hope that has flickered out for many residents of urban and rural America today—and I do not mean just the poor ones.

Our cities today are suffering from more than a lack of physical amenities. There is in them, and in many of the people who live in them, a sickness of the soul, an emptiness of the spirit. Men are deadened, frustrated, alienated and finally unhinged.

This is the poverty that is most difficult to overcome. It is poverty of the spirit far more than poverty of the purse, that challenges this rich nation.

How do we put men together again?

How do we re-arouse the desire to care, to hope, to act?

The Church, with its abiding concern for the whole man, with the inner man as well as the shell, can help us find the answer.

The measure of our success, as Christians and Americans, will be our ability to make real to men the lawful desire—in the words, again, of Pope Paul—

"to seek to do more, know more and have more in order to be more," and the greatest of these is "to be more."

SENATOR HRUSKA MAKES COMPELLING CASE FOR MEAT IMPORT LEGISLATION

Mr. CURTIS. Mr. President, earlier today, my colleague from Nebraska [Mr. HRUSKA] testified before the Committee on Finance in behalf of his meat import bill, S. 1588, of which I have the privilege, along with 38 other Senators, to be a cosponsor.

Senator HRUSKA's thoughtful, well-reasoned discussion of the impact of meat imports on the Nation's agricultural economy and the need for corrective legislation deserves the attention of all of us who are concerned about the worsening situation on America's farms.

My colleague has long furnished valuable and expert leadership on behalf of the Nation's farmers and ranchers. His testimony today was in sharp contrast to the arguments advanced yesterday by Secretary of Agriculture Freeman and other members of the President's Cabinet who are uncompromisingly opposed to this legislation, just as they were 3 years ago when the Congress approved the present statutory authority for the imposition of quotas on imports of foreign meat.

It is Secretary Freeman's position that imports are not harmful to the American cattle industry, singing the same offkey tune he used in 1964 when the bottom dropped out of the cattle market and drove countless cattlemen out of business.

The Secretary seems far more concerned with the problems of foreign importers than with those of American farmers and ranchers.

Mr. President, I ask unanimous consent to have printed in the RECORD Senator HRUSKA's splendid statement before the Committee on Finance.

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

STATEMENT BY SENATOR ROMAN L. HRUSKA IN SUPPORT OF S. 1588, BEFORE THE SENATE FINANCE COMMITTEE, OCTOBER 19, 1967

Mr. Chairman, members of the Committee, a little more than three years ago this Committee played a leading role in the enactment of Public Law 88-482, the present statutory authority for the imposition of quotas on the importation of foreign meat into this country.

Public Law 88-482 was the first in our history which granted such authority, so far as I know. It was enacted in 1964 to protect our domestic livestock industry against an overwhelming danger which had suddenly arisen to threaten it.

I refer, of course, to the extraordinary expansion in the volume of foreign beef which was flooding into our market at that time.

Appendix I shows U.S. imports of cattle, calves, beef and veal compared with U.S. production (all in carcass weight equivalent) compared with production, by year, from 1954 to 1966.

In 1956, it is noted, these total imports were 254 million pounds, or 1.6 percent of U.S. production for that year.

In 1966, the corresponding figure for imports was 1,455 million pounds, about 600 percent greater than ten years earlier. The figure for 1966 is the third highest in recent years, having been exceeded only in 1962 and 1963.

Indications are that 1967 imports will exceed 1966 volume.

The impact of these large-scale imports on our domestic livestock markets was direct and severe. Cattle prices held up through most of 1962 but declined near the end of the year, slumped badly early in 1963, dropped further later in the year, then during the first part of 1964 really scraped bottom. Altogether the average monthly Chicago price for choice slaughter steers fell from $30.13 in November of 1962 to $20.52 in May of 1964, 32 percent in eighteen months. It was too much of a reversal for any industry to withstand without disaster; in 1964, the cattlemen had to ask their government for at least partial protection from the weight of imports.

At the time, Secretary Freeman contended that domestic production was primarily responsible for the price collapse, rather than imports. I do not intend to go all over that argument again. Fluctuations in domestic production were an old story. The new factor in the situation was the mountainous amounts of foreign beef crossing our borders. It is simply not credible to deny that the imports were a major causative factor.

Public Law 88-482, which was finally enacted in August of 1964, like most legislation, was a compromise. Regardless of its provisions, the very fact of its enactment was of tremendous importance. For the first time there was written into law the principle that quotas on imports to protect the domestic industry should be imposed, and the law contained the spelled-out formula of how that quota was to be calculated. Those were tremendous gains. This Committee deserves a vote of thanks from the entire livestock industry of this country for nailing those principles into the law.

However, at the time those of us who had fought for the legislation said very candidly that the bill fell short of what we believed should be done. We reserved the right to come back to the legislative process for changes, and also the right to judge the legislation in the light of our experience with it.

Furthermore, the recent sharp upward

surge in meat imports must give us pause. Attention already has been called to the fact that 1966 imports shown in Appendix I are the highest in recent years. Indications are that 1966 imports will be exceeded by 1967. Imports of the meats covered by Public Law 88–482 during July of this year amounted to 88.7 million pounds, and imports in August, according to preliminary figures secured by telephone, were 92.2 million pounds. For the two-month period the level of imports represented an increase of 21.8 percent compared with the same two months of the preceding year. If imports during the remainder of this year should continue at the July-August rate, the total for the year would amount to 920 million pounds. That would be far the highest level of imports for any year since the year of disaster, 1963.

For that reason this may be a particularly good time to reexamine the statute and how it operates.

How well has Public Law 88–482 worked to date? The answer is that on the basis of our experience thus far it has been found to be seriously defective. It has not provided the protection it was supposed to give to the cattle industry and to agriculture generally. As a matter of fact, the law has been so little help that as yet we have not even been able actually to impose any quotas under its provisions.

We have had an opportunity to experience its weaknesses, and to observe the potential loopholes left open for foreign meat to be pushed through.

THE PRESENT LAW

How is the present law supposed to work?

The law starts out by establishing a quota or limit as to the quantities of certain specified types of foreign meat—specifically, fresh, chilled, or frozen beef, veal, and mutton—which may be imported from abroad. That is the base quota, which the law sets at 725,400,000 pounds, the annual average, approximately, of imports of those meats during the years 1959 to 1963.

But this figure is adjusted upward in two ways before a quota can be imposed. First, imports are permitted to increase from year to year at the same rate as domestic production. As of now this growth has amounted to 179,200,000 pounds, thus resulting in an adjusted base quota of 904,600,000 pounds for 1967. The law provides secondly that quotas not be imposed except when imports are expected to amount to 110 percent of this adjusted base quota. This "trigger point," as it is called, amounts to 995 million pounds for 1967.

But finally, the quotas are imposed on the basis of an advance estimate by the Secretary of Agriculture as to the level that he expects imports will reach for the year. The statute now provides that at the beginning of each year, and quarterly thereafter, the Secretary of Agriculture is to estimate the quantities of the specified types of meat that will come in during the year. The quota will be imposed only if his estimate of expected imports is a larger figure than the trigger point calculated for that year in the manner previously described.

The secretarial estimate is of course a forecast before the event, and subject to all the errors and hazards that afflict any effort by humans to foretell the future.

EXPERIENCES TO DATE

Our experience with the law this year has already revealed some of the weaknesses in it.

To begin with, there was a period earlier this year when it seemed likely that the provision for a 10 percent overrun would turn out to be the most important part of the law. As noted above, for 1967 the adjusted base quota would be 904.6 million pounds, and the trigger point would be 995 million pounds. Earlier this year it was expected that imports might amount to 960 million pounds—more than the figure for the adjusted base quota but less than the trigger point. In other words, with imports at the 960 million level—within the 10 percent zone—this 10 percent overrun provision would prevent the quota limitation from being invoked.

Clearly this 10 percent overrun is a useless and burdensome provision which tends to defeat the purpose of the law, and should be gotten rid of.

Next, there is the question of the secretarial estimates. The whole mechanism of the law is brought into play by the estimates of the Secretary of Agriculture, and the effectiveness of the quota system is dependent on the accuracy of those estimates.

On the basis of our experience with the law to date, it has to be said that the secretarial estimates are not terrifically accurate, or at least that is the case with respect to those made at the beginning of the year. For 1965 the Secretary at the beginning of the year estimated that total imports would amount to 733 million pounds. As we moved through the year his estimates declined progressively, and his estimate for the full year made in September was 630 million. Actual imports during all of 1965 came to 614 million pounds, more than 100 million less than his estimate for the beginning of the year.

For 1966 his beginning estimate the previous December was set at 700 million pounds, while total imports finally came to 823 million pounds. For 1967 his beginning estimate was 960 million, but already he has revised that downward to a figure of 860 million. Thus, each of the three years it has appeared that his initial estimate was 100 millions pounds or more away from the mark. I do not intend to sound too critical; it may be that in the field of economic forecasting that is fairly accurate, but the whole machinery of estimating imports is not really necessary anyhow. In any revision of the law, it can be dispensed with.

Thirdly, and foremost, I am convinced that the base quota in present law is unfairly high to begin with. This quota was set at a level equal to average imports during a particular base period, 1959–63. That base period was carefully selected indeed—it was the highest five year period that could possibly have been chosen. It included the two exceptionally high years of 1962 and 1963, when more than 10.5 percent of U.S. production was imported.

Let me say that it is difficult to understand the psychology which, first, permits imports for a time to run absolutely wild, to build up a tremendously high volume for a period, and then, when quotas are imposed, uses that short period of high volume imports as the basis for settling how high the quota must be. Prior to 1962 imports of these meats had never exceeded 614 million pounds; yet Public Law 88–482 set 725 million as the base quota and through the operation of the growth factor the adjusted quota for 1967 is pushed up above 900 million pounds.

That is simply too much foreign meat for our livestock economy to be legitimately asked to absorb.

PROVISIONS OF BILL

Let me summarize briefly the provision of S. 1588.

First of all, it would wipe out the provision for a 10 percent overrun in permissible imports, over and above the quantity specified as being in line with the policy set by Congress. That 10 percent overrun should never have been in the law in the first place.

Secondly, the bill would abolish the role of the Secretary of Agriculture in making forecasts of the quantity of imports to be expected. Instead, by this bill the quota would be imposed by the law itself, and would not be dependent upon the Secretary's estimate.

Third, the bill would change the base period upon which the quota is calculated. The base quota in the present law, for total imports of fresh, chilled, and frozen beef, veal, and mutton, is set at 725,400,000 pounds, which was approximately the average annual importation of those products during the 5-year period 1959–63. In S. 1588 that base is set at 585,500,000 pounds, the average annual volume of imports during the years 1958–62, a much more representative base period.

Those are the three most important changes proposed in the bill. There are several other changes which are more in the nature of housekeeping or technical amendments, needed to make the administration of the system work more effectively but not changing its fundamentals. It is hoped that these changes may be accepted as noncontroversial.

The first of these changes is to place the quota system on a quarterly instead of an annual basis. At times there is a surprisingly wide fluctuation in the volume of meat imported from one quarter to another. For example, during July-August of this year, imports were running at the rate of 270 million pounds per quarter, whereas during the previous quarter they amounted to less than 180 million pounds. There is no reason to permit such fluctuations which are unsettling to our market here, and which can be prevented by dividing the annual quota up into four quarterly quotas.

Next, S. 1588 would provide that any offshore procurements of foreign meat by the military for use overseas would be charged against the appropriate import quota. Last spring the Defense Department arranged for the purchase of 10,000,000 pounds of lamb from Australia and New Zealand for use in the feeding of our troops in Vietnam and elsewhere overseas. If purchases of this type must be permitted, it seems only right that the equivalent quantities be deducted from any quotas governing importation into this country. This quantity—10,000,000 pounds—is quite a lot of lamb. Actually, since there is no quota on lamb at the present time anyhow, this provision would be inapplicable for the time being, but it has been included in the bill so that when and if an offshore procurement of a type of meat subject to quota should be made, the provision would come into play. It is hoped that the military will not object to this amendment, which would not hamper or really affect the conduct of military operations in Vietnam in the slightest.

Finally, the bill also provides discretionary authority to the President to impose quotas if necessary on other types of meat not already covered by existing law, that is, such meats as lamb, pork products, and canned or prepared and preserved beef. We have had trouble with imports of some of these meats in the past year. Last year imports of lamb were higher than in any recent year except 1963. Imports of pork and also imports of prepared and preserved beef were higher than in any year for certainly many years. Appendix II sets out product weight of U.S. imports, by year, 1958–66.

Not only that, but this authority to impose quotas on other types of meat may be essential to prevent evasion of the quota on the fresh, chilled, and frozen product. It is conceivable that if the quota on fresh, chilled, and frozen beef is filled, foreign producers might turn to the canning or preserving of additional beef for shipment to the United States, in order to get around the U.S. quota. We know that essentially that means was used to avoid the quota restrictions on dairy products. Elementary prudence requires that we arm ourselves against such a potentiality.

CONCLUSION

In conclusion, Mr. Chairman, S. 1588 is a fair and reasonable bill, a bill designed to stabilize the role of imports in our meat supply, to protect our domestic industry without doing harm to our foreign suppliers.

It gets rid of the 10 percent overrun feature in the present law which should never have been in there in the first place. It also changes the base period to 1958–62, a reasonable base which is much more representative of the historic position of imports than the base in the present law, 1959–63, which yields an exaggerated figure as a quota base.

The bill simplifies the administration of the program by abolishing the complex system of secretarial estimates of future imports. It smoothes out the flow of imports by substituting quarterly quotas for one annual quota.

Please note that imports will not only continue in line with their historic contribution to our meat supply, but we allow the import quota generous growth factor. The bill permits imports to be increased at the same percentage rate as domestic production. The bill would stabilize our domestic markets without harming the importer or the foreign producer.

It is good that the Finance Committee has chosen this time to look again into the problems of the livestock industry, and the impact of imports on our own economy in this country. The cattle industry is the most widespread of all our farm industries in this country, and also the largest in terms of value of output. There are thirty-four states having more than one million head of cattle and calves. Total cash realized from sale of cattle and calves during 1966 amounted to $10.4 billion, which was 24.2 percent of the total cash receipts from farm marketings during 1966. That was far, far greater than cash receipts realized from any other branch of agriculture in 1966—nearly double the figure for cash receipts from dairying, which was the next largest branch of agriculture in terms of gross revenue.

The prosperity of the cattle industry is also of fundamental importance to the continued well-being of producers of feed crops for sale, of course.

I hope this Committee will approach this problem recognizing the historic role of agriculture in this country, the new problems that beset the farmer in this era, and the pressures which have made it most difficult to preserve a healthy rural economy and society.

In these last few years of extraordinary prosperity, it has seemed that every segment of our economy has thrived and prospered—except the farmer. For the farmer, however, the prosperous sixties have been a period of rising costs and lagging prices for farm products, a neverending race in the squirrel cage to keep up with his mounting expenses. Last month—September of 1967—the index of prices received by farmers declined by four percentage points, and the parity ratio fell again—to only 73, lower than the annual average parity ratio for any year since 1933. The parity ratio for beef cattle for September was only 81, slightly above the average for all farm products but certainly not high enough to give us any comfort. In 1967 the total number of farms in the entire United States had dwindled to the figure of 3,176,000, less than half the figure for 1935, which was 6,813,000. It is a trend which is not pleasant to think about or talk about, but which must be faced and dealt with as one of the central problems of the times in which we live.

To stem this unhealthy tide of migration away from the farms, to give the livestock man at least a small assist in his effort to maintain the healthy rural economy and rural society of the past, we ask that the Finance Committee help strengthen the import quota system in the manner proposed by S. 1588.

Mr. Chairman, 20 years ago, in 1947, the average price for choice slaughter steers in Chicago, per hundred pounds, was $26.22. Last year, in 1966, the average price was almost identically the same—$26.29. All through the intervening period it was a struggle to keep the price up to that 1947 level. The price fluctuated as high as $35, as low as $22 a hundred; it held at $26 or better in ten of the 18 intervening years, and averaged below $26 in eight of the 18.

So it might be said the price of cattle at least has not gotten worse.

But what has happened to the value of our dollar in the meantime? First of all, look at the great gains of our factory labor. The average hourly wage in manufacturing industries in this country was $1.22 in 1947. That figure increased *every single year* during the intervening years and in 1966 it was $2.71—more than twice what it was in 1947.

What about the cost of living? Taking 1947 as the base year and therefore making it equal to 100, the consumer price index by 1966 had climbed to 145.4—45 percent above the cost of living of 20 years earlier. That is a measure of how the value has gone out of the dollar.

I submit, Mr. Chairman, that the relief provided in this bill is reasonable and long overdue. I trust the Committee will act favorably on this measure and not add to the difficulties of an already overburdened segment of American agriculture.

APPENDIX I

U.S. IMPORTS OF CATTLE AND BEEF, COMPARED WITH U.S. PRODUCTION, BY YEAR, 1954-66 (CATTLE AND CALVES AND BEEF AND VEAL)

Year	Imports				U.S. beef and veal production [2] (million pounds)	Imports as a percentage of production (percent)
	Live animals		Meat (million pounds)	Total (million pounds)		
	Number (thousand head)	Meat equivalent [1] (million pounds)				
1954	71	35	232	267	14,610	1.8
1955	296	93	229	322	15,147	2.1
1956	141	43	211	254	16,094	1.6
1957	703	221	395	616	15,728	3.9
1958	1,126	340	909	1,249	14,516	8.6
1959	688	191	1,063	1,254	14,588	8.6
1960	645	163	775	938	15,835	5.9
1961	1,023	250	1,037	1,287	16,344	7.9
1962	1,232	280	1,440	1,720	16,313	10.5
1963	834	180	1,678	1,858	17,357	10.7
1964	529	113	1,085	1,198	19,442	6.2
1965	1,111	265	942	1,208	19,719	6.1
1966 [3]	1,081	241	1,204	1,445	20,604	7.0

[1] Estimated at 53 percent of the live weight of all dutiable imports of cattle.
[2] Total production (including an estimate of farm slaughter).
[3] Data are preliminary.

Source: Livestock and Meat Situation, May 1964, published by USDA, p. 37, brought up to date by special tabulation by the Department of Agriculture.

Note: Canned and other processed meats have been converted to their carcass weight equivalent. For earlier year data see the source.

APPENDIX II

U.S. IMPORTS, 1958-66

[In millions of pounds]

Commodity	1958	1959	1960	1961	1962	1963	1964	1965	1966
Imports: [1]									
Beef and veal:									
Fresh, frozen, chilled	358.2	524.5	413.8	569.0	860.0	985.3	705.6	583.9	762.9
Canned	113.4	94.7	76.5	95.2	83.7	113.4	83.6	92.8	93.6
Other [2]	147.6	103.2	22.3	24.9	23.7	23.7	11.2	24.4	36.8
Mutton and goat: Fresh, frozen, chilled	17.2	47.3	37.3	44.9	65.0	62.9	34.3	30.0	60.5
Lamb: Fresh, frozen, chilled	6.8	9.5	12.4	10.9	13.1	18.9	10.4	12.5	14.9
Pork, total	182.8	174.9	171.3	173.7	203.8	210.5	210.6	262.3	298.3

[1] Product weight.
[2] Prepared and preserved.

EFFECT OF IMPORTS ON CATTLE PRICES

(Supplement to statement of Senator ROMAN HRUSKA, of Nebraska, Senate Finance Committee, October 19, 1967)

Mr. Chairman, in his testimony yesterday the Secretary of Agriculture made a number of statements about the beef import situation which require comment.

In his discussion of the background of the 1964 law, he pointed out that the European Economic Community, the United Kingdom, and Japan have increasingly been erecting barriers against imports, with the result that world beef surpluses were pouring into our market. It is good to see that he now appears to recognize that these beef imports were and are a problem, and that our action in enacting Public Law 88-482 was a defensive

measure forced upon us by the policies of other countries.

It is all the more disappointing, therefore, to note that he still will not recognize the impact of these imports on price.

In his prepared statement he says:

"If the most restrictive features of the legislation presently before Congress were implemented, it is our estimate that the price rise on domestic cutter and canner cows would be less than 2 percent, and on fed cattle, less than 1 percent."

Those of us who went through this meat import struggle before, in 1964, will recall that between November of 1962 and May of 1964 the price of choice steers in Chicago fell over $9 a hundred, more than 32 percent. I do not contend that the entire 32 percent was due to imports, but some substantial part of it was. Certainly it seems absurd for the Secretary to talk in terms of one and two percent.

But putting the argument on a more technical level, it happens that in 1963 staff experts of the Department of Agriculture carried out an analytical study of precisely this point—the effect of imports on the U.S. price. Putting the findings of that study in lay language, the conclusion at that time was that for each increase in imports amounting to 180 million pounds of beef (carcass weight equivalent, including live cattle) the domestic price on choice steers would be knocked down about 30 cents a hundred. On the basis of this formula, total beef imports last year of 1,445 million pounds would have had a total impact on our prices of about $2.40. Any cutback in that volume resulting from a tighter application of quotas would have had an effect in proportion to the size of the cutback.

This matter was dealt with in the CONGRESSIONAL RECORD, volume 110, part 2, page 2442, where there is reprinted an extract from the November, 1963, issue of the Livestock and Meat Situation, a publication of the Department of Agriculture, together with a letter from an official of the Department correcting an error and explaining the study.

SIGNIFICANCE OF EXPORTS TO THE CATTLE INDUSTRY

Whenever any effort is made to provide reasonable protection against imports for the U.S. cattle industry, invariably we are met with the cry of alarm that nothing must be done, because it might endanger our export markets. In essence, that was the theme of the cabinet officers who appeared before the Senate Finance Committee on October 18.

Insofar as agriculture is concerned, it is certainly true that export markets for wheat, soybeans, corn, and certain other products are of the highest importance. If the Trade Expansion Act or other efforts under the trade agreement program had shown any capacity to protect and expand exports for those products, this argument would be worthy of attention. But the short fact is that the Kennedy Round was a lamentable failure with respect to protecting our foreign markets for these surplus farm products. During the 1964 hearings Secretary Freeman told this Committee of his repeated trips to Europe in an effort to get rid of the variable fee system employed by the EEC. Yet the sad fact is that now with the Kennedy Round concluded, the variable fee system remains in effect without the slightest limitation or mitigation of its terms.

During the 1964 hearings Secretary Freeman also spoke glowingly of his hopes to expand U.S. exports for beef. He said:

"We estimate there is a need for 100,000 to 150,000 tons of beef in the Western European markets for the remainder of this year . . . We believe we can sell . . . We have invited delegations of buyers from Western Europe to visit this country to look at our beef and cattle. Representatives of Italy and France are here now on buying missions . . ."

Did we sell that 100,000 to 150,000 tons (equal to 200 to 300 million pounds) of beef to Western Europe in 1964? Or any other time? We did not.

Total exports of beef and veal to *all* foreign countries in recent years have been as follows:

[In millions of pounds]

Year:	
1963	33
1964	65
1965	54
1966	39

Meanwhile, let us not forget that imports in 1966 of beef and veal (carcass weight equivalent, all types except live animals) were 1,204 million pounds, 30 times the volume of exports.

Certainly all of us interested in the welfare of the cattle industry must applaud these efforts to expand foreign markets for our beef. Certainly we are glad to sell some of it abroad if we can. But let us be realistic.

American beef is a premium product, delectable to the taste but not cheap to the pocketbook. Europeans generally, to their misfortune, have never acquired much of a taste for it. If they had, doubtless some of them would be regular purchasers in spite of the price, but generally speaking we cannot compete, price-wise, with Australian or Argentine beef in the foreign markets of the world. Since Secretary Freeman made those optimistic statements, our volume of exports has gone down, not up, and it was not very great to begin with.

The home market has been good to us. The foreign market has not. Let us not sacrifice the basis of our prosperity while chasing a will-o'-the-wisp.

MEAT IMPORTS AS A PERCENT OF PRODUCTION

In his statement, Secretary Freeman said:

"The limit on imports under the law would be approximately 6.7 percent of domestic production. Actually, imports in 1966 were 5.6 percent of production, and we expect them not to exceed 5.8 percent this year. By contrast, imports amounted to 8.6 percent of production in 1963."

By contrast, in my prepared statement there is a reference to "the two exceptionally high years of 1962 and 1963, when more than 10.5 percent of U.S. production was imported."

My figure is taken from an appendix attached to my statement; the figures therein are copied from a publication of the Department of Agriculture, or supplied directly by the Department.

It appears that Secretary Freeman's figure for 1963—8.5 percent—is obtained by leaving out of the calculation the carcass weight equivalent of the live animals imported. Omitting this category of imports also permits him to say that 1966 imports amount to only 5.6 percent of production; if the live animals are included the correct figure for 1966 is 7.0 percent, and 1967 will doubtless be higher.

To secure an accurate picture of the share of our market held by the foreigner, it would seem necessary to take into account all imports of foreign beef and veal in all forms—fresh, chilled, or frozen; canned; prepared and preserved; and on the hoof.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. BURDICK. Mr. President, October 15–21 marks the 1967 observance of National Business Women's Week. Sponsored by the National Federation of Business & Professional Women's Clubs, Inc., National Business Women's Week honors the more than 27 million women in the Nation's labor force and focuses attention on the important role played by women generally in bettering the world in which we live. First observed in 1928, National Business Women's Week offers the National Federation's 178,000 members an opportunity to spotlight the outstanding contributions of all business and professional women in all phases of economic, social, and cultural life. Through 3,800 local clubs, the National Federation of Business & Professional Women's Clubs, Inc., salutes the business and professional women of America for their achievements in their communities, their States, and the Nation.

For many years, both before and during my years of public life, I have had the good fortune of dealing with the Business and Professional Women's Club in North Dakota. I have always been impressed by the uniformly effective work accomplished by these clubs, whose members include many of my State's most talented and competent leaders. The great strides they have made in establishing principles such as equal employment opportunity for women have resulted from years of devoted effort.

I congratulate Business and Professional Women's Clubs for their present achievements and extend my very best wishes for a highly successful, gratifying future.

MERGER OF AFM WASHINGTON LOCALS MARKS ANOTHER MILESTONE IN THE AFM'S PROGRAM TO ELIMINATE SEPARATE NEGRO AND WHITE LOCALS

Mr. JAVITS. Mr. President, for the past 2½ years the American Federation of Musicians, under the able leadership of President Herman D. Kenin, has been engaged in a vigorous program designed to eliminate, once and for all, its few remaining separate Negro and white locals serving the same area.

The program has actually been administered by former AFM President James C. Petrillo, who was called out of retirement in 1964 especially for this job. In the short time the program has been in existence, 20 out of the 38 dual AFM locals have been merged, and arrangements for several other mergers are nearing completion.

Just recently, AFM Locals 161 and 710, in the Washington, D.C., area, merged, marking another milestone in the AFM program. President Kenin and Mr. Petrillo detailed the success of the program so far, and pointed out that the problem of dual locals was not one which the AFM had created, but one which it had inherited and wished to be disinherited of as soon as possible. President Kenin also noted that the basic problems which the AFM had encountered in persuading dual locals to merge stemmed not from discrimination, but from the need to protect the interests of the smaller locals, Negro or white, from being swallowed because of the merger.

Mr. President, there is no excuse for dual locals in this day and age, and that is why I take this opportunity to commend the leadership of the AFM for instituting and successfully implementing its program to eliminate the vestiges of an old and discredited system.

I ask unanimous consent that an article about the recent merger of the Washington locals, published in the AFL–CIO News, and President Kenin's eloquent remarks on that occasion be printed in the RECORD.

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

MERGER OF DISTRICT OF COLUMBIA LOCALS HIGHLIGHTS AFM DRIVE

Two separate Washington, D.C., locals of the American Federation of Musicians became one in real show biz fashion. The once separated Negro and white Locals 161 and 710 merged at a meeting attended by such notables as Washington's new "mayor" and the current and former heads of their international union.

AFM Pres. Herman Kenin hailed the merger in the nation's capital and noted that five more voluntary mergers will come before the end of the year. At present there are 18 cities that still have separate locals, including large northern centers like Boston, Bridgeport, Conn., Buffalo, and Philadelphia.

"After Jan. 1, 1968," said Kenin, there will be an "executive order" issued by the international to end any remaining separation.

The 2.5-year-old program to combine locals that were set up separately early in the history of the union has been headed by former AFM Pres. James C. Petrillo who now heads the union's Civil Rights Dept. Petrillo told a press conference that the progress made to date in merging some 20 once-separate locals was done by "persuasion that it's the right thing to do."

Kenin told the first membership meeting of the new Local 161–710 that the end to all separate musicians' locals "cannot come too soon for us."

"We do not want dual locals in the American Federation of Musicians," he declared. "This is a situation which we in the federation inherited. We want to be disinherited as quickly as it is humanly possible to do so."

Also present at the merger meeting was A. Philip Randolph, AFL–CIO vice president and president of the Sleeping Car Porters. Randolph congratulated the new local officers and called the mergers "trade union victories." It will strengthen the union, he noted.

Walter Washington, the District of Columbia's newly-appointed mayor, greeted the union officials warmly and related some of his experiences working in New York City's ghettos last summer.

"Hundreds and thousands of kids looked up at Negro and white musicians and it made no difference to them what color they were. All they said was, 'I like it, because I dig it, because he plays good stuff.'" Washington referred to the Jazzmobile concerts that toured New York City sponsored in part by the Musicians. He asked the new local for its help in establishing a similar program in Washington. "We need to jazz this city up," he said, "I'm going to ask you for your assistance."

Officers of the new local will be Pres. Sam Jack Kaufman, Sec. J. Martin (Marty) Emerson, Administrative Vice Pres. Louis H. Aikens, former president of Local 710.

REMARKS BY HERMAN D. KENIN, PRESIDENT, AMERICAN FEDERATION OF MUSICIANS, FIRST COMBINED MEMBERSHIP MEETING OF LOCALS 161 AND 710, SHERATON PARK HOTEL, WASHINGTON, D.C., OCTOBER 8, 1967

In our jobs all of us have certain activities and projects in which we take a special interest, and, if they progress satisfactorily, real pride.

This integration program of the Federation happens to be one in which I take a special interest, as well as pleasure in its rapid progress.

That is why I can truly tell you what a pleasure it is for me to be here with you—and I want to thank Sam Jack Kaufman, Marty Emerson, Lou Aikens, Otis Ducker—and indeed all of you—for making me your guest.

Naturally, the merger here in Washington of Locals 161 and 710 has a special significance, far beyond its importance within the community.

For it has taken place in the nation's Capital, where the eyes of the world are focused on what we are doing in this field.

Further, the first meeting of the merged Local in Washington comes at a time when I can report to you that since December, 1964—when the Federation persuaded Jimmy Petrillo to come out of retirement and head up our Civil Rights Department—Federation Locals have been successfully merged in some twenty different cities—out of a total of thirty-eight jurisdictions where dual locals formerly existed.

Furthermore, I expect to see the merger of a number of others very shortly.

Jimmy Petrillo has headed this program for us with his typical zip and gusto, and I think it won't be long at all before we can announce that the integration of dual Unions in the A. F. of M. is one hundred per cent complete.

I speak for myself, I speak for Jimmy, and I speak for the Federation when I say that this cannot come too soon for us. We do not want dual Locals in the American Federation of Musicians. This is a situation which we in the Federation inherited. *We want to be disinherited as quickly as it is humanly possible to do so.*

Our steady progress in unification stems from a number of factors. On the Federation's side, we have operated on the basis that there is no vested interest in past practices, or past philosophies.

We do not accept, as a reason for inactivity or unreasonable delay, the worn-out excuses or rationales that "This is the way we have always done it; this is the way it has always been." The past has its place and should be respected in some areas—but not in the area we're talking about here. We must not become the victims of tyranny of the status quo.

Instead I prefer Carl Sandburg's lines: "Yesterday is a wind gone down. The past is a bucket of ashes. Tomorrow is the day."

Also, from the merging Locals themselves, the contributions to unification have been tremendous. Indeed, without these contributions, we could not have made much progress.

Basically, these contributions amount to one special thing, which I would like to call *respect for the human spirit.*

When you deal with the merger of two Unions, you are also in a sense merging human beings. And that is a lot different from merging corporations. In a corporate merger your main concern is protecting the market value of a stock or bond, and coming out on the right side of a profit and loss column.

But when two Unions are merging, you are affecting human lives, human sensitivities, and human ambitions.

As I need hardly point out to you, each of two merging Locals comes to the unification process with its own assets and liabilities, its own officials, and its own methods of operation. The problems involved in creating one Local out of two are never easy, and in many instances they seem at first glance almost unsolvable. But we solve them.

One of the most delicate of all factors in a merger, is the protection of the rights of the "minority".

I should like to point out here that this is not necessarily a matter of race. In fact in most cases it is a matter of numbers—because members of the smaller of two merging Locals must not be swallowed up by the other.

Finally, the merger, if it is to have practical meaning and result, requires the abolition of duplicating functions, the unification of others, and often the relinquishing of cherished positions long and ably filled by dedicated trade unionists in both Unions.

I should like to pay tribute here to all of the officials and officers of merging Unions—here in Local 161–710 and in other cities as well, for the spirit in which they have responded to this need.

Those who have been affected should know that it is not a sign of weakness or of defeat, when one gives up a position or accepts a change under these circumstances.

On the contrary, to do this requires a special strength and a real dedication to a worthwhile cause.

The merger of two Unions accomplishes one more thing. It can prove that sometimes a new whole is even greater than its old parts.

It creates a new, a broader, a revitalized base of operations for the merged Union.

It consolidates within its area of operations the combined efforts of all professional musicians, united in the American Federation of Musicians and devoted in the fullness of their integrated strength to the maintenance and advancement of the cause of professional musicianship in America.

In my book, this is a partnership of unionism and professionalism of the highest order. I salute you for your dedication to this cause.

RHODESIA-BRITAIN-VIETNAM

Mr. TALMADGE. Mr. President, there appeared in the Wednesday edition of the Washington Daily News an excellent editorial which I believe goes to the heart of a very serious deficiency of one aspect of U.S. foreign policy.

In short, we have the U.S. Government joining Great Britain in economic sanctions against Rhodesia, and at the same time Great Britian gives us little more than lipservice—and not very much of that—in applying the same kind of pressure against war-mongering North Vietnam.

This does not make one iota of sense to me.

The Daily News sums up the situation very well:

If we can't get any help from Britain and others on this point, we at least could call off our anti-Rhodesia campaign, especially since the Rhodesians haven't done anything to us anyway.

I call this splendid editorial to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

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

FRIENDS AND TRADERS

At a recent session of a joint House-Senate committee to resolve differences between the two branches of Congress over foreign aid, the committee deleted a provision previously voted by the House to ban sales of U.S. military equipment and supplies to countries trading with communist North Vietnam.

This was done on a plea from the State Department and the Defense Department that this would cause all kinds of problems with our "friendly" allies.

About the same time in the Senate an amendment was adopted to the State Department appropriation bill demanding that the Johnson Administration press the United Nations for the same type of economic sanctions against North Vietnam as are being applied to Rhodesia.

This amendment, sponsored by Sen. Harry Byrd, Jr. of Virginia, surprisingly was adopted 74 to 15.

On that point, Congress seems to be operating in opposite directions. So is the Administration.

The Administration vigorously supported the UN sanctions against Rhodesia which, as Sen. Byrd said, is not a threat to peace. Yet it has not even asked the United Nations to impose sanctions against North Vietnam, which at the moment is the most aggressive threat to world peace.

We have no real business messing in Rhodesia's affairs. This African country has declared its independence of Britain—"illegally," the British say—and its only quarrel is with Britain. But out of friendship with the British government, the U.S. joined in the UN action and has broken diplomatic relations with Rhodesia.

What would be wrong with the British, out of reciprocal friendship, giving the United States a hand in putting the economic (and military supply) squeeze on war-making North Vietnam?

As Sen. Byrd said, as long as we have troops fighting the war against North Vietnam we should "use every diplomatic and financial pressure available to us to bring this war to a speedy and honorable conclusion."

If we can't get any help from Britain and others on this point, we at least could call off our anti-Rhodesia campaign especially since the Rhodesians haven't done anything to us anyway.

THE ATHLETICS MOVE TO OAKLAND

Mr. MURPHY. Mr. President, in the 19th century, Kansas City was the jumping-off place for Americans heading West. Thousands of pioneers rendezvoused in Missouri before setting out on the trail for California and the other States west of the Mississippi. I am happy to report that the movement continues to this day.

As we all know, that city of Oakland has been successful in its bid to obtain a franchise in the American League. The Kansas City Athletics will play in Oakland next year, giving my State its fourth major league ball club. I rejoice in the fortunate choice of Oakland as the site of the Athletics' new home.

California waited many years for major league baseball to arrive. The tremendous growth of my State, and the avid interest of Californians in sports, finally convinced baseball owners of the State's potential. Indeed, they are well convinced. With pardonable pride, I point out that California's four major league baseball teams exceed the number in any other State, including New York in its heyday. The success of the Los Angeles Dodgers, the San Francisco Giants, and the California Angels at Anaheim paved the way for Oakland's feat in landing the new team.

The citizens of Oakland, Alameda County, and all others in California welcome Mr. Charles O. Finley and the Athletics. May the team prosper and may the blue skies, warm sun, and friendly spectators in California bring success to Mr. Finley and his team. I congratulate Oakland for a successful end of its effort to bring major league baseball to the city.

MARYLAND LEGISLATIVE COUNCIL ENDORSES COMPENSATION FOR VICTIMS OF CRIMINAL ACTS

Mr. YARBOROUGH. Mr. President, this morning's Washington Post carried encouraging news for Americans discouraged by the rising rates of crime in our country, and the cost of that crime to its victims. In an article "Aid Backed for Victims of Crime," the Post announced the endorsement by Maryland's Legislative Council of legislation providing that the State compensate victims of criminal acts, or the victims' survivors, for injuries or death. I commend the council on this progressive and humane action, which is much needed in order to protect Americans against the disaster of crime, which is as mindless and arbitrary as the elements.

On January 25, 1967, I introduced in the Senate a bill (S. 646) which I had also sponsored in the 89th Congress, to provide for such compensation for victims in those areas in which the Federal Government exercises general police power. Such consideration is already given to the sufferers of criminal injuries in England, and in the States of California and New York. Free legal aid has long been available to the criminal, as well as full maintenance if he is jailed, including medical aid. It is time the victims received as much consideration as the criminal.

For too long, the victim of criminal acts has been ignored in this country. On our streets, people are attacked and in case after case passersby fail to come to the aid of the victim. The Congress must not join in this massive indifference, but must lead the Nation away from its stance of unconcern. I urge the Congress to pass this legislation, for the benefit of every American, rich and poor—for every American is liable to the injury of criminal violence.

The concern of America is expressed in such actions as that of the Maryland Legislative Council in its recommendations to the legislature. I am very glad to see that concern spreading across America.

Mr. President, I ask unanimous consent that the article "Aid Backed for Victims of Crime," in October 19, 1967, Washington Post, be printed at this point in the RECORD.

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

AID BACKED FOR VICTIMS OF CRIME

ANNAPOLIS, October 18.—Maryland's Legislative Council endorsed "good samaritan" legislation today under which victims of criminals or their survivors would be compensated by the State for injuries or death.

The Council, the General Assembly's between-sessions study arm, also recommended enactment of a bill providing for emergency commitment of suspected mental cases who may do harm to others.

Both measures stirred controversy when proposed in the past. The revised versions approved today contain safeguards intended to meet such criticism.

The "good samaritan" bill, patterned after one that went into effect early this year in New York State, would create a three-man Criminal Injuries Compensation Board to pass upon cash awards to victims of criminals or survivors of the victims.

Awards would also be granted for those injured or killed while trying to prevent a crime or helping a policeman apprehend a suspected criminal.

The legislation specifically exempts payments for automobile injuries or injuries caused by family disputes. It provides criminal charges for making false claims.

The legislation contains no scale of benefits, but ties them to sums paid for injuries under the Workmen's Compensation Act. Current payments range from $25 a week for a permanent disability to a death benefit of $27,500.

The emergency commitment bill was drafted by a subcommittee headed by Sen. Steny G. Hoyer (D-Prince Georges). It is intended to give authorities a legal way to deal with potentially dangerous mental cases who cannot now be legally apprehended. They must either be charged with some crime—often, critics say, as a subterfuge—or put through the cumbersome and time-consuming commitment procedure.

Past efforts to prepare a law have been attacked on grounds that it might lead to commitment of sane persons by others who merely are angry with them or want to get them out of the way. Much criticism has come from right-wing groups.

The proposed bill, while providing a short cut from the regular commitment procedure, is insulated with safeguards. After a suspected mental case is taken into custody on a simple petition prepared by a relative or other complainant, he must be examined within 36 hours by a psychiatrist or, if none is available, a physician.

If the individual is found to be unlikely to harm himself or others, he must be immediately freed. Otherwise he would go to a State mental hospital for up to two weeks for examination. Meantime, if appropriate, normal commitment procedures could be followed.

The bill provides that the suspected mental case must be represented by a lawyer at all times.

AMERICAN BAR ASSOCIATION SUPPORTS S. 1—PRESIDENT'S GUN CONTROL BILL

Mr. TYDINGS. Mr. President, recently I received a letter from Mr. Earl F. Morris, president of the American Bar Association, strongly urging congressional enactment of S. 1, the State Firearms Control Assistance Act, which has been favorably reported to the Senate Committee on the Judiciary by its Subcommittee on Juvenile Delinquency.

In his letter, Mr. Morris outlined the ABA's longstanding support for Federal legislation to control interstate shipment of firearms. He recalled that in 1965 the ABA's criminal law section recommended support for Federal legislation even stronger than S. 1 and that the ABA's House of Delegates voted 184 to 26 to approve this recommendation. Mr. Morris also pointed out that—

In 1966, the House of Delegates again overwhelmingly voiced its support for strong legislation to restrict the interstate shipment of firearms, stating the need for this legislation is critical and of the utmost importance in the control of crime and violence.

Mr. Morris urges prompt Judiciary Committee action on S. 1. So do I. The soaring crime rate, and particularly the events of this summer, uncontrovertably demonstrate the urgency for action by the Federal Government to help the States keep guns out of the hands of criminals, lunatics, and juveniles. That is the sole purpose of S. 1. It should be enacted in this session of Congress.

Mr. President, I ask that Mr. Morris'

letter, and the Gallup and Harris polls to which it refers, be reprinted at this point in the RECORD.

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

AMERICAN BAR ASSOCIATION,
Washington, D.C., September 29, 1967.

Re S. 1.

Senator JOSEPH D. TYDINGS,
Senate Judiciary Committee,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: Surely the time has come when the federal government must act to control the interstate shipment of firearms. The continuing increase in all categories of crime, together with the alarming possibility of further rioting in our city streets, makes this always sensible step a new imperative. It is clear that even the best of state laws cannot alone provide the controls needed. There is no clearer need for use of federal regulation in the control of crime. And, the American people, as reported in Gallup and Harris poll findings (CONGRESSIONAL RECORD, September 21, 1967, p. 26324), understand this need.

The American Bar Association strongly supports federal legislation to restrict the interstate shipment of firearms. After careful study of the various proposals to amend the Federal Firearms Act, the Criminal Law Section of the American Bar Association, in 1965, recommended support for legislation which was even stronger than S. 1, now pending in the Senate Judiciary Committee. The House of Delegates of the American Bar Association voted 184 to 26 to approve the recommendations of the Criminal Law Section. This vote was taken after the members of the House heard a debate between the executive vice president of the National Rifle Association and a sponsor of the 1965 legislation.

Again in 1966, the House of Delegates, composed of leading lawyers from every state, overwhelmingly voiced its support for strong legislation to restrict the interstate shipment of firearms, stating that the need for this legislation is critical and of utmost importance in the control of crime and violence. These resolutions are enclosed.

Since there have been extensive hearings by the Subcommittee on Juvenile Delinquency and this matter has been thoroughly studied, it is hoped that the full Judiciary Committee will act favorably on S. 1 as soon as possible.

Sincerely,

EARL F. MORRIS.

AMERICAN BAR ASSOCIATION POLICY

FIREARMS ACT, 1965

Resolved, That the American Bar Association urges the Congress of the United States to enact S. 1592, 89th Congress, or similar legislation which would amend the Federal Firearms Act to prohibit the shipment of firearms in interstate commerce except between federally licensed manufacturers, dealers and importers; to prohibit sales by federally licensed dealers of shotguns and rifles to persons under 18 years of age, and of all other types of firearms to persons under 21 years of age; to prohibit felons, fugitives and persons under indictment of felonies from shipping or receiving firearms in interstate commerce, and to control commerce in large caliber weapons; to restrict the sale of handguns to residents of the state where purchased; and to limit the unrestricted volume of imported weapons.

Be it further resolved, That the Section of Criminal Law be authorized to present the views of the American Bar Association to the appropriate committees of Congress on such proposed legislation.

FIREARMS CONTROL BILL, 1966

Whereas, the House of Delegates in August 1965, by an overwhelming majority, approved federal legislation restricting the indiscriminate sale and transportation in Interstate Commerce of certain firearms; and

Whereas, no action has been taken on this bill by the Congress of the United States; and

Whereas, the need for this legislation is critical and of the utmost importance in the control of crime and violence; and

Whereas, the President of the United States has urged the Congress to expedite action on this bill;

Now, therefore, be it resolved, That the American Bar Association reiterates its approval, in principle, of the pending firearms control bill and urges the Congress to act upon this legislation at its present session.

THE HARRIS SURVEY

(By Louis Harris)

A national survey indicates that 27 million white Americans, representing 54% of the nation's homes, own guns. A majority of gun owners say they would use their weapons to "shoot other people in case of a riot." Large numbers of white people in this country have apparently given serious thought to self-protection, and one person in every three believes that his own home or neighborhood might be affected by a riot.

It would be a mistake, however, to conclude from this evidence that most whites welcome the idea of unrestricted arms. To the contrary, by a decisive 66-to-28% margin, white gun owners favor passage of a law in Congress which would require that all persons "register all gun purchases no matter where they buy them."

Gun ownership shows wide variants by regions of the country:

Gun ownership among whites

[In percent]

	Own	*Don't own*
Nationwide	54	46
	—	—
By region:		
East	33	67
Midwest	63	37
South	67	33
West	59	41

Gun ownership is concentrated more in the South and the Midwest than in other parts of the country. The East, where the fewest own guns, is also the area where gun owners would be least willing (46%) to use their firearms against fellow citizens.

The cross section of white gun owners was asked:

"Would you use your gun to shoot other people in case of a riot?"

Use gun to shoot people in riot

[In percent]

	Gun owners	
	Would use	*Not use*
Nationwide	55	45
By region:		
East	46	54
Midwest	54	46
South	58	42
West	59	41

The willingness to use guns against other people seems to be related to white gun owners' attitudes toward a national firearms control law. Although a majority in the South and West favor such legislation, the percentages in favor are less than in the East and Midwest.

The cross section of white gun owners was asked:

"Do you favor or oppose federal laws which would control the sale of guns such as making all persons register all gun purchases no matter where they buy them?"

REGISTRATION OF ALL GUNS

	Favor	Percent opposed	Not sure
All white gun owners	66	28	6
By region:			
East	70	21	9
Midwest	70	25	5
South	62	27	11
West	56	40	4

Clearly, the spate of civil disorders over the past summer has raised people's fears for their safety. This was evident in the replies of the special cross section of whites to this question:

"Do you fear that in a riot your own home or neighborhood might be affected?"

MIGHT BE AFFECTED BY RIOT

	Percent		
	Might be	Not be	Not sure
Total whites	34	58	8
By income:			
Under $5,000	41	49	10
$5,000 to $9,999	33	60	7
$10,000 and over	32	62	6

Low-income whites, many of whom live in fringe neighborhoods alongside Negroes, are most apprehensive.

It should be pointed out, however, that earlier Harris Surveys reported that when both Negroes and whites were asked how they feel about their personal safety on the streets, Negroes were far more anxious than whites. Fear of violence does not seem to show any color line.

[From the Washington Post, Sept. 14, 1966]

THE GALLUP POLL: GUN OWNERS THEMSELVES FAVOR CURBS

PRINCETON, N.J., September 13.—Few issues spark such heated reactions as gun controls, and few issues are so widely misunderstood.

Some of the opposition to the registration of guns comes from those who think that this would mean banning all guns. Actually, the law proposed would not prohibit a person from owning a gun—either for sport or protection—but would require that a record be made of the name of the gun purchaser. The purpose of such a law would be to keep guns out of the hands of persons with a criminal record, the mentally disturbed and others unqualified to handle weapons.

The mood of the public for nearly three decades has been to impose controls on the sale and possession of weapons.

The survey questions and findings:

"Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?"

[Percentage]

	All persons	*Gun owners*
Yes	68	56
No	29	41
No opinion	3	3

Those who favor such a law:

1. Too many people get guns who are irresponsible, mentally ill, retarded, trigger happy, criminals.
2. It would save lives.
3. It's too easy to get guns.
4. It would be a help to the police.
5. It would keep guns out of the hands of teenagers.

Reasons of those who oppose such a law:

1. Such a law would take away the individual's rights.
2. Such a law wouldn't work—people would still get guns if they wanted to.

3. People need guns for protection.

"Which of those three plans would you prefer for the use of guns by persons under the age of 18—forbid their use completely, put restrictions on their use, or continue as at present with few regulations?"

[Percentage]

	All persons	*Gun owners*
Forbid use	27	17
Restrictions on use	55	59
Continue as at present	15	22
No opinion	3	2

ADDRESS BY GOV. RONALD REAGAN BEFORE CALIFORNIA FEDERATION OF REPUBLICAN WOMEN

Mr. MURPHY. Mr. President, it is well known how proud I am of the magnificent record which has been compiled by California's great Governor, Ronald Reagan, during his first 9 months in office. On October 12, Governor Reagan spoke before the California Federation of Republican Women in San Francisco. His remarks on that occasion contain a succinct explanation of some of the actions by his administration which have been the subject of much public discussion, not only in California but across the Nation. I believe it would be very helpful for all Americans to have the opportunity to read excerpts from that speech, and I ask unanimous consent that they be printed in the RECORD.

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

EXCERPTS FROM SPEECH BY GOV. RONALD REAGAN AT THE CALIFORNIA FEDERATION OF REPUBLICAN WOMEN BANQUET, SAN FRANCISCO, OCTOBER 12, 1967

There were some who reacted with shocked horror when we proceeded to do the things we promised we would in the campaign, even though they seemingly approved them at that time.

We learned the savage anger with which some in government can fight back and actually sabotage efforts to reduce the size and power of government.

And as they got their propaganda mill grinding, I'm sure you must have been confused, and found you lacked answers, particularly when our opponents challenged you for an answer.

Let me tell you, sometimes I'm confused when I read what I'm supposedly doing. For the most part the press has been very fair and objective. But a few publications let ideology get in the way of their objectivity. I can read what they say I'm doing and get so mad at myself I go out and sign a recall petition.

There's only one way to avoid controversy and that is to do nothing.

There was and is, for example, tuition. Now I have no quarrel with those who choose to disagree with me either on philosophical grounds or the practical virtues or lack of same. I do suggest there has been considerable distortion of what we advocated and a great deal of silence about the details of the program offered.

And frankly, I'm fed up with hearing a debate on the relative merits of free education versus the other kind. The debate properly is: since education is very costly, who should pay and what's a fair share for those getting the benefit.

And since no one in the academic community has seen fit to mention the plan we proposed and the reasons back of it I would like to do so briefly here and now.

Our great university system offers a premium education to those who rate in the top 12½ percent scholastically of their high school class. Since little effort is made to make this education available to those from lower income groups, those attending the university come from families of comparable means to those attending our private and independent schools such as Stanford and USC.

Problem No. 1 then is providing an education for children of the lower income families. Problem No. 2 is the high dropout rate in our university. Problem No. 3 is the dissatisfaction of students with so many professors engaged in research rather than teaching. Problem No. 4 is that in our rapid expansion to match our growth there are never enough state funds so that new courses have to be delayed.

We suggested a tuition only one-sixth of that charged at Southern California and actually less than one-tenth of the cost of educating a student. If accepted it would provide a combination of grants and loans to needy students. With the grant getting larger and the loan smaller each year to encourage the student to go on and get his diploma. The loans of course to be paid back after graduation.

In addition, this tuition would also provide for 250 new teaching chairs with $25,000 salaries for professors who would teach. And it would leave several million dollars for capital building projects each year to help keep pace with our growth.

Now apparently all these suggestions prove I am against youth, education and intellectualism.

Let me add something I'm for and all Republicans should be. Legislation now hung up in congressional committees which would grant full tax credits to parents paying tuition to educate their sons and daughters.

I'm sure that many of you are disturbed by charges that this administration is practicing economy at the expense of the mentally ill. Several days ago in L.A. I read a melodramatic account of deteriorating care for the mental patients and even how one might have been saved from suicide if more care had been available.

The writer very carefully refrained from making it clear the suicide occurred the year before I took office. Now very simply what we've done is to continue the policy that put California out in front of the nation in mental health care. From 1960 to July, 1966 the number of patients in our mental hospitals declined by more than 10,000. The number of employees increased by more than 1,000.

While maintaining the ratio of patient and employee of July, 1966, in the hospital. We are seeking at the same time to upgrade the program of local care for patients which has already proven successful and which has reduced the patient population in the hospital.

A few days ago the National Association of State Mental Health groups revealed our increased support for these local programs is the largest in history and where a year ago there was $13.38 per diem spending for each mental patient, this is now $15 per patient.

(NOTE.—Since Governor Reagan speaks from notes there may be additions to, or changes in the above. However, Governor Reagan will stand by the above quotes.)

PENTAGON YIELDS: ORDERS AUDITS

Mr. YOUNG of Ohio. Mr. President, the announcement by officials of the Department of Defense setting forth new rules to be followed by firms seeking defense contracts to assure compliance with the Truth in Negotiating Act was a victory for taxpayers. Failure in the past to enforce this act caused overpricing of defense contracts and resulted in taxpayers being overcharged millions of dollars. The exact amount has not—and probably cannot—be measured. However, we do know that the Comptroller General, after minimal spot checking, reported there had been overpricing of more than $130 million during a 10-year period.

Enforcement provisions recently announced by Defense Department officials will, if properly executed, bring an end to this waste of taxpayers' money. Much of the credit for this change of policy belongs to the Plain Dealer, a great newspaper in Cleveland, Ohio, whose Washington bureau reporter, Sanford Watzman, first focused national attention on this gross mismanagement of contracting procedures in the Defense Department. Both the Plain Dealer and Mr. Watzman are to be commended on their efforts to help bring about economy in Government. It was these articles, which I subsequently had placed in the CONGRESSIONAL RECORD, that prompted me to investigate this problem and to call for an investigation of Defense Department contracting procedures, especially those relating to the Truth in Negotiating Act.

I also commend the chairman of the Economy in Government Subcommittee of the Joint Economic Committee, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], whose work in bringing to light this scandalous situation resulted in the corrective action which has recently been taken.

Mr. President, on October 3 and 4, respectively, the Plain Dealer published an article entitled "Plain Dealer Stories Got Action" and an editorial entitled "New Strength for Truth Act," reporting and commenting on the decision by Defense Department officials to enforce the Truth in Negotiating Act. I commend them to Senators and ask unanimous consent that they be printed in the RECORD.

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

[From the Cleveland (Ohio) Plain Dealer, Oct. 3, 1967]

PLAIN DEALER STORIES GOT ACTION

WASHINGTON.—The new Pentagon policy on auditing of defense contracts is the third positive response by Defense Secretary Robert S. McNamara to articles in The Plain Dealer, beginning last April.

The newspaper brought to light hitherto obscure reports of the General Accounting Office, a congressional agency, which charged McNamara with weak enforcement of the 1962 Truth in Negotiating act.

Last May, the Defense Department, under fire from Congress' Joint Economic Committee because of The Plain Dealer disclosures, announced proposals for new regulations requiring documentation of the "truth" certificates.

Contractors have been given an opportunity to comment. A final draft of the new code is expected later this year.

A second major criticism was lack of teamwork by Defense Department personnel in implementing the four-year-old law and apparent misconceptions about its provisions.

The response was organizing of truth-in-negotiating "seminars" for defense procurement personnel across the country. A conference on the issue for Pentagon officials is scheduled for Oct. 30 at Hershey, Pa.

The new edict on auditing will serve an additional check by detecting overcharges after contracts are completed.

GAO has uncovered overpricing at the rate of $13 million a year.

This has resulted from minimal spot-checking by GAO, which has a relatively small auditing force. With its own vastly superior army of auditors, the Pentagon will be able to check systematically a far larger number of contracts.

Assistant Defense Secretary Morris suggested to aides of Minshall and Proxmire that the lawmakers might now choose not to push their bills—so the Pentagon will have an opportunity to test the effectiveness of the order. Both Minshall and Proxmire were away when Morris called.

The five-paragraph edict was dated last Friday. It was in the form of a memorandum, under the letterhead of the secretary of defense. It was signed by deputy secretary Paul H. Nitze, No. 2 man at the Pentagon.

A defense spokesman explained that Nitze had acted for McNamara, who was at a NATO conference in Turkey last week. The memo is addressed to Morris and other ranking defense officials, including the secretaries of the Army, Navy and Air Force.

John M. Malloy, Morris' deputy, told The Plain Dealer it will take about 30 days before the order reaches all defense procurement offices and is put into effect.

Purchasing officials are commanded to include in future contracts a provision granting defense department auditors the right to examine corporate records after a contract is completed. This would be a condition of the contract.

The purpose is to determine whether the contractor had acted in good faith at the time of negotiations—that is, whether he had supplied to the government accurate, current and complete information in figuring his costs.

The estimate of material and labor costs is one of the chief elements involved when corporations and the Pentagon agree on the price to be paid for military hardware. Profit allowed the contractor is based on this estimate.

The order covers the so-called firm fixed price (FFP) contracts used in most major procurements. More and more such contracts have been signed since McNamara became defense secretary in 1961.

Once the price is agreed on, the contractor assumes all the risks. He may end up making money or losing money. If his own efficiency entitles him to greater profits than anticipated, he is entitled to keep the extra money—providing he is not found to have deliberately overstated his probable costs.

McNamara favors FFP over an older form of contract, known as the cost-plus-fixed-fee (CPFF). Under the latter, the contractor is guaranteed a profit no matter how inefficient he may have been in regulating overhead costs.

Because GAO found cases where contractors had not been entirely frank with the government, it urged the Pentagon to follow the GAO lead and to begin a comprehensive audit program.

The recommendation was made two years ago. After considerable delay, McNamara agreed to go along—but excluded the FFPs from his new audit program, reserving his decision on the multi-million-dollar contracts.

McNamara's advisers split on the GAO recommendation as it pertained to the FFPs. His auditors urged him to accept the proposal and aggressively to implement it.

But the secretary's procurement people warned McNamara that this might damage relations with many contractors on whom the government is dependent for materiel.

The procurement men argued that an audit after a fixed price is "second guessing" the contractor, thereby undermining the incentive principle of FFP.

McNamara's long-awaited decision came in the face of mounting criticism in Congress. Another congressional panel, the subcommittee for special investigations of the House Armed Services Committee, opened hearings last week.

Members of that group accused the Pentagon of stalling. At that point the Defense Department had not yet filed its comments on the June 6 Proxmire-Minshall legislation.

GAO spokesmen told The Plain Dealer they were gratified by the decision. But they quickly added it is now up to the Pentagon to prove by its enforcement actions that new legislation really is not needed.

[From the Cleveland (Ohio) Plain Dealer, Oct. 4, 1967]

NEW STRENGTH FOR TRUTH ACT

A 21-gun salute to the United States Department of Defense.

It has, at long last, decided to do its duty, to audit the multibillion dollar business it does with defense contractors. It has, in effect, decided to put new meaning and strength behind provisions of the 1962 Truth in Negotiating Act.

This is a victory for the American taxpayer who has paid a bill for all too many millions of dollars in overpriced government purchases.

It is a victory for an agency of Congress, the General Accounting Office, which in only minimal spot-checking by a limited staff discovered overcharging by defense contractors at the rate of $13 million a year for the past 10 years.

Also, it is a victory for The Plain Dealer, whose Washington Bureau reporter Sanford Watzman first focused national attention on this gross mismanagement of defense business.

And it is a victory for such concerned members of Congress as Rep. William E. Minshall, R-Cleveland; Sen. William Proxmire, D-Wis., and Sen. Stephen M. Young, D-Ohio. Young read Watzman's stories into the Congressional Record. Proxmire and Minshall investigated, held hearings and introduced legislation to compel Defense Department auditing of contracts.

The department felt the lash of criticism from all these sources following the start of publication of Watzman's stories in April. The department responded by proposing new rules to be followed by those who seek defense contracts. The contractors, in addition to submitting required "truth" declarations that prices are based on accurate, complete and current information, also would be required to substantiate the statement with data and documentation.

Later the department announced it had set up truth-in-negotiating briefings for its procurement personnel across the country. In cheering the move, this newspaper at that time said the department had still more to do "if the public is to be convinced that the Truth in Negotiating Act is being fully enforced." The Plain Dealer suggested that the Pentagon "begin by finding on its own some of the costly errors which in the past have been found only by the General Accounting Office."

Now the way is open for this to be done. The Defense Department's latest announcement declares that future procurement contracts will contain a provision granting department auditors the right to examine contractor records after work is performed.

This acknowledgment by the Pentagon of major responsibility for detecting overpricing and taking action to secure refunds is long overdue but nonetheless welcome.

Whether performance lives up to promise in this area of duty will be noted carefully by The Plain Dealer and others in time to come.

THE HARD POLITICAL ROAD TO PEACE

Mr. MUNDT. Mr. President, recently an experienced and knowledgeable foe of communism wrote an article for the Los Angeles Times conveying some of his observations with regard to the Vietnam war. I refer to Isaac Don Levine and his piece published in the October 6, 1967, issue of the Times.

I ask unanimous consent that the article by Isaac Don Levine, who now resides in the Washington environs, be printed in the RECORD.

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

THE HARD POLITICAL ROAD TO PEACE

(By Isaac Don Levine)

The end of the soft political road to peace in Vietnam has been brought within sight by the double-barrelled rejection of the olive branch offered by Ambassador Goldberg from the rostrum of the United Nations.

But before we find our way to the hard political road of achieving peace in Vietnam—and there is such a road, as we shall see—it may be necessary to take a short last step on the old track to dispel whatever illusions still linger in our midst.

There can be little doubt that the prompt rejection, first by the Kremlin's mouthpiece, Soviet Foreign Minister Andrei Gromyko, of the American appeasement call for "meaningful" negotiations in return for a stoppage of the bombing, had been formulated in anticipation of Goldberg's move. This is evidenced by the timing of the immediately made announcement from Moscow of greatly increased future military aid, including missiles and planes, to North Vietnam.

The second rejection followed from Hanoi within three days. The official Communist Party organ *Nhan Dan*, reiterating numerous statements made since the beginning of the year by Ho Chi Minh and his top ministers, called for the unconditional stoppage by the United States of bombing and *all other acts of war* as a prerequisite to peace negotiations.

This at least has the merit, thanks to Ambassador Goldberg's very belated proposal, of bringing out in bold type for the benefit of Sen. Fulbright and his many vocal followers, the fine print in the ultimatum which Hanoi has been serving on Washington all along.

Like Hitler in "Mein Kampf," Ho Chi Minh has been spelling out for us his terms in unmistakable language. Every truly authoritative declaration issued from Hanoi and echoed from Moscow has advanced the formula "stop the bombing and all other acts of war." But like the proverbial ostrich with his head buried in the sand, the articulate pacifist and so-called liberal leadership of American public opinion has preferred to overlook and suppress the heart of the formula which is imbedded in the phrase "and all other acts of war."

Even as I write these lines, there lies before me a published analysis of the Vietnam impasse by the international commentator of one of our greatest newspapers in which he writes: "Hanoi has said that it is not going to talk until President Johnson calls off the bombing."

But what has Hanoi really said to us? "We will enter into negotiations if and when you stop all military operations in Vietnam," is what Hanoi has been dinning into our deaf ears for many long months. There is and there can be no other interpretation of Hanoi's position than its demand for a one-sided cease-fire by the United States in the air, on land and at sea as a precondition to

a vague Red promise to come to a peace conference.

But if there are still those amongst us who refuse to read Hanoi's clear handwriting, there is just one more one-inch step from Ambassador Goldberg's move which the United States can take on the soft diplomatic road. After President Johnson's latest offer to stop immediately aerial and naval bombardment when this will promptly lead to productive discussion, Washington can formally present to Hanoi a proposal which would leave room only for an absolutely unequivocal reply, to wit:

"The United States will stop the bombing at a fixed date the moment Hanoi announces its readiness to go to the conference table on that date."

This is how the World War I armistice was set, at 11 a.m., on Nov. 11, 1918.

Hanoi would, of course, reject again our final appeasement call, but the air at home would be completely cleared of any illusions as to Ho Chi Minh's intentions. With the exception of a lunatic fringe, the nation would be reunited in the quest for an honorable political peace along a new, though much harder, road.

This road also runs through Moscow, but it touches its very nerve-center, Soviet national security, which decisively overshadows and outweighs any ideological considerations, in the eyes of the present Kremlin leadership.

Since Moscow supplies 70% of all the sinews of war to North Vietnam, it is manifest that it holds the key to a political settlement of the conflict. If the Kremlin were to suspend all aid to Ho Chi Minh, his militant policy would quickly give way to a mood of compromise.

It has often been demonstrated since Lenin's abject Brest-Litovsk peace with the Kaiser's Germany in 1918 and his similar peace with Pilsudski's Poland signed in Riga in 1921 that Communist states in their international relations can leap overnight from a stance of flamboyant aggressiveness to a posture of peace-at-any-price.

The United States holds several diplomatic aces strong enough to induce the Kremlin for the sake of its vital national interests to force Hanoi to the conference table. Here we can only suggest three possible ways of enlisting the Kremlin as peace-mediator in Vietnam in return for high stakes of national security.

The key to all three potential moves is the mortal Soviet fear of a resurgent armed Germany.

First, we still maintain a ring of strategic air bases which we built around the Soviet Union during Stalin's era of aggression and which Moscow regards even now as threatening its lifelines. Many of these bases are growing obsolescent in the age of long-range missiles, and will be dispensable before long. But they still give us a powerful trading position.

Second, there is the issue of a future nuclear Germany and of her access to our nuclear armory. This is a transcendent matter of life or death to Russia. A pact which for 99 years would bar Germany from developing and using atomic weapons might prove a mighty card to play in the quest for a durable peace in Southeast Asia.

Third, West Germany does an annual trade of some $800 million with the Soviet Union and its Communist satellites. This trade is of critical importance to the Communist bloc's efforts to build up its industrial plant. If Bonn were confronted with the prospect of a total withdrawal of all U.S. armed forces in Germany to give us the necessary trained manpower for the war in Vietnam, it might very well decide to sever all trade relations and business contracts with the Communist bloc. This, in turn, would bring Moscow to its senses. Indeed, why should West Germany provide the Communist powers with the tools which in turn furnish weapons and war supplies to Hanoi? Our pressure on Bonn could make Moscow exert pressure on Hanoi to give up its intransigence.

To play any one of these aces prudently and firmly, however, would require a sweeping housecleaning in Washington, where the political progeny of Harry Hopkins and the carriers-on of the spirit of Teheran and Yalta remain deeply ensconced in the policymaking bureaucracy.

NORMAN COUSINS ON VIETNAM'S "TRAGIC TRAP"

Mr. HARTKE. Mr. President, the current issue of the Saturday Review has received considerable attention because of the article it contains by Theodore Sorenson, who speaks out there for the first time on his view of Vietnam. That article has already appeared in the pages of the CONGRESSIONAL RECORD as inserted by both House and Senate Members.

But the issue is noteworthy for another statement on Vietnam as well. That is the editorial signed by the magazine's distinguished editor, Norman Cousins. It discusses the objections of the Department of State to the positions presented in a previous editorial and in doing so it exposes some of the reasons which so often subject official positions to the charge of maintaining technical accuracy while achieving practical distortion.

Linked to the magazine's reply to State's rebuttal, the editorial perceives, and I believe correctly, that a major reason for growing opposition to the war in this country is "the increasing awareness of a gap between our announced aims and the policies being carried out in the name of these aims." Further, although we are constantly encouraged to believe we are taking every effort toward peace, Mr. Cousins questions whether we are not now actually committed "to achieve a military solution" as our "dominant policy in Vietnam."

Mr. President, I ask unanimous consent that the editorial entitled "The Tragic Trap" may appear in the CONGRESSIONAL RECORD.

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

THE TRAGIC TRAP

A spokesman for the United States Department of State has politely called our attention to what the Department regards as misleading statements in SR's editorial, "Is the National Honor Being Bombed?" [SR, Sept. 9]. These were the three statements to which the State Department took principal exception:

1) The editorial made it appear that the United States only recently made a calculated decision to send military planes over Communist China. Actually, the State Department spokesman said, there is nothing new about such flights; United States military planes have been flying authorized missions over Communist China for several years.

2) The editorial stated that Secretary of Defense Robert McNamara has said the bombing operations over North Vietnam have had little military value and were being carried out because they help boost morale in South Vietnam. The State Department objected to this paraphrase as having gone beyond the actual position of the Secretary. True, Mr. McNamara did not agree with those who held exaggerated ideas about the military efficacy of the bombings, but neither did he suggest that the value of the bombing was as slight as the editorial made it appear.

3) The editorial referred to missed or spurned opportunities to negotiate one of which occurred in December, 1966 when United States Ambassador Henry Cabot Lodge in Saigon took the initiative in asking a neutral third party to urge Hanoi to come to the negotiating table. As a result, the editorial said, approaches to Hanoi were made and the initial response was guarded but affirmative. Exploratory meetings were arranged for Warsaw in the middle of December but were called off when the United States bombed the city of Hanoi just before the talks were to start. The State Department spokesman declared it was not Ambassador Lodge but the neutral third party who took the initiative in seeking negotiations. He also said the projected meetings were less definite than the editorial indicated. Moreover, it was difficult for the State Department to believe that Hanoi, if it genuinely wished to negotiate, would allow the bombings to stand in the way.

SR's editor welcomes the direct and amicable expression of concern by the State Department over information and viewpoints conveyed in this magazine. An editorial page is first of all an exercise in responsibility. Criticism of the nation's foreign policy, especially in a matter as critical as the Vietnam war, must rest on a body of supportable fact. It is against this background that we offer the following points:

1) We accept without question the State Department's statement that the authorization for military flights over Communist China is not new. However, far from being reassured by this statement, we find it profoundly disquieting. The fact that violations of Chinese airspace have been taking place over a period of time does little to offset the apprehension that the Government has been engaged in provocative actions that could jeopardize the national security. Both President Dwight D. Eisenhower and President John F. Kennedy have recognized the folly of involving the United States in a major land war on the mainland of Asia. Also, almost all responsible statesmen have recognized that miscalculation or accident could touch off nuclear holocaust. When we put these views before the State Department spokesman, he replied that Communist China has had full knowledge and understanding of our military flights over her territory and does not regard them as provocative. We are puzzled by this reply. If Communist China "understands" the reason for the overflights, why did it recently shoot down two U.S. planes—which, incidentally, were officially described by the U.S. Government as having "mistakenly wandered off course"? Is it unreasonable to point out that either the flights are authorized or are accidental, but cannot be both? On one hand, the State Department declares that the flights are deliberate and that China knows all about them, the implication being that the Chinese do not consider them an act of war; and on the other hand the Government declares that these airspace intrusions are the result of an accident. Is it unreasonable to ask what our own attitude would be toward violations of American airspace by Russian or Chinese planes? How would we react to statements that we are not likely to find such actions provocative, and that, indeed, we "know all about them"?

2) We regret any imprecision in reporting Secretary McNamara's position on the bombing of Vietnam. We note, however, that he said nothing to encourage those who believe the bombing can bring about decisive military gains. The main point made in the editorial, it may be recalled, was that one of the major reasons for the bombing of North Vietnam was that it was said to contribute to

the morale of the South Vietnam Government. If it is true that the bombing is less effective militarily than is generally supposed and if reports are true of substantial numbers of civilians being killed or maimed by the bombing, then the conception of bombing as a morale booster continues to strike us as a warped and morally indefensible policy.

3) The point that it was not Ambassador Lodge but a neutral third party who took the initiative in seeking negotiations calls for correction, although our information had been corroborated by prime sources we had no reason to question. Here, too, however, the main issue is not who took the initiative but the fact that the United States bombed the city of Hanoi just before the exploratory talks with North Vietnam were scheduled to begin in Warsaw, the result being the collapse of the projected meeting. The State Department believes that arrangements for the talks were far less definite than the editorial indicated; even so, it is a fact that the U.S. Ambassador to Poland was brought home hurriedly for the purpose of briefing him on the American position. It is also a fact that after the State Department announced that the bombings had been carried out in error (at first, the Department denied the bombings), the President sought to reschedule talks by assuring North Vietnam that we would refrain from bombing actions within a fixed distance from the city. As for the Government's argument that it was unlikely that the bombing of Hanoi was the specific cause of the cancellation of the talks, the fact remains that the talks were about to begin, the bombings were carried out, and the preparations for the talks abruptly ceased.

One of the main reasons for the growing opposition within the United States to the war in Vietnam is the increasing awareness of a gap between our announced aims and the policies being carried out in the name of these aims. The Government says it wants to negotiate but that it has no one to negotiate with. That situation is certainly true today, as Hanoi's recent statements make clear; but it is far less clear that this has been the case all along. There have been at least four specific instances, one of them involving U.N. Secretary General U Thant, in which approaches to Hanoi produced affirmative responses, only to have the efforts thwarted or blasted by inexplicable military or political moves.

The President has been far more moderate in his policies than the Joint Chiefs of Staff, as Congressional testimony makes clear. But the question arises nonetheless whether, step by step, the aim of the Joint Chiefs of Staff to achieve a military solution may not now in effect be dominant policy in Vietnam. No man has advanced stronger arguments against a military solution than the President, but the American military has evidently not accepted that conclusion. Actions in the field seem to indicate that the argument has been swinging in the military direction.

Vietnam is one of the most tragic traps in history, and we are all caught in it, the Americans no less than the Vietnamese. We may not be able to find a way out, as Theodore Sorensen says in his article in this issue, unless we begin to do these things that are consistent with the ends we seek.

HUNGARIAN FREEDOM FIGHTERS

Mr. PERCY. Mr. President, in New York on Saturday, October 21, the Hungarian Freedom Fighters' Parliament will commemorate the 11th anniversary of the Hungarian Revolution. It will be a time of sadness, for the revolt succeeded only for a few days. More important, it will be a time of rededication, for the spirit of the Hungarian Freedom Fighters could not be snuffed out by the tanks which crushed their movement.

Indeed, that spirit can never be snuffed out. Men long to be free, and freedom cannot be suppressed indefinitely in any land.

The sacrifices of the Freedom Fighters will not be forgotten by free men. Their cause will not be forgotten. They will not be forgotten. As they rededicate themselves to freedom, let us all rededicate ourselves to the proposition that all men everywhere deserve the opportunity to govern themselves in peace.

THE MINK RANCHING INDUSTRY

Mr. BENNETT. Mr. President, on October 18, Mr. Richard E. Westwood, president of the EMBA Mink Breeders Association and first vice president of the National Board of Fur Farm Organizations, appeared before the Senate Finance Committee on hearings we are holding on import quota legislation. Mr. Westwood testified in behalf of the mink industry which is being severely hurt by cheap foreign imports coming into the United States from the Scandanavian countries.

I am the sponsor of S. 1897, the mink import bill, and some 21 other Senators have cosponsored this legislation. I am very hopeful that the Finance Committee will report an omnibus quota import bill at an early date and that the mink industry will be helped by this legislation.

Mr. President, I would like to insert at this point in the RECORD my preliminary statement made at the Finance Committee hearing on October 18, and also the statement made by Mr. Westwood.

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

PRELIMINARY STATEMENT

OCTOBER 17, 1967.

I am very pleased that the Chairman has seen fit to conduct these hearings.

The serious problems caused by foreign imports must be solved. I'm sure that the Administration will tell its story very well. There are, of course, two sides to every problem, and the real service that is being rendered here is the opportunity for the injured industries and parties to be heard.

There will be a great deal said here about free trade. It will have the support of the Administration, the academic world and the nations and foreign industries that benefit from it at the expense of American farmers and industry. But throughout this land there are farmers and businessmen who, in spite of very efficient operations, are finding it most difficult, and in some cases impossible, to compete with foreign imports. For once someone must listen to their story, and it must be understood if a workable solution can be found.

I think it is very important in dealing with this whole problem that we understand that the several industries, particularly those in agriculture, are not asking that foreign imports be excluded. Those parties who will testify for some type of quota system realize that the United States must import if we hope to export. They realize that most countries produce many products cheaper than the United States. They are only asking that import practices be examined and where necessary brought into proper balance.

It is unfortunate that the parity ratio is only 73 at the present time. Many dairy, cattle and mink farmers are being driven off their farms through no fault of their own. I know what the free traders would say about that situation. However, these independent businessmen face the prospect of losing a major investment, and in some cases their life's savings.

Our mink people are only asking that import quotas be pegged at 40 percent of domestic consumption. To me that appears to be very generous, particularly when one considers that the American market was and continues to be developed almost solely by the American mink industry.

Our dairy and cattle people are only asking that loopholes and evasive practices which have seriously injured their operations be closed.

Our mink, dairy and meat producers have found no long-term remedy to the import problem. They are forced to live with yearly fluctuations, market changes and cheap imports to the extent that mink farming, dairy farming and cattle production has become a hazardous economic venture.

Our lead and zinc producers only ask for a fair share of the American market. The same can be said for the domestic oil industry.

Mr. Chairman, again I want to thank you for scheduling these hearings.

THE MINK RANCHING INDUSTRY FIGHTS FOR ITS VERY SURVIVAL

(Statement before the Senate Finance Committee on October 18, 1967)

(NOTE.—Your Statement on behalf of the National Board of Fur Farm Organizations, Inc., Milwaukee, Wis., by Mr. Richard E. Westwood, West Jordan, Utah, First Vice President. Mr. Westwood is also President of EMBA Mink Breeders Association of Racine, Wisconsin. Mr. Westwood's testimony is directed toward the problems created for the domestic mink ranching industry by having mink skins bound on the "free list" of imported agricultural commodities.)

Chairman Long, and Distinguished Members of the Committee, my name is Richard E. Westwood of West Jordan, Utah, First Vice President of the National Board of Fur Farm Organizations, Inc., a nation-wide trade association devoted to the domestic mink ranching industry. This organization represents over 95% of the mink ranchers of the United States, and its fifty-one constituent member associations represent virtually all mink ranching association activity in the United States. I also speak in the capacity of President of EMBA Mink Breeders Association.

It is my sad privilege to speak to you today on behalf of a group of proud and otherwise self-reliant agricultural producers, the mink ranchers of the United States, who are fighting for their very lives. Imports, riding "piggy-back" on a new and unique industry, and sheltered by duty-free entry, have reached the proportions of a tidal wave which inundates our markets and paralyzes our sales.

Unlike most of the industries scheduled to speak at these hearings, the mink ranching industry is not merely concerned with its rate of profit, but with its right to survival. It's last crop of mink pelts, some nine million, a quantity far below the total annual consumption in the United States, has now been marketed, with great difficulty, far below cost of production. As a result, its producers face immiment disaster, since, like many other agricultural producers, the sales proceeds of one crop must provide the financial resources for re-seeding and propagating a succeeding one.

In producing the 1965 crop, over a billion pounds of agricultural and marine byproducts were utilized by mink ranchers who spread their $69 million worth of feed

purchases over grains, packing house and poultry offal fish, and nutritional fortification materials.

It is out of sheer desperation that we have turned to the Congress of the United States as a last resort, hoping that its power and wisdom will find a way for us to retain our farms, and our skills, and our life's savings.

Mink ranching, as a profession, is just as American as movies and jazz and mass-production. And like other American genius that has spawned endless enriching industries for the benefit of mankind, its roots lie deep in native ingenuity and self-reliance. Mink is peculiarly native to North America only, and the idea of converting its forest beauty into an agricultural product for the benefit of the fashion-conscious women of the world was a North American idea. In the span of about forty years the mink rancher has brought this difficult little animal from an esoteric forest oddity to its present rank—by far the most popular of all furs in the fashion world.

After 1940, American mink farmers, having solved some of their cagey breeding and production problems, formed marketing groups, and it was their genius to recognize from the start that funds must be provided from their own sales to build consumer demand and to set quality standards for the protection of the consumer. Further foresight and genetic skill enriched the product of providing, in rather rapid succession, a range of natural mutation colors giving it endless adaptability. No other livestock industry can match the rapid scientific breeding progress developed by American mink ranchers. For more than a generation, its associations have insisted on (a) quality control and consumer protection, (b) product enrichment from new color and texture, (c) self generating programs to build consumer demand through promotion and advertising.

All of these cardinal points of self-help took money which might otherwise have been taken as profit by less progressive producers. The ranchers' association efforts since the early 1940's have been able to double the consumption of mink in the United States every ten years and they have spent an aggregate of about $20 million in doing this. In the last (1965) crop year for which records are complete, the ranchers produced 8¼ million mink pelts, then worth $160 million.

But little profit. In fact, during the past five seasons, 40 percent of our producers have been forced out of business and currently the survivors are facing disaster. Why?

No rich and promising market such as that created and built by the American mink ranchers can escape the hungry gaze of enterprising foreign producers—especially while that market remains exposed mercilessly to invasion, from the binding of mink to the free entry list, a classification, by the way, which was erected without consulting the mink rancher who created the product.

It is hardly surprising, therefore, that the rancher long ago became conscious of an unfair foreign competition, slowly stealing his market away, riding "piggy-back" on his promotions, producing at a lower cost and expanding exports into the rich American happy hunting grounds which lay ahead, wide open, without an iota of import regulation.

After import quantities began to back up at trade levels in the American market in 1959, the ranchers, through their legislative arm, the National Board of Fur Farm Organizations, Inc., asked for government relief through the Escape Clause, but the Tariff Commission, after a study of the industry, ruled that imports were not the injury claimed. As predicted by the ranchers indigestion of increased quantities of mink, particularly from Scandinavia, sent the world market crashing. Prices fell from $21.48 to $16.41, a 23% drop, establishing a valuation base from which we have never really recovered. Since that time we have lost over 40% of our producers, forced out of business from a price structure that obviously allowed little or no profit.

Other avenues of government relief were earnestly searched for, with none promising. Since the Trade Expansion Act of 1962 established rigid policy lines for freer world trade, we have lived in a kind of terror, on the one hand respectful of ennobling government efforts to upgrade world prosperity, and on the other hand fearing the inevitable catastrophe from foreign competition which believed that the American woman would consume an endless number of mink pelts, without the logical financial assistance to build new consumer demand.

And the inevitable descended upon us. In the past marketing season prices fell from $19.48 to well below $14.00, probably a 30% break when all the figures are in. What industry can take such dislocations as this? What respect for free world trade can be generated from competition that demoralizes and displaces a unique and valuable contribution to our agricultural and national economy?

In 1966 total imports increased 16% and in the case of the four Scandinavian countries over 23%. As examples of unreasonable expansion, Denmark increased her imports to U.S.A. 28% and Norway over 38%. In the corresponding period growth of production on American ranches remained at a mild and cautious 9%.

Why cautious? Still mindful of the crash of 1960. Still trying to find money to build new consumer demand. And still hardly able to make a profit from the price structure of the sixties, from which 40% of the producers gave up.

The price structure of the 1960's, however, did not impede our foreign friends. Imports grew from 2¾ million, the total at the time of the 1959 Tariff Commission Escape Clause failure, to 5,675,000 in 1966, more than doubling in that short span of years.

In 1956 imports claimed 30% of the American market, in 1959 we were concerned that they claimed nearly 35% of consumption, but in 1966 their probable share will be 42%. Where will they stop?

Apparently there is no limit to the ability of imports to swallow up the domestic market. American producers, facing this stealthy encroachment of their own rightful domain, are only too conscious of the advantages handed out by government to foreign mink ranchers through duty-free entry. For the foreign rancher works from a lower cost of living, produces with noticeably lower labor costs, and makes little financial contribution to the building of consumer demand.

And, forgive us, to point out here that he pays no taxes to the United States community, maintains no schools here, carries no local civic responsibilities, and elects no public officials. Forgive us, too, if, borrowing a term from railroading, we use the term "piggybacking" in a loose manner.

As an example of the kind of competition we face, the last three or four years have resulted in a total of 15–20 thousand Scandinavian producers, each of whom, it is said, average about 450 pelts per annum. Such insignificant average ranch production is hardly more than moonlighting and obviously does not constitute the producers principal source of income. By contrast American ranches average over 2,250 pelts per annum, a quantity which requires serious full-time engagement.

Under the moonlighting conditions of the average Scandinavian producer, labor is provided largely by a member of the family in spare hours and payroll demands such as face American ranchers are hardly a major production factor.

An exception to this frightening picture of foreign competition is Canada, our neighbor and co-inventor of mink ranching. Canada, in the years before 1959, assisted financially in building a mink market in the United States. Her ranchers share similar cost-of-production demands with us and, understandably, her growth rate, like our own, in recent years, remains halting and cautious. Once the principal source of imports, Canada now ranks in fourth place and shipments to us are slowly declining.

Other foreign competition remains relatively static. But Scandinavia, which two decades ago was of little consequence, now exceeds the United States as the world's major producer of mink. That it achieved such status in the year of world market disaster is, we think, significant. Though Scandinavian rancher associations have spent some money in the American market, it has been largely used at trade levels in pirating our own trade customers and trade relationships—but hardly to the building of new consumer demand. Though total export figures on mink pelts do not tell the whole story, there has been a steady increase in the percentage of ranch-raised mink pelts going abroad. Last year exports totalled well over a million and brought home $22 million in gold. Ranchers pelts accounted for more than ¾ of this billion and the total will steadily increase. By contrast, imports cost us in 1966 over $73 million in gold.

Analyzing the statistics in the case is very interesting, and our brief to the Committee Staff will certainly contain a tight documentation of our case, but our reason for being here today transcends the theory and practice of free or reciprocal trade. It is—very simply—a case of survival. Competition with foreign producers, as they are presently aided by duty-free entry, has brought us to the brink of disaster. Having exhausted all hope of administrative relief, we have laid our cause before Congress, where in the last months we have found many Congressmen and Senators who have given us courage and encouragement. To date over 75 companion bills or co-sponsorships have been introduced on our behalf, patterned after the pilot H.R. 6694, introduced by Congressman James Burke of Massachusetts.

In this action we have requested Congress to grant a simple device—that is, to freeze the status quo as to the sharing of the American market with imports. The bill directs the Secretary of Agriculture to determine the domestic consumption of mink in one year and to establish a quota limiting imports to 40% in the next.

What more free trade can there be? What American industry, protected or not by tariffs, is willing to guarantee it's foreign competition that share of it's domestic market?

What more liberal attitude is to be found among American industries who are willing to share future growth to that etxent? Some of our congressional friends say that this is too liberal and that a freeze of status quo will but perpetuate the elements of disaster already so apparent.

Your indulgence in our case to hear the complaint and to carry it to careful staff investigation is appreciated by all of the mink ranchers of the United States. Without government intercession at this point their proud and resourceful industry will certainly vanish. Without some reasonable economic device that will assure stability in future years, their ability to accumulate funds for product and market promotion will quickly evaporate. Without the mink rancher, the fur industry itself will find it hard put to promote and vitalize its own consumer demand, something it has never been able to do for itself.

Mr. Chairman and members of the Committee, in behalf of the domestic mink ranching industry, I wish to thank you for the fine consideration you have given us in permitting us to present our case to you.

As an industry, we are in a state of crisis and it is our hope you can give us expeditious and remedial relief. Again thank you for your consideration.

ONE MAN'S VALUES

Mr. MUNDT. Mr. President, last Wednesday, October 11, a great testimonial dinner, sponsored by ACA—Americans for Constitutional Action—was held at the Washington-Hilton Hotel in our Capital City on the occasion of the 75th birthday of the chairman of ACA, Adm. Ben Moreell, CEC, USN, retired. It was an event long to be remembered and many Members of the House and Senate were among those present.

It was my pleasure to deliver a banquet address devoted to the life, achievements, and philosphies of Ben Moreell, and to the activities of ACA which he so ably has served for many years. In response to my remarks, Admiral Moreell delivered a magnificent and inspiring address entitled "One Man's Values." I ask unanimous consent that the address by this distinguished American be printed in the RECORD.

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

ONE MAN'S VALUES

(By Adm. Ben Moreell, CEC, USN (Retired), Washington, D.C., October 11, 1967)

Governor Edison, General Lane, Senator Mundt, the Reverend Mr. Ingram, Mr. Pew, my charming wife, esteemed hosts, honored friends and dear relatives:

I am awed by this munificence; your presence here; the generosity of our hosts; the inspiring prayer of Mr. Ingram; the eloquent tribute of Senator Mundt and General Lane's expertise as Toastmaster General! I am profoundly grateful for all.

Vanity induces the thought that all this is fulfillment of the poet's plea:

"Oh, wad some power the giftie gie us
To see oursels as others see us."

But prudence cautions me to read on:

"It would frae monie a blunder free us
An' foolish notion!"

It is clear that Master Burns had other circumstances in mind when he penned those lines!

As I recall my many errors of commission and omission over the years, I conclude that a more fitting role for me would be to follow the example of Sam Goldwyn, notorious disciple of Mrs. Malaprop. He was taking a golf lesson, and in superbly inexpert manner, he was spraying the landscape with wild shots. Suddenly he drove a long ball straight down the middle! Astounded by his feat, he turned quickly to his instructor and asked, plaintively, "What did I do right?"

I am indebted to Senator Mundt for having so generously reported some of my "shots" wherein I, too, appear to have done some things right!

It is fitting that I acknowledge, also, my debts to those whose willing hearts and minds and hands helped me on my way. Many of you are among them. I am thankful for and honored by your presence. I have been favored by a kindly Providence in my family, my friends, my able and devoted teachers, and my many loyal co-workers. Because of your help, and that of others, I have accumulated a debit balance so large that I can never pay it off!

No small part of that balance is a debt all of us share, a debt owed to that band of patriots who blazed a trail from tyranny to freedom, through government oppression, to establish our free Republic.

They raised "a standard to which the wise and honest can repair," a standard which retains its integrity because it is rooted deeply in spiritual faith and in eternal principles of truth and justice.

I will define those principles, and the values derived therefrom, as I see them. I do so with caution, fully aware that, in light of the infinite variability of human beings, honest conclusions drawn from a given set of circumstances by a number of people may cover a wide range of opinion.

THE LAW OF HUMAN VARIATION

Each of us begins life with certain inherited physical, mental and moral characteristics, some of which are as unique as one's finger-prints. As we grow older, the variations at birth are expanded by differences in environment, education, training, associations, and experiences, and by the influence of our studies, meditations and such Divine guidance as we are able to invoke. These diversities bring about differences in material possessions and in the status achieved in the professions, the arts and other areas of human endeavor.

All this is the natural resultant of the law of human variation, a law of such transcendent importance to the progress and well-being of mankind that it must surely be Divinely authored! "The God Who gave us life gave us liberty at the same time," Jefferson observed. I would presume to add, "And He made us all different, each one from every other one."

With such a powerful force acting to induce diverse judgments, it is truly remarkable that we can achieve pragmatic working agreement on most of the crucial issues which confront our Nation. We do so only as we develop a broad tolerance for the opinions of others, a tolerance essential for arriving at workable solutions which attract the support of public opinion.

Alexander Hamilton advanced this thought in a plea for ratification of the Constitution. He wrote, in the first Federalist Paper, "So numerous, indeed, and so powerful are the causes which serve to give a false bias to the judgment, that we see . . . wise and good men on the wrong as well as on the right side of questions of the first magnitude to society. This circumstance, if duly attended to, would furnish a lesson of moderation to those who are ever so much persuaded of their being in the right in any controversy."

It is in light of the foregoing that, over the years, I have tried earnestly, but not always with success, to avoid impugning the motives, the patriotism or the integrity of those with whom I have differed on important questions. I trust that the views I present here tonight will be received with tolerance and understanding.

PRINCIPLES OF THE AMERICAN WAY OF LIFE

The essential elements of the principles which set the pattern for the American way of life are:

First: Man receives, directly from the Creator, his rights to life, liberty, and to sustain his life by the fruits of his own labor. The latter entails his right to possess, protect, utilize and freely dispose of his honestly acquired property. These rights are inherent and inalienable. They are not mere privileges conferred by government, or the President, or the Congress, or the Supreme Court, or any other human agency, to be withdrawn at the whim of that agency when politically expedient.

Second: To make those rights secure, our forebears organized a common agency, which they called "government," to which was granted a monopoly of force with which to defend the peoples' rights; to define a system of laws; to invoke a common justice; and to keep the records incident thereto. Government would not be empowered to administer the affairs of men; rather it would dispense justice amongst men, who would be free to manage their own affairs.

Because government is force, controlled by fallible human beings, its powers were to be strictly limited and clearly defined in a written constitution to keep it from going off on a career of its own, like a cancer, consuming the very rights it was organized to defend.

Third: In order that each person might have full scope for the development and use of his talents, he must have maximum freedom of choice which should be limited only by the requirement that he may not thereby impair the freedoms of any other person. This requires a free market for goods, services and ideas, into which government would intrude only to perform the functions allocated to it specifically by the Constitution.

Under this system, each person may use his dollars as ballots to promote those goods and services which satisfy his wants best. This is the essence of the world's most productive economy, our own free market system, which offers incentives to venture, rewards for success and penalties for failure, all commensurate with the values delivered to the market-place as these are determined by willing buyers and willing sellers.

Fourth: To deprive a person of his rights is to violate a natural law. This will call forth its own penalties, as does defiance of any natural law, moral or physical. If I jump from a high building I am defying the law of gravity; and I am penalized. In like manner, when we defy the law of human variation by trying to equalize the social, economic or cultural status of individuals by resort to the coercive force of government, thus restricting free choice and impeding creative energies, we suffer the penalties.

A corollary is that there is no moral sanction for any man to impair the rights of his posterity. Just as he may not sell them into slavery, so may he not deprive them of their economic or political freedom. Jefferson held that the act of deferring payment on the public debt, thus imposing this burden on future generations, is tantamount to enslaving them.

Fifth: Every God-given right entails a responsibility to exercise that right within the limitations fixed by such stern admonitions as The Ten Commandments, The Sermon on the Mount and The Golden Rule. A man's right to the free use of his faculties makes him responsible for the manner in which he uses them. His right to life demands that he be responsible for caring for himself and his own. He is responsible for fulfilling the contracts which he enters into freely. And he has a responsibility to protect the framework of the social order which permits him to use his faculties for his own ends and to discharge his obligations as he may choose.

And, finally, there is a realm of moral obligations and duties which is a matter for religion, a matter for individual conscience, a matter for a man and his intimate relationship to his God. It is presumptuous for human beings to legislate about such matters. If such obligations and duties are imposed by force of law they lose their moral content for the individual, because, when coercion is introduced, he no longer has freedom of choice.

SQUANDERING OUR LEGACY

On this solid foundation our people built a Nation dedicated to human freedom; a Nation which was a haven of refuge for the oppressed and a beacon of hope for those who could not escape to our shores; a Nation where there was always compassion and abundant help for the needy but where opportunity for self-help was held to be far

more important and was made available in generous measure; a Nation where, within the limitations of human error and frailty, there was a generally prevailing respect for the personal dignity and the natural rights of all, without regard to race, creed, color or national origin.

What have we done with this rich heritage? My generation has squandered its legacy. We have failed to preserve the integrity of this citadel of freedom. We have permitted its super-structure to be eroded and its foundations weakened to the point where there is grave danger of collapse.

All of us share the blame. We are reaping where we have sown. Over the past half-century we have propagated a mis-placed faith in the ability of the Central Government in Washington to achieve any kind of material, economic, social or moral purpose. Implementing this faith we have abdicated our personal responsibilities to God and to our neighbor in favor of an impersonal government, upon which we have thrust enormous powers. Or, we have stood by meekly and permitted government to seize more and more authority, centralizing it in Washington, far removed from the scrutiny of those from whom it was taken.

Thus, local communities are deprived of the means of solving their own problems by the use of realistic measures, suited to local conditions. Instead, they must resort to ineffective or harmful solutions devised by Washington experts in philosophical abstractions, who ride rough-shod over local customs, practices, procedures and prejudices.

Professor Daniel Moynihan, prominent modern liberal, recently remarked, "The Federal Government is good at collecting revenues and rather bad at disbursing services."

Our current policies ignore the great hazard of concentration of economic or political power in government. Lord Acton warned us, "All power tends to corrupt; absolute power corrupts absolutely."

It has been said that the people never give up their liberties except under some delusion. We have been surrendering our liberties under the delusion that government has some supreme competence in the realm of economics, some magic multiplier of wealth, some easy access to a vast store of economic goods which may be had without working for them, merely by voting for them!

INNER RESTRAINTS—LAW AND ORDER

In 1776, George Mason wrote this statement into the Virginia Declaration of Rights:

"No free government or the blessings of liberty can be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles."

What principles did he have in mind? They were, broadly speaking, religious principles; not the doctrines and creeds which set off one group from another but rather the belief in a just and merciful God which they share. It was a basic American principle to separate Church and State, not because of any hostility to religion; quite the contrary. The State was to be secular in order that religion might be free to teach our people the inner restraints of self-discipline. The latter, in turn, would reduce or eliminate those infringements on individual rights which so often accompany forceful measures taken by government to establish and maintain public order.

Edmund Burke said:

"Society cannot exist unless a controlling power on the will and appetite is placed somewhere; and the less there is within the more there must be of it without."

The American tradition holds that a free society is possible only if it consists, predominantly, of spiritually conscious, self-disciplined individuals. This is evident in both the Declaration of Independence and the Constitution. The framers of those documents believed they were transcribing "the laws of Nature and of Nature's God." The supremacy of the Constitution was believed to stem from its correspondence to a law superior to the will of human rulers.

In recent decades we have veered away from that design for a great and devout Nation, whose basic tenet was an economically independent citizenry, supporting and controlling a government which is the servant of the people, not their master! Instead, we have moved sharply toward the seductive idea of a socialist "utopia," which reverses the American pattern, enslaving the people by having the government support them! This is the same false "utopia" from which many of our people, or their forebears, escaped in order to seek freedom and opportunity in America!

To know the ailment is the first step toward finding the cure. We can escape from our current confusion; but it will not be by political legerdemain. Rather, it will be by a rehabilitation of those spiritual and moral values which made our Nation great!

AMERICA AND MORAL LEADERSHIP

I am no prophet of doom. While I hold that disaster lies ahead unless we change course, I believe that the world is now on the threshold of what could be such a dynamic expansion of spiritual understanding and material productivity as to tax the capacities of all mankind! The world looks to America for moral leadership. The great French philosopher, Jacques Maritain, said:

"What the world expects from America is that she keep alive, in human history, a fraternal recognition of the dignity of man . . . the terrestrial hope of men in the Gospel!"

We can provide that moral leadership if each of us will dedicate himself to "justice, moderation, temperance, frugality and virtue, and frequent recurrence to fundamental principles." This task must be undertaken by each one, acting individually. Our success will then be evidenced by the wise actions of our elected law-makers—and by those who execute the laws they enact. This is the way we can make our liberty secure!

The great Irish patriot, John Philpot Curran, said:

"It is the common fate of the indolent to see their rights become a prey to the active. The condition upon which God hath given liberty to man is eternal vigilance; which condition if he break, servitude is at once the consequence of his crime and the punishment of his guilt."

Freedom is never free. It's security requires tireless dedication and unceasing toil. Once lost, it can be regained only by paying a very high price in blood, sweat and tears.

We live in an era of crisis. In such times, the genius of our people is to rise above their differences and to unite their strengths to serve the common good.

Let us face the future with determination, confidence and, above all, faith in God and in each other. We will not fail; for we shall know the truth, and the truth shall make us free!

THE MANY CAREERS OF HAROLD TITUS

Mr. GRIFFIN. Mr. President, last week the conservation world lost one of its strongest and most effective spokesmen when death took Harold Titus of Traverse City, Mich.

Active until the end, Mr. Titus had built a nationally prominent reputation for his work on behalf of conservation.

To borrow a fitting expression from the Traverse City Record-Eagle, Harold Titus had many careers.

After graduating from the University of Michigan in 1911, Mr. Titus became a fruit grower in Grand Traverse County. Later he joined the U.S. Army during World War I.

For a time Mr. Titus served as reporter for the Record-Eagle. He took an early interest in fiction writing as well, and during his lifetime, which spanned 79 years, he completed nearly a dozen novels. These included "I Conquered," published in 1916, and the equally popular "Black Feathers," published in 1936.

Mr. Titus contributed numerous articles to such well-known national publications as Collier's, Red Book, and Ladies' Home Journal.

After helping to organize the Izaak Walton League of America in 1922, Harold Titus became a prime mover behind the formation of the Forest Service. From 1927 until 1935, he served on the Michigan Conservation Commission.

A recipient of many distinguished conservation awards, Mr. Titus was designated winner of the 1951 Wildlife Society's Leopold Medal.

He served as conservation editor of Field and Stream magazine until his death.

Mr. Titus was born into an era that did not know air and water pollution. To his generation, highway beautification meant keeping the status quo. The horseless carriage was just a dream.

But as he grew to adulthood, Harold Titus grasped that our ever-mounting population and industrial expansion could eventually spell the ruination of nature's gift to America.

Harold Titus dedicated his life to preserving the country's natural beauty and our rich heritage. We are the ultimate benefactors of his untiring efforts. Americans of all generations will continue to owe him a lasting debt of gratitude.

LABOR RIGHT TO TAKE ACTION AGAINST STRIKEBREAKING

Mr. MORSE. Mr. President, every Member of this body should be alerted to a proposal, set forth by the distinguished senior Senator from North Carolina on October 12, which, if adopted, would cripple the cherished right of organized labor to wage a strike for improved working conditions. I refer to the Ervin substitute for H.R. 2516, the civil rights bill passed by the House in August.

The Ervin substitute provides in section 104 that the National Labor Relations Act be amended to prohibit union imposition or judicial enforcement of any fine, and "any disciplinary action whatever," against a union member who engages in strikebreaking. Thus, for the first time in our history, labor unions are singled out from among all associations and organizations for a prohibition against any discipline of their own members—even members who violate the first duty of union allegiance by assisting the employer against the common cause of their fellow unionists in a strike for better working conditions.

This unprecedented and punitive provision would negate union majority rule and would cripple the cherished right to strike which Congress has so many times

upheld as the legitimate weapon of organized labor for the improvement of the worker's lot.

The Ervin proposal would negate a long record of congressional protection of the right to strike. In 1932, the historic Norris-LaGuardia Act sought to free labor's right to strike from oppressive interference by judicial injunctions. Then in 1935 Congress expressly provided that nothing in the new Federal labor law would impair the right to strike. In 1947—in the Taft-Hartley amendments—we once more resisted efforts to impair this cherished right of the workingman. Even Senator Taft in the last analysis recognized the legitimate privilege of workingmen to improve their conditions by concerted work refusal. As the Senator put it during the floor debate on the issue of the labor strike:

> We have not forbidden it, because we believe that the right to strike for hours, wages and working conditions in the ultimate analysis is essential to the maintenance of freedom in the United States . . . our freedom depends upon maintaining the free right to strike (93 Cong. Rec. 7537).

In 1959 in the Landrum-Griffin law, which I again resisted in its unwarranted curtailment of labor union rights, Congress once more refused to impair in any way labor's resort to the strike. Indeed, the power to discipline strike-breaking members was at least inferentially recognized where we provided that nothing in the 1959 law should be deemed to "impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization." Now, in contrast to that provision, Senator ERVIN's proposal would bar unions from enforcing the most reasonable union rule of all—the rule requiring membership allegiance to the common cause in a union strike to improve the lot of every employee and member of the union.

Senator ERVIN's proposal would enact a rule of organizational anarchy for labor unions alone among all organizations and associations in our society. It would bring Congress to the aid of anti-labor employers seeking to blunt labor's rights and freedom of self-protection. This harsh and restrictive proposal deserves to be rejected by every Member of this body.

PROPOSED TREATIES CONCERNING PANAMA CANAL

Mr. MURPHY. Mr. President, on September 2, the distinguished Senator from South Carolina [Mr. THURMOND] spoke before the Young Americans for Freedom in Pittsburgh, Pa.

His remarks on that occasion make a thoughtful contribution to the current discussion of proposed treaties concerning the Panama Canal. I believe all Americans should have an opportunity to read Senator THURMOND's warnings concerning the possible abbrogation of our rights and interests regarding the Panama Canal.

I ask unanimous consent that his remarks be printed in the RECORD.

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

COMMUNIST PLANS FOR THE PANAMA CANAL

(Address by Senator STROM THURMOND, Republican, of South Carolina, before Young Americans for Freedom national convention, Pittsburgh, Pa., September 2, 1967)

The most recent dispatches from Panama have been telling a perplexing story. Last June President Johnson and President Marco Robles announced that the two countries of the United States and the Republic of Panama had completed negotiations on three *new* treaties regarding the Panama Canal. Although the official texts of these treaties have never been released, the details are fully known.

From the American point of view, there is only one word to describe their contents. These treaties are the *greatest* give-away since God gave man the world for his dominion. They give away United States jurisdiction and sovereignty. They give away United States land and property. They give away United States operating facilities and engineering works. In short, they give away the entire U.S. Canal—and indeed any new canal that the United States might build in Panama—to a dubious operating authority whose sole strength is the slender reed of promises by the Republic of Panama. Let me take just a moment to describe the batch of three treaties. The first and most important treaty is the basic re-negotiated Panama Canal Treaty. This treaty sets up an *organization* described as "International Juridical Entity" which would be the administrative agency for operating the Canal. All of the property that *now* belongs to the United States Government would be turned over *free* of charge to the operating agency. The present Canal Zone would be diminished from the 10-mile wide strip to an area approximately 1 mile wide. The Canal Administration would operate its own *court* system and its own *police* forces in the Canal area.

So you can see that it will be very crucial for the *safety* of the Canal to make sure that the United States has *control*. Ultimate control of the Canal is in a governing board of 9 men. The United States has a 1-man majority on this board. But I want to point out that Congress will relinquish *all* control over the appointment of these men and has *no* recourse if even *one* of them should turn out to be incompetent or acts against the best interests of the country.

Furthermore, the *executive* control is in the hands of a Director General and his deputy. The terms of office of these men alternate between United States citizens and Panamanian citizens. At the present time, the President of the United States can assume direct control *instantaneously* if dangerous conditions are warranted. Under the five-four board, *control* would be so *diluted* that it would be impossible to be sure that effective action could be taken in time.

I would like to mention one other aspect of this important treaty. The formula for *payments* are strongly biased against the United States. Panama's share is based on $0.17 per long ton going up to $0.22 per long ton, year by year. After these payments are made to Panama, estimated to be about $20 million per year, then all other expenses of the Canal are to be paid, including overhead, capital improvement, and operating funds. The last priority is held out for the United States payment which is only $0.08 per long ton and going up to $0.10 per long ton. The effect of these increased payments will undoubtedly result in increased tolls which could easily be as high as 25%.

The second treaty is the proposed status of forces treaty which defines the rights and privileges of our territory forces stationed to defend the Canal. One of the most serious drawbacks of this treaty is that it provides for a committee to confer when any special action is necessary to defend outbreaks of insurrection or enemy attack. The treaty stipulates that in the event that the committee fails to come to agreement on *what* measure can be taken that the controversy will be directed toward the respective governments through proper channels. This is an extremely cumbersome arrangement, and is another example of civilians dictating a no-win military policy without any consideration for the experience and professional judgment of the military experts.

Another feature of this treaty is a provision that the Panamanian Flag shall fly over *all* United States bases on Panamanian soil. The United States Flag *cannot* fly unless Panama gives *special* permission. No other base agreement that we have anywhere in the world stoops so low as to strike the American Flag.

The third treaty gives us an option to build a so-called sea level canal somewhere in Panama. At this point we do *not* know whether a sea level canal is technically or economically feasible. Congress currently has authorized a study which will take at least three years to complete. It is insane to propose a treaty for building a sea level canal when we don't even know that *such* a canal *can* be built. At the very least, these treaties should be held up until the sea level study is complete. Furthermore, if a sea level canal is built, the control structure will be virtually identical to the proposal in the new treaties with one exception: The door is held open to internationalization in the construction and financing of a sea level canal. *This* would dilute our control *even* more.

But in spite of this give-away, the most recent dispatches from Panama are indeed perplexing. These dispatches report that there is tremendous opposition growing within the ranks of Panamanian politics to approval of the treaties. We hear that President Marco Robles is being attacked on all sides. The plans for the formal ceremony of signing the treaties, which according to informed sources was scheduled for three weeks ago in Washington, have been put off *indefinitely*. President Robles sought to make these treaties his political triumph, but it now appears that the treaties will cause him nothing but tribulation.

These reports have caused great concern and puzzlement throughout many quarters in the United States. Many men thought that the generous give-away attitude reflected in these treaties would appease Panamanian nationalism. When the treaty negotiators sat down two years ago, the United States held almost all the cards.

We had, first of all, *sovereignty*—operating sovereignty in the Canal Zone. Secondly, we had won *independence* for Panama and furnished Panama with the main source of development and support. Thirdly, we have had a history of generous concessions and easy relations with Panama since the first treaty was signed in 1903.

The only card that Panama held was the somewhat dubious power of *blackmail*, a power growing out of *extreme* Nationalist activities. There was absolutely no reason why a strong powerful nation like the United States should give in to the petty blackmail on the fluctuating Panamanian political scene.

Yet when the negotiation game was over, Panama got up with the whole pot. We played as though we *wanted* to lose. Many of our United States liberals, particularly those who are most liberal with the taxpayers' investments, have been genuinely puzzled by the ominous turn which events have taken in recent days, with the stirring up of opposition to the treaties.

However, those who have been watching the Panamanian scene closely for some time were *not* surprised. Early in July soon after the treaties were announced, I made a short speech before the Senate pointing out what the *long-term* aspirations of the Panamanian Nationalist sentiments were in regard to the Canal.

From statements in the Spanish language press, it was clear that the Nationalists were

prepared to urge extreme measures. Among their objectives were: First, that Panama aspires to have the *same* relation to the Panama Canal that Egypt has to the Suez Canal and proposes to nationalize it. Second, that Panama repudiates the idea of *internationalization*. Third, that Panama is determined to have *complete* sovereignty over the Canal Zone. Fourth, that Panama is considering closing territorial waters around the Canal Zone—a jurisdiction not recognized by the United States—as a *trap* to get its demands.

From these and other objectives, it was soon to be clear that the contents of the proposed treaties would not satisfy the demands of Panamanian politics. Insofar as the United States maintained *any* kind of indirect control at all, or retained *any* power, however bridled, to *protect* the Canal and its installations—to *that* extent the Panamanian Nationalists would remain dissatisfied.

The latest word is that even the most responsible of the forces opposing the treaty for principal objections are demanding that President Robles re-negotiate *four* principal items in the treaty which give minimum safeguards for the extensive U.S. interests in the Canal. These four objections are: First, that the provisions in the treaties for special *courts* in the area of the Canal would result in courts that would be outside Panamanian juridical control. Second, the special *police* force in the Canal area would have exclusive authority and not be under the direct control of Panama. Third, the *governing body* of the Canal administration would be weighed with 5 to 4 in favor of the United States; the Nationalists would prefer the other way around. Fourth, the provision for the use of Panamanian territory by U.S. armed forces defending the Canal is regarded as an imposition upon Panamanian sovereignty.

Now, as a matter of fact, the *actual* U.S. control exerted through these four points is so weak as to be extremely dangerous to our interests. The special Canal courts would be employing a new body of law which would not necessarily have the same protection as U.S. law. The police force would be under the control of a weak authority which would have difficulty coping with unexpected or large disturbances. The 5 to 4 margin on the governing body of the administration depends entirely upon the character and ability and inclination of the men who are appointed to the United States seats by the United States President.

Finally, the provisions for the United States defense bases in Panama are weakened by the giving of priority to Panamanian uses. Although the Panamanians want more than this, these protections are ridiculously weak when compared to the *firm* position which we *now* enjoy and seem intent upon abandoning. The question *then* is, *why* is Panamanian Nationalism intent upon rejecting the United States give-away?

The *answer* is that in terms of political action, Panamanian *Nationalism* is nearly impossible to distinguish from *Communism*. Now I grant that the *motives* of many Nationalists may be quite different from those of the Communists. I grant that many Panamanian politicians are not looking beyond their shores. On the other hand, the Communists have had their eye on the Panama Canal from the very first days when Communism seized power in the Soviet Union. In the famous memoirs of John Reed *Ten Days That Shook the World*, this American observer of the Bolshevik Revolution reported that the Soviet representative to the Paris Peace Conference in 1919, Comrade Skobelev, was instructed by the Soviet Executive Committee to demand that "all straits opening into inland seas as well as the Suez and Panama Canals be neutralized." This grand strategy of the Communists has endured down to the most recent days when, during the Suez crises in June, the Soviets once more demanded that *all* great waterways be internationalized.

It is easy to see *why* the Soviets have their eye on the Panama Canal. This is, of course, an important waterway in world trade. But it is even more important as a *vital* artery to *American* trade. Two-thirds of *all* cargo going through the Panama Canal is either bound to an American port or is coming from an American port. Those who wish to *bury* the United States must begin by blocking the Panama Canal.

But in time of war the Canal takes on an entirely *new* significance.

During the Second World War, 5,300 combat vessels used the Canal and 8,500 other ships carried troops or military cargo through it. For reasons of safety, no Axis ships could be permitted to go through. Of course, none would have dared come within hailing distance of the entrance to the Canal. Similarly, during the Korean war, over 1,000 U.S. Government vessels transited the Panama Canal to carry troops, supplies, and war materiel to U.S. troops in Korea.

Despite the fact that those who say that the Canal is outmoded in an age of nuclear warfare, it continues to be an import supply line to Vietnam. U.S. Government and U.S. Government chartered vessels transiting the Canal increased in number from 394 to 725 in the period of fiscal year 1965–66. The cargo carried jumped from 1.9 million to 3.2 million long tons. Although these figures are the most recent available, they are for the year ending June 30, 1966, in the period before escalation really began in the buildup of military supplies in Southeast Asia.

Nuclear warfare *could* destroy the Panama Canal—or indeed any canal, even a *sea level* canal. However, we must presume that wars will continue to be fought as at present, to wit, in non-nuclear engagements. In that case, the Canal provides the Navy and supporting Merchant Marine with interior lines of sea communications, far shorter than the routes around Cape Horn or Cape Good Hope. If the Canal were blocked, a large part of the U.S. railroad capacity would have to be used to shuttle troops and supplies from Atlantic to Pacific.

Even if the Canal were closed in peace time, the cost to the United States would be great. Millions of dollars would be added to U.S. shipping costs, and as much as two weeks time in ocean shipments. Japan, one of the largest buyers of U.S. coal, would probably have to seek other sources of supply. California and other West Coast states would begin to feel an almost instantaneous blight. Steel shortages would quickly begin to affect almost all West Coast manufacturing. On the East Coast, many of the canned foods which we take for granted, such as pears and pineapples, would become very expensive.

Hunt Foods and Industries, one of the big West Coast fruit and vegetable packers, has estimated that it alone would need 75 to 80 more railroad cars in the next 60 days if the Canal were closed. I think that no one would disagree that the closing of the Panama Canal, or its take-over by a hostile nation, would be disastrous for the U.S. economy. It is no wonder, then, that the Communists have given it the No. 1 long-range priority.

Americans sometimes have difficulty in imagining how a fiercely Nationalist country like Panama, could become the tool of Communist policy. A recent publication of the Senate Internal Security Subcommittee, of which I am a member, recently chose Panama as a hypothetical case in the study of Soviet propaganda techniques. Allow me to quote:

"On the day the government of Panama falls under the control of some Popular-National-Progressive Anti-imperialist Front of Liberation, the United States could be maneuvered into relinquishment of the Panama Canal without using a single missile from its billion dollar armament. This is a very real and possible imminent development. The Front might consist of 500 students, 60 Sergeants, 50 professors, 40 journalists, 30 lawyers, and 20 longshoremen, gathered from the back rooms of a dozen cafes, and united around 10 Soviet agents at a cost to Moscow of some half million dollars."

Those who have not studied Communist history and Communist techniques cannot possibly imagine the tremendous leverage that even 10 Soviet agents who might appear to be Panamanian Nationalists can have in such a case.

Now let us turn from the hypothetical study made by a U.S. Senate Subcommittee to another study published in a theoretical periodical, the *World Marxist Review*, which is, of course, a public organ of the international Communist conspiracy. The *World Marxist Review* has already laid forth the Communist strategy for the take-over of Panama. Now it must be remembered that I am not quoting from some musty document born out of the Stalinism of the '30's. This article was published in March, 1965, almost contemporaneous with the beginning of the negotiation of the present Panama treaties that have been proposed by the Johnson and Robles administrations. Let me quote:

"The People's Party of Panama (the Communist Party) has charted the road along which revolution can be carried out. The only solution seen at present is the transfer of the power to the people—workers, peasants, forward-looking intellectuals in the middle sections, and groups of the bourgeoisie who want radical reforms. Considering the realities of the present situation, it is doubtful if these reforms can be achieved the parliamentary way.

"In the opinion of our party, the national liberation revolution in Panama will pass through *two* stages. In the first stage, the task will be to set up a national, democratic, peoples-government which will consistently carry out an agrarian reform, pursue an independent foreign policy, do away with corruption, take vigorous steps to develop the national industry, and embark on deep-going economic and social reforms."

At this point, I would like to break away from the text to emphasize the importance of the next statement which appears in the *World Marxist Review*. Let me quote:

"It is extremely important in the first stage to pursue a policy of unity, an alliance with all the forces interested in these changes (irrespective of their ideology). The party resolutions state that only a revolutionary peoples government, uniting all segments of the nation opposed to the oligarchy will be able in the second stage of the revolution to combat the U.S. and its monopolies, to remove the imperialist ulcer and pave the way to nationalization of the Canal.

"The immediate aim of this struggle is to deflate the oligarchy, compel it to show itself in its true colors as the direct agent of U.S. imperialism, and thus shorten its days. The ultimate aim is to achieve the *complete* liberation of the country. To this end, the Communists will use all forms of activity."

This article from the *World Marxist Review* explains clearly why the Nationalist agitation in Panama has grown so intense. According to the rules of Communist strategy, President Robles represents the so-called "oligarchy." Therefore, the Communists are attacking him and his treaty. They will demand an independent foreign policy. They will demand that the alleged corruption of the oligarchy be done away with. In the first stage of the Communist plan, it is clear that they will ally themselves with the Nationalists so closely that it will be impossible to distinguish one from the other. Insofar as we

assist the plans of the Nationalists, we are advancing the first stage of the Communist strategy.

It is my belief that the present treaties play into the hands of this Communist strategy. For example, one of the most significant sections of the proposed treaty turns over all the auxiliary enterprises connected with the Canal to "private enterprise." The terms of the treaty make it clear that only those favored by the Panamanian Government will be allowed to bid on the operation of these enterprises. Moreover, the treaty makes it plain that if competitive bidding is unsatisfactory, the contracts will be awarded by negotiation.

In the first place, this arrangement makes it appear as though well-established and going businesses are being turned over to the Panamanian oligarchy to fatten their pockets. This provision makes it appear as though the bidding will provide a ready field for all kinds of corruption and kick-backs.

It does not matter whether this situation will come to pass or not. The treaty terms are framed in such a way as to give the Communists their rallying point. They will press for a government, to quote the *World Marxist Review*, "uniting all segments of the nation opposed to the oligarchy." This means the downfall of the Robles regime according to the Communist plan.

This is the stage we are witnessing now in the vicious attacks against the treaties in the Robles government. We must not forget that the second stage of the plan is "to combat the U.S. and its monopolies . . . and pave the way to nationalization of the Canal."

In view of the fact that the treaties seem tailor-made to fit Communist propaganda, it is interesting to note that one of the chief negotiators for President Robles is a self-avowed Marxist intellectual, Diogenes de la Rosa. Senor de la Rosa has a history that the liberal journals like to describe as "a very colorful past." It is well known in Panama that for years the sympathies of Diogenes de la Rosa have lain with the Trotskyite Communists. I would like to quote to you a sarcastic comment which the columnist in the Spanish newspaper "El Mundo" made on August 17. The columnist who writes under the by-line of Picando commented that Diogenes de la Rosa is now labelling those who oppose the new treaties as "Communists and traitors." Picando's sarcastic comment was "How times have changed for Comrade de la Rosa."

The impossibility of distinguished true Nationalist aims from issues which the Communists can use to agitate their two-part plan should make us wary of any arrangement in the Canal Zone which would weaken our control. Despite so-called safeguards written into the Treaty, we will no longer have the direct physical control of the territory in security of the Canal area which we now have.

If we *accept* these treaties in the hope of solidifying a fairly moderate government in Panama, the only thing we will accomplish is to make that government the target of increasingly strong Communist pressures. By throwing upon a small nation a responsibility which it doesn't have the capability to exercise, we are endangering the freedom and independence of that government.

I do not believe that any arrangement under which the United States gives up its effective sovereignty can be made to work for the benefit of the United States. There cannot possibly be any *better* way of protecting the Canal than to protect it *ourselves*.

We have the *sovereignty* and *jurisdiction* over the Canal by treaty. We *own* the land by separate purchase. We are twice owners of the Canal by *treaty* and *purchase*. There is no compelling reason to turn over its administration to a complicated *international* administration, under the direct sovereignty of a weak country.

If we accept the blackmail of Panamanian politics, then we will be following a policy which accurately complements the two-stage Communist plan outlined in the *World Marxist Review*. We see that plan already operating in the daily headlines of our newspapers today. If we are to avoid a stunning defeat, we must immediately change course.

Ladies and gentlemen, for the sake of the *national security* of the United States, these treaties *should* not and *must* not be confirmed. To prevent their confirmation, public opinion must crystallize and make itself known so that the Senate will realize the importance of the Canal to this nation. *You* can have a vital part in energizing public opinion and alerting our public officials. Write to the President, write to your two Senators, and have others write. I have been getting hundreds of letters on the Canal question, and I know what effect letters can have.

We must *not* jeopardize the security of our nation by allowing the confirmation of these proposed treaties with Panama.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the order previously entered, the Senator from West Virginia [Mr. BYRD] is recognized.

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 ACTING PRESIDENT pro tempore. 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 the consideration of the bill.

THE MARCH ON THE PENTAGON: LIBERTY UNDER THE LAW OR POLITICAL WARFARE?—NATIONAL MOBILIZATION AND THE WEEK OF OCTOBER 16–21

Mr. BYRD of West Virginia. Mr. President, the National Mobilization Committee To End the War in Vietnam—NMC—is a nationwide movement which includes some sincere pacifists, some honest searchers for peace, and some innocent dupes. But it also includes a mixed bag of anarchists, Socialists, black power extremists, and Communists of both the Moscow and Peking variety. Ray Cromley, a skilled newspaper analyst, has written of the leadership in the following way:

Jerry Rubin, a self-styled socialist who wants to close down the banks and the universities as "institutions that use and destroy human beings and values" is known primarily for his part in the University of California riots, for his 1964 trip to Castro's Cuba and for his support of "black power."

David Dellinger is known for his openly-expressed support of Cuba's Fidel Castro and his regime. James Bevel and Ralph Abernathy are from Martin Luther King's civil rights movement. Lincoln Lynch has been a high official in the Congress of Racial Equality (CORE).

Arnold Johnson, active in getting the march idea started, is better known for his work as National Public Relations Director of the Communist Party, USA.[1]

And Mr. Cromley goes on to point out that these large protest movements seem to be controlled by interlocking boards of directors and that they shift from one political warfare campaign to another, "Vietnam one week, Cuba the next, then to black power, Puerto Rico, the Dominican Republic" and that "these men and women were professional organizers. They're experts in publicity, whipping up crowds. Some have had special training in these fields."[2]

Also represented in NMC is the Student Nonviolent Coordinating Committee—SNCC—headed by black power extremist H. Rap Brown. Brown is at present free on bail on a charge of inciting a riot in Cambridge, Md. Brown appeared at the Overseas Press Club in New York on August 28 along with Dick Gregory, the Negro comedian, the Right Reverend Monsignor Charles Owen Rice of Pittsburgh, Father Thomas Lee Hayes, executive director of the Episcopal Peace Fellowship, Gary Rader, the former Green Beret reservist who reportedly burned his draft card, and Abbie Hoffman, a leader of New York's hippie community.[3] He endorsed the march on the Pentagon, but did not answer in response to a question as to whether his followers would practice nonviolence.[4]

Perhaps Rap Brown did not want to answer the question about nonviolence since, despite the name, Student Nonviolent Coordinating Committee, SNCC is actually embarked on a course of violence and has striven to tie the agitation over the Vietnam war to the black power thirst for violence. For example, Rap Brown gave an interview to the French political weekly Nouvel Observateur in which he said:

We have chosen guerrilla warfare as a solution which the situation imposes on us. We will concentrate on strategic points in the country—in the factories, the fields and homes of whites. . . . We will carry on bloody sabotage operations. We are studying the techniques of modern guerrilla warfare. Our black brothers who are fighting in Viet Nam for white America are getting good lessons in guerrilla warfare.[5]

These words of Rap Brown indicate that he will do what he can to make the march on the Pentagon produce violence so that this may become a pilot operation in what Rap Brown envisions as a future pattern for guerrilla operations in the great cities of America. In this he faithfully reflects the calls to violence

[1] Ray Cromley, "The Oct. 21 March," *Washington News*, October 11, 1967.

[2] *Washington News*, ibid.

[3] *Vietnam Public Opinion*, August 29, 1967; New York *News*, August 30, 1967; the New York *Times*, August 29, 1967, also reported that representatives of the National Conference for New Politics attended the Overseas Press Club conference as participants.

[4] *Vietnam Public Opinion*, ibid.

[5] *Nouvel Observateur as quoted by Human Events*, issue dated October 21, 1967, p. 4, released October 16.

of his predecessor and associate in SNCC, Stokely Carmichael. Carmichael was a leading figure at the Latin American Solidarity Conference—LASO—held in Havana, Cuba, in August 1967, a meeting for the promotion of revolutionary activity in both North and South America. Carmichael has been quoted as saying:

Armed struggle is today the only means of struggle by the North American Negro. Our movement is progressing toward an urban guerrilla war within the United States itself.

Carmichael also stressed solidarity with the North Vietnamese Communists,[6] and this same theme of linking the war in Vietnam with the black power movement in the United States is sounded by Rap Brown.

The role of SNCC in the march on the Pentagon should be thoroughly investigated to determine if funds are being transmitted to SNCC from Cuba for this or for other forms of political warfare and whether it is also possible that funds from Communist Cuba or other Communist countries might also be employed to aid some of the other participating organizations in the demonstrations during the week of October 16–21.

Such an investigation might be most revealing as to the real source of the attacks on President Johnson and the attempt—through propaganda, incitation to violence, and other forms of political warfare—to blackmail U.S. foreign policy. This is suggested by a thought-provoking report by columnists Rowland Evans and Robert Novak. They have pointed out that secret links between SNCC and Communist Cuba go back as far as 1964. They have written that—

The flamboyant Carmichael is merely the outward manifestation of the SNCC-Cuban alliance, not its cause. The principal responsibility for moving SNCC violently to the left must go to two men who, unlike Carmichael, seldom appear on television or the front page. One is James Forman, who today holds no formal office in SNCC but is still believed to be its most important internal force. When SNCC was spawned in the Southern sit-in movement in February 1960, by idealistic Negro college students, Forman was already a hardened radical and an associate of Negro terrorist Robert Williams. . . . The other man is even less familiar to the public than Forman. He is Jack Minnis, a white intellectual radical who, as an instructor at Tulane University in 1961, was a leader in pro-Castro activities in the New Orleans area. With Forman in absolute control of the SNCC apparatus, Minnis was named to its central committee. . . .[7]

Evans and Novak went on to say that the clearest evidence of the SNCC-Cuban tie-in came in 1966 when SNCC leader Julian Bond was not—at first—seated by the Georgia House of Representatives. Bond's case was in the hands of "white lawyer Charles Morgan of the Atlanta office of the American Civil Liberties Union—ACLU. Morgan is a civil libertarian but no radical."

Then—

Stated Evans and Novak—

things were suddenly changed and Victor Rabinowitz, [appeared] a Manhattan lawyer long associated with far left causes and a leader in the National Lawyers Guild and the Emergency Civil Liberties Committee, organizations specializing in defending Communists Rabinowitz served as legal counsel in the United States for the Castro government and had intimate contacts in Havana. Forman insisted that Rabinowitz supplant Morgan as Bond's attorney. In accordance with standard American Civil Liberties Union practice of deferring to other attorneys, Morgan stepped aside.

Most interesting of all, however, Evans and Novak state that—

At about the same time Rabinowitz took over in the case, *"SNCC's treasury—empty since the disaffection of white liberal contributors—suddenly began to fill again. It is believed by many close to SNCC that the new money came from Cuba.*[8]

The mention of the Julian Bond case is interesting since The New York Times has subsequently reported that Julian Bond has been named cochairman—along with David Dellinger, publisher of the extreme left magazine Liberation—of the march on the Pentagon. The Times said that Bond called the march "an important step because it will give all Americans cause for the thought about what is being done in our names—against our wills."[9]

Whatever the motives of Julian Bond may be, he and others participating in the so-called October Week should be well aware that Rap Brown—and some of the other Pentagon march planners—not only openly advocates violence, but also has not hesitated to keep abuse on the President of the United States in such a way as to incite violence against the President. Thus, at a news conference in Washington, D.C., July 27—it was more aptly an agitation conference—Rap Brown said:

Johnson is a wild, mad dog—an outlaw from Texas.[10]

Can it be doubted that the Communist newspaper, the Worker, which so often pours out its vituperation on the President, would write:

The most influential and militant sections of the Negro freedom movement are now aligned against the Vietnam war. It is of historic significance that the two great protest movements of our time are now being joined . . . .[11]

While Rap Brown openly advocates violence, he, at least, does not hide his aims in Aesopian language. What is one to think of language that is an invitation to violence, but thinly concealed? Thus the Mobilizer of the National Mobilization Committee in its September 26 issue calls on page 1 for "From dissent to resistance" and on the second page states:

Direct action is planned for those who are prepared to close down the Pentagon war machine.[12]

And the leftist extremist newspaper National Guardian in its October 14 issue wrote of some of the groups planning to take part in the October 16–21 demonstrations that subsequently the emphasis would be on "visibility and disruption."[13] And on the editorial page of the same issue the Guardian reprinted anarchist Peter Kropotkin's view of violence:

Our action must be permanent rebellion, by word, by writing, by dagger, gun or dynamite, sometimes even by ballot when it is a case of voting for an ineligible candidate . . . . We are consistent and we shall use every weapon which can be used for rebellion. Everything is right for us which is not legal.[14]

OCTOBER WEEK AND INTERNATIONAL POLITICAL WARFARE

While it will be made to appear that the march on the Pentagon is a purely domestic affair, the Communists have actually given themselves away and revealed the international apparatus seeking to exploit the American demonstrations. Thus the Worker for October 1 states:

U.S. Embassies and consulates in virtually every major city of the world will witness solidarity demonstrations October 21–22. Supporting demonstrations are planned for Rome and Bologna, Italy; Oslo, Norway; Amsterdam, Holland; Aberdeen, Scotland; London, England; Paris, France and other cities throughout the nation, Copenhagen, Denmark, Winnipeg, Canada, in West Germany, Belgium, Japan, Australia and New Zealand among others.[15]

And the extent of the revolutionary forces at work in the world today and the efforts of the Communists in trying to tie their own movement to revolutionary black extremists is shown by an October 7 report from London. The London Daily Telegraph stated that a Mr. Kingsley Tweed "from Harlem, New York" told a black power rally in London:

To hell with one man, one vote. Every black man better get himself a gun, a submachine-gun, a hand grenade and shoot everyone that is White. He must do it now.

The Daily Telegraph went on to report that the chairman of the meeting said, "We love the English the way the Vietcong love the Americans" and urged the need for "revolution."[16]

The leftist Student Mobilizer also carried accounts of international activities in support of the October Week in the United States. The September 1 issue stated:

On October 21, the Canadian antiwar movement will demonstrate . . . international solidarity with the Vietnamese people and the American people.

It also stated that—

A Frankfort, Germany meeting of the International Conference of Vanguard Youth Organizations in July voted to work for solidarity demonstrations against the Vietnam war throughout Europe on October 21.

---

[6] As quoted by *Havana Radio*, August 1, 1967; Carmichael said that "after the Watts rebellion the question of nonviolence was discarded. It was clear to everyone that the path is the path of arms."

[7] Rowland Evans and Robert Novak, "Inside Report," *The Washington Post*, August 3, 1967.

[8] *Washington Post*, ibid. Emphasis supplied.

[9] The New York *Times*, October 8, 1967.

[10] *U.S. News & World Report*, August 7, 1967, p. 8; Brown concluded the conference by saying "go get your guns."

[11] *The Worker*, March 16, 1967.

[12] *Mobilizer*, Vol. 2, No. 2, September 26, 1967, pp. 1–2.

[13] *National Guardian*, October 14, 1967.

[14] Ibid.

[15] *The Worker*, October 1, 1967.

[16] The London *Daily Telegraph*, October 7, 1967.

The organization was formed last March to coordinate anti-Vietnam-war activities among socialist youth organizations in Europe. Participants include groups in Belgium, France, Italy, England, Germany, Netherlands, Ireland, Scandinavia, and Spain.[17]

A leading scholar in the field of defense studies, Prof. J. D. Atkinson, of Georgetown University and the Georgetown Center for Strategic Studies, has written in a recent book on political warfare:

The Communists always seek to take the offensive. This is a sound military principle. It has an equally decisive advantage in psychological operations. Many hear the first charges; few hear the disclaimer. The importance of the offensive in the psychological and political struggles in today's peace that is not peace and war that is not war is exemplified by the unceasing activities of the Communist fronts at the international, national, and local levels.[18]

This appears to be what the march on the Pentagon is intended to do, to take the offensive on the home front and to win the Vietnam war in Washington, for the evidence is mounting that the Vietnamese Communists are beginning to lose the war in Vietnam. Only last week—October 14—Radio Hanoi admitted that the situation in the DMZ had become "extremely serious" for them.[19] The tragedy, of course, is that some very high-minded people, some honest pacifists, some very-well-meaning citizens, and even some innocent dupes will be deceived into taking part in what is chiefly a political warfare enterprise of extremist leftists, black power revolutionaries, and Communists of both Moscow and Peking orientation.

THE PENTAGON AS A SYMBOL, PRESIDENT JOHNSON, OUR COMMANDER IN CHIEF, AS THE TARGET OF POLITICAL WARFARE

The march on Washington on October 21 has been referred to many times as a "march on the Pentagon." But the Pentagon is being used as a symbol, the political warfare target is our Commander in Chief, President Johnson. This is made clear, for example, by the Student Mobilizer's "Call to October 21" in which it is stated:

On October 21 we are going to go directly to Johnson and the government.[20]

And at the previously cited meeting at the Overseas Press Club in New York of representatives of the National Mobilization Committee to End the War in Vietnam it was reported that William Pepper, executive secretary of the Conference of New Politics said:

It is only a question of time for a sweeping repudiation of Lyndon Johnson and his administration.[21]

The American people are a great and an understanding people. Unless their past history is a living lie, there is every indication that they never flinch before the truth. That truth needs to be laid on the line to the American people now. It is that, despite the innocent involvement of some Americans, the October march on Washington and the Pentagon is chiefly the work of a highly organized smearbund of Communists, fellow travelers, and leftist extremists. The purpose of this political-warfare exercise is to attempt to discredit and defeat the efforts of a courageous President to do his duty as he sees it under that great common law of us all, the U.S. Constitution. As Chief Executive, as Commander in Chief, and as having the major powers in the field of foreign policy vested in him by that Constitution, President Johnson has sought earnestly to safeguard America, not only now in 1967 but also into the future. He has had to face the hard, the very hard, choices, not of the moment, but of choices affecting the lives of all of us into and beyond the next decade. This he clearly spelled out as long ago as his state of the Union message in 1965. In answering the question of why the United States was in Vietnam, the President said:

We are there, first, because a friendly nation has asked us to help against Communist aggression. Ten years ago our President pledged our help. Three Presidents have supported that pledge. We will not break it. Second, our own security is tied to the peace of Asia. Twice in one generation we have had to fight against aggression in the Far East. To ignore aggression now would only increase the danger of a larger war.

A little over a hundred years ago a President had to make hard decisions while faced with such dissidents as the Knights of the Golden Circle and the Copperheads. Abraham Lincoln then said the "the enemy behind us is more dangerous to the country than the enemy before us."

Are we today faced with a similar time of troubles as internal dissension and demonstration attempts to stay the hand of the President and as noisy agitators slur him with slanderous remarks and even suggest violence by inference?

In our system of government there is, of course, always a place for honest criticism of policies of the President, of the Congress, and, indeed, of the Judiciary. I, too, have been critical of the President in some matters, and probably will be again. This is as it should be. But the march on the Pentagon of October 21 and the terms of reference, the guidelines, the bitter propaganda attending and surrounding it must raise the question as to whether this is an exercise in liberty under law, or whether it is an exercise in political warfare, a naked power play to interfere with, to control, and, in the words of one slogan for the demonstrations, "to bring to a halt" the policy of the Government of the United States. If, indeed, it is this latter, and I believe it is, do we not then—all of us—have a duty to hold up the power and purpose of the President of the United States in this present struggle and to say with the prophet Isaiah:

Strengthen ye the feeble hands, and confirm the weak knees. Say to the faint-hearted: Take courage, and fear not.

I believe such a duty is clearly ours, and, as one Senator, I shall continue, in this matter, to stand by the President—the Commander in Chief, and our country's leader.

NAVY VERSION OF TFX PROGRESSING WELL

Mr. JAVITS. Mr. President, I have followed with interest the debate which has been carried on, both in the press and here on the Senate floor, regarding the TFX aircraft. Lately, particular attention has been focused on the F–111B, which is the Navy version of this revolutionary new plane—so important to our defense when operational.

On October 17, 1967, the Honorable Robert A. Frosch, Assistant Secretary of the Navy for Research and Development, in a speech before the Electronics and Aerospace Systems Technical Convention, gave an authoritative, dispassionate and thorough evaluation of the F–111B. As such, Mr. Frosch's speech is an important contribution to the public understanding of this complicated subject. He deserves our gratitude for rendering a service to those who want to know the facts and to make up their minds on the basis of the merits of the case.

At the conclusion of his speech, Mr. Frosch says:

We gave the contractor (and he accepted) a very tough requirement to meet.

Then he goes on to say:

We are convinced that in its primary air defense interceptor role the F–111B . . . represents the finest fleet air defense system available in the immediate future.

Mr. President, the testimony of Mr. Frosch deserves much weight, he is in charge of Research and Development for the U.S. Navy. His conclusion that the F–111B is, in fact, progressing well is gratifying—though not surprising—news to me. The Grumman Aircraft Corp. of Long Island, N.Y., is a principal contractor of the F–111B program. Grumman has had a superb record in building Navy planes for more than 25 years.

Mr. President, I ask unanimous consent that Mr. Frosch's address be printed in the RECORD, so that it will be available to all Members of the Congress.

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

F–111B DEVELOPMENT

(Address by the Honorable Robert A. Frosch, Assistant Secretary of the Navy for Research and Development, to the 1967 Electronics and Aerospace Systems Technical Convention and Exposition (EASTCON, IEEE), Washington, D.C., October 17, 1967)

Today I will discuss the technical status of the F–111B and in particular some aspects

---

[17] *Student Mobilizer*, Vol. 1, No. 5, September 1, 1967, p. 1, and p. 3. On p. 4 it was stated that the president of the University of Hartford chapter of Students for a Democratic Society (SDS) said they hoped to send two busloads to the demonstration and "we hope to be able to offer all the students on our campus, who are so inclined, free tickets on the buses." WHERE DO THEY GET THE MONEY?

[18] James D. Atkinson, The Politics of Struggle: the Communist Front and Political Warfare, Chicago: Henry Regnery Co., 1966, p. viii.

[19] *Radio Hanoi* report of October 14 as cited in the Washington *Sunday Star*, October 15, 1967.

[20] *Student Mobilizer*, August 15, 1967, p. 1 and p. 3.

[21] As reported in *The Worker*, September 3, 1967; *Exclusive*, September 6, 1967, p. 4 stated that at the press conference also were "Amy Swerdlow of Women Strike for Peace, and Fred Halstead, the Socialist Workers Party (Trotskyite-Communist).

of its development during the past few years. In order to clarify its current status, I will begin with an account of Navy aircraft test procedures as they relate to development philosophy.

In order to be certain that difficulties in the development of an aircraft are identified for correction as soon as is possible in the development cycle and to assess the basic aeronautical qualities of the airplane, the Navy has its own test pilots fly a sequence of tests called "Navy Preliminary Evaluations" (NPE). Five such flight series are normally flown. These are not, in any sense, acceptance tests, but rather are intended to identify problems and potential problems very early in development so that they may be corrected. The test pilots try to find all the problems they can regardless of how minor they might be. They comment only on the plane *actually flown;* it is not their responsibility to, and they do not try to, identify ways of correcting the problems they find nor do they usually speculate on the prospects for doing so.

The test articles that are used for acceptance of the aircraft at the *end* of development are flown in a sequence of trials run by the Navy Board of Inspection and Survey. It is only these BIS trials that can be described as acceptance tests.

The Navy test pilots who fly preliminary evaluations are an extremely competent, professional, and dedicated group of men. We are proud of them and delighted with their hard-nosed attitude, which, by early identification of problems, has saved the Navy a tremendous amount of trouble.

The NPE report is intended for the test agency, procuring agency, and contractor. The professional airplane developers in each of those organizations recognize the special nature of the report for its intended use as a management tool to expedite corrective action if considered necessary by the procuring agencies. The procuring agencies are aware that the test agency writes the report based on the test article at the test time without regard for corrective action which may already be approved, but has not yet resulted in hardware changes. It is the responsibility of the procuring activity and the contractor, not the test activity, to initiate corrective action or to determine, as often happens, that none is required. The report is not generally intended for public or Congressional use and is written for professional use, without the explanations and qualifications which are understood by the aeronuatical professionals, but should be added if it were intended for a wider audience.

Recently there has been considerable hubbub in the press and Congress over comments extracted from a recent F-111B Phase I NPE. Various newspapers, in articles and editorials, have commented on these Phase I NPE results. Remember that a Phase I NPE is purposely placed as early in development as the airplane can be flown in order to provide for early detection of difficulties.

To convey to you the "flavor" of such a Phase I NPE report, I would like to quote from such a report. The following are excerpts from a list of deficiencies characterized as 'correction mandatory':

"Inadequate lateral control effectiveness in configuration Power Approach (the configuration of the aircraft during carrier landings) at normal approach airspeeds.

"General airframe buffet in configuration Power Approach."

"Unreliability of afterburner light-offs with JP-5 fuel above 35,000 ft."

"Windshield distortion in the vicinity of the 'stress strap' and the resultant restriction to forward field of view."

"The excessive distance between the pilot and the control stick."

"Slow longitudinal trim rate."

"Inadequate damping of residual directional oscillations."

"Inadequate stall warning in configuration Power Approach."

"Nosewheel shimmy."

"Random engine exit nozzle opening and closing when modulating at minimum afterburning."

"Location of the speed brake and microphone switches."

Quoting from the same report, in the section relating to prospects of meeting contractual guarantees, "... the following guarantees will probably not be met or their attainment is questionable:"

"Time to accelerate from maximum velocity at military rated thrust to 1.2 IMN at 35,000 ft."

"The specific range at 40,300 ft."

"Subsonic combat rated thrust combat ceiling."

"Maximum velocity at military rated thrust at 35,000 ft."

"Time to climb to 35,000 ft. using combat rated thrust."

These quotes add up to an airplane which, unless modified, would give pilots at least considerable difficulty in carrier landings, if they could be made, and an aircraft with some real problems in combat flight. The quotes I have just read to you are *not* from the recent F-111B NPE, they are, in fact, from a Phase I NPE of the F-4 fighter plane conducted in the Fall of 1958. There were also a number of complimentary remarks about the aircraft and its other flight properties. After those remarks were made, the F-4 proceeded through the other phases of development, passed its BIS trials, and was introduced into the Fleet in December 1960. It has performed well there, is recognized as the best fighter available in the free world today, and the basic design has been applied to Air Force variations, which are today being purchased in greater numbers than Navy versions. We, therefore, have a clear example of the flavor of a Phase I NPE which, if quoted out of context, could indicate a bleak future for the F-4. With hindsight, it is evident that the F-4 future was considerably better than the quotations above would indicate because the NPE comments assisted in the achievement of this successful weapons system.

Relative to the F-111B, the general concept of commonality itself was not really a new or foreign thought. We have proven in the F-4 program that Air Force and Navy airplanes with similar mission requirements can be successfully used by both services. We have recognized within the Navy the desirability of commonality and have pursued it in such programs as the A-1 Skyraider. It was produced in attack versions, airborne early warning versions, electronic warfare versions and utility versions. We have demonstrated economies in the S-2 and C-1 and E-1 airplane family by common engines, common subsystems and nearly common airframes for different missions. We are today pursuing that logical course of action utilizing the basic A-6A design to create the EA-6A, and with further variations, the EA-6B. We are considering a tanker variation of the same airplane called the KA-6D. All of these examples are given to emphasize that the basic concept of airframe, engine and avionic commonality leading to variations of the same airplane with different uses has long been recognized and understood within the Navy.

The design of the F-111B was challenging, but the variable sweep wing and afterburning turbo-fan engine made it appear possible to incorporate in the same design characteristics necessary to meet both Air Force and Navy requirements. This was a somewhat more radical approach to commonality than had previously been tried, and one which put rather more severe problems on the shoulders of the *initial* design engineer. The Contractor analyzed designs for *each* small element that were essentially three designs: one to meet only the Navy requirements, one to meet only the Air Force requirements, and the third as the best way of satisfying both requirements. Because of the magnitude of the development and the everpresent publicity attendant in this program, the Contractor designed so as to insure that each new feature would indeed perform as planned and that neither service would find its requirements neglected.

Confronted during manufacture of the first three aircraft with the inescapable conclusion that the aircraft would be heavier than desired, the Contractor initiated a massive redesign effort which has been described as the Super Weight Improvement Program (SWIP). This redesign, effective at F-111B No. 4, was instituted before the first Navy aircraft was delivered. The first three aircraft were in fact overweight, and much heavier than number four, approximately 3,000 pounds heavier. It is useful to ask whether the first three F-111B aircraft (which were known to be unrepresentative at the time of their acceptance) were a waste of money. As a matter of fact F-111B's No. 1 through 3 are in active use today as avionics and Phoenix test beds. All of these tests are required and all of the aircraft are usefully occupied. Accepting no F-111B aircraft until the first SWIP version was available would merely have delayed the avionic and Phoenix testing without improving the program. The weight of the aircraft is of little importance for this testing, but other basic properties and shapes are important to it.

The redesign effort produced the weight improved or so called SWIP airplanes, F-111B's #4 and #5. We immediately utilized Navy #4 as the demonstration airplane to validate, with Contractor pilots, flutter and structural qualities of the SWIP design. While #4 F-111B opened the permissible flight envelope, #5 was prepared for a Phase I Navy Preliminary Evaluation essentially as if it were a new aircraft. Before this NPE there were many known F-111B characteristics and problems based on the flight testing of the pre-SWIP airplanes. In spite of the SWIP effort, prior to the NPE date, we had determined that higher thrust engines and other configuration changes would, in all probability, be necessary. However, the Navy desired a new and independent evaluation of the airplane which was much more representative of the expected end product of the R&D effort. The NPE was conducted, as always, on the hardware available. Improvements required and designed for later airplanes but which were not yet incorporated in the test aircraft were not considered.

Examples of deficiencies that were found in that F-111B NPE and which were termed "correction mandatory" are quoted as follows:

"Unsatisfactory lateral-directional handling qualities in the high-lift configuration with Adverse Yaw Compensation which degrade the night shipboard recovery capability."

"Repeated occurrence of afterburner blowout and unsuccessful afterburner selection at conditions well within the NPE operating envelope."

"Inadequate pilot's external field of view at the guaranteed minimum usable approach speed."

"Unacceptable feedback of the Stability Augmentation System in the primary flight controls."

"Unsatisfactory characteristics associated with extended speed brake operation."

"Inadequate taxi turning capability for carrier operations."

"Low excess thrust for acceleration from loiter flight conditions with maximum afterburner."

"Unsatisfactory airplane tip-back characteristics."

"Inaccessible location of the Control System switch which incorporates standby gain provisions."

"Lack of fire extinguisher in the crew module."

"Suspectibility of the crew module escape system to damage by personnel stepping on the wing glove area of the module. (The approved walkway areas are not adequately delineated. Existing 'No Step' markings are sporadically placed and confusing.)"

From the same report the following recommendations and conclusions apply:

"Extensive simulator evaluation of the F-111B cockpit with the complete weapons systems displays and pilot's primary flight displays is essential to determine the suitability of the cockpit design concepts."

"Supplementary solutions to eliminate multiple images in addition to increasing windshield incidence should be investigated."

"The windshield 'critical area' should be redefined in accordance with carrier visibility requirements vice Air Force optical gunsight requirements."

If you recall the list of F-4 NPE problems I went through earlier, you will find some of these familiar:

Within the same report, as in the case of the F-4 report quoted above, estimates of the probability of meeting contractual guarantees indicated some would probably not be met. Because of the timeliness and classification involved, I prefer not to discuss the exact details.

The question which immediately comes to mind is, "How serious are these comments?" Analysis of them indicates that they range from easily corrected minor problems to limitations that may persist to some degree despite our best efforts.

The problems we face in deciding exactly how much correction is enough are more complex than might appear at first look. For example, we all agree that the pilot should have a good view over the nose of the airplane in order to effect a carrier landing. (This has been a perpetual problem; some aircraft used to approach the carrier almost sideways for this reason. The F-4U or Corsair I was a classic example of this.) In the F-111B we found problems with the industry standards in defining precisely where the eye of the 5 to 95 percentile pilot should be in order to insure adequate vision. In order to define a satisfactory "fix" for this problem we had to discard the industry standard, which was misleading, and substitute a more stringent one.

Another example is the standard geometric description of the tip-back tendency which relates the airplane center of gravity to the deck contact point of the main wheels. We find that variations in braking ability and aircraft inertia characteristics in actual practice require us to modify the simple geometric definition of what is a usable tip-back configuration.

Our experience with the F-111B is giving us new insights into the writing of specifications for aircraft. It must be remembered that, at best, a specification is only a capsule description of what we want; some numbers extracted from a vast mass of qualitative and quantitative desires.

At this time, we have the following corrections which will be in succeeding Navy F-111B's in engineering design.

a. An improved engine to provide additional thrust throughout the flight envelope. This engine is designated the TF-30-P-12 and will be in F-111B No. 6 and subsequent.

b. A visibility improvement package which raises the pilot's seat, modifies the windshield angle, and increases the flap deflection; all three working in concert to improve over the nose visibility during landing. The flap fixes will be incorporated at Navy #6 with the cockpit changes introduced at Navy #8 and retrofitted to Navy #6.

c. A redistribution of weight and a movement of the landing gear aft which will improve the present tip-back properties of the aircraft. An extended nose will be in all aircraft after Navy #6. The landing gear modification will be effective in Navy #8 with simple retrofit to Navy #6.

d. The extended nose referred to above and introduced to improve weight distribution will be used to house the Phoenix airborne missile control system in a more accessible location. At the same time, the volume previously occupied by the Phoenix and other avionics has become available and permitted installation of an additional 2000 lbs of fuel. This change will be effective in Navy #6. The additional fuel provides increased loiter time.

The point most often raised in Congress and most media releases is whether the aircraft is indeed carrier suitable. Carrier suitability could be defined as the appropriateness of the vehicle to exist in the carrier environment. Obvious questions such as adequate deck strength have been considered, and there is no problem in the supercarriers from which we expect to operate the F-111B. The elevators in the Forrestal and subsequent carriers are updated as all aircraft loads increase and are expected to create no problem at Fleet introduction with the weights anticipated. The updating of elevators in these carriers was undertaken and is being carried out for reasons that are fundamentally independent of the F-111B. A program of catapult improvements in Kitty Hawk and subsequent carriers has been carried out to improve their capability to handle all aircraft at lower catapult wind-over-deck. These improved catapults will constitute the majority aboard the intended carriers at Fleet introduction of the F-111B. The capacity of the remaining catapults cited in the original F-111B specification will also be adequate to handle the aircraft.

The previous properties cited have been carrier characteristics necessary to match airplane characteristics. Directly associated with them are the airplane characteristics to match the carrier. The variable sweep wing has its most obvious advantage in landing and take off, and is an important innovation in the F-111B. Because the energy requirements to catapult or arrest are concerned with kinetic energy, in which of course the velocity enters as the square while the mass enters linearly, the low-speed landing and take off characteristics of the F-111B, due to the high lift in the wing-forward configuration, more than adequately compensate for the increased mass. Comparable weight carrier aircraft such as the RA-5C and A-3B do not benefit from this feature and, thus, impose higher loads on the carrier when operating at equivalent mass to the F-111B. The F-111B is expected to land and take off at speeds about 15 to 20 knots less than the F-4 and RA-5C.

Curiously, the success of this high lift feature has created a problem; the airplane has sufficiently high lift and low drag and speed in the landing configuration that on the glide slope the engines have had to run very near idle, with the result that the response of the aircraft in this state is too sluggish. A few minor changes appear to be sufficient to correct this happy problem.

We are preparing to take F-111B #5 aboard an aircraft carrier sometime during the spring of 1968. While we are aware of shortcomings in that specific aircraft which will be corrected in succeeding airplanes, we believe it is necessary to test the F-111B in its intended environment as soon as possible. There is no substitute for appropriate full-scale testing in any development program. This testing will not commence until laboratory structural tests (now scheduled on a test article in November), and land-based tests using catapults and arresting gear installed at Naval Air Station, Lakehurst, and Naval Air Test Center, Patuxent River are complete. The latter testing is scheduled to start in January 1968. Thus we are building up to initial carrier trials in our usual straightforward and careful manner.

About a year later than the initial trials with F-111B No. 5 a production representative aircraft with all the fixes I have previously enumerated will conduct more involved and complete carrier tests.

As I discuss the F-111B airplane today, we are more than two years away from the Board of Inspection and Survey trials which I referred to earlier as the true acceptance trials. We have many engineering changes to be incorporated, many development steps to be taken, and much more quantitative flight testing to be performed to perfect the configuration. There will be other NPE's embracing a larger flight envelope and more internal components of the complete weapon system. Of course, the testing to date has established a high probability of acceptability of the basic aerodynamic qualities. After the Contractor demonstrations and NPE's are complete as prerequisites to BIS trials, some four or five uninstrumented production airplanes will be designated as BIS aircraft. They will be tested at the Naval Air Test Center, Patuxent River and the Naval Missile Center at Point Mugu. At about the time those trials are in progress, another set of production-representative aircraft will be assigned to the Operational Test and Evaluation Force. The OPTEVFOR airplanes will be used to develop and refine the tactics the Fleet will use when operating the F-111B/Phoenix weapon system.

At the end of BIS trials, delivery to the Fleet will begin with initial deliveries to a Replacement Training Squadron. From that squadron in due course will come the trained personnel to man the first deployable Fleet squadron.

The Fleet introduction described above will take place within the year following BIS in the configuration established during development and proven acceptable in the BIS trials.

Having discussed the suitability of the aircraft, and its state of development, I will address its mission capability. The Navy mission capability for the F-111B has always centered around the long range missile carrying and multiple missile firing capability of the airplane/missile combination. The Navy requirements, as they were conveyed in specification form to the Contractor, detailed five design missions. The first of these was the fleet air defense mission, which is still our primary mission. The second of these employed the Phoenix in a distant air superiority role, such as over a beachhead. The third, fourth and fifth missions capitalized on the long range performance of the airplane to deliver nuclear and conventional bombs. We expect the aircraft to be capable of performing the fleet air defense mission as defined; and capable of performing flight to a distant beachhead area, where supported by appropriate Marine Tactical Data Systems or Airborne Tactical Data Systems it will provide an effective distant air superiority capability.

While the remaining missions which deliver nuclear and conventional bombs can be performed by the F-111B, they have become less important Navy requirements for the F-111B.

With regard to the fighter role, we must begin by considering what a fighter is. This is a current problem; the concept varies from Snoopy and the Red Baron (with white scarf trailing out behind, as in the Peanuts comic strip) through something in order of the YF-12 Mach 3 fighter proposed for continental air defense. The letter F in the military airplane designation simply means fighter, and we use that designation for fighter bombers, fighter interceptors, and general purpose fighters, some of which are intended for traditional dogfights, and some not.

Limited range fighters, such as the F-5A and extremely long range fighters, such as the F-111A, have considerably different

characteristics. The F-111B was designed to fill the fleet air defense role, which is essentially the fighter interceptor role. In such a role, it is supported by systems such as the Airborne Tactical Data System (currently carried in the E-2A), the Naval Tactical Data System, and the Marine Tactical Data System when near a beachhead. Assisted by these tactical data systems it performs more nearly a function corresponding to that of the fighter interceptor in the continental Air Defense Command, which operate under guidance of numerous control nets.

In 1966 the Chief of Naval Operations convened a study of the F-111B in its primary fleet air defense role as an interceptor. The aerodynamic characteristics of the assumed fleet F-111B aircraft were purposely viewed in a pessimistic manner compared with both Contractor supplied characteristics and the original specifications. The F-111B/PHOENIX was compared with the PHOENIX system carried in subsonic aircraft, with other fighters with other missile systems now visualized for the appropriate future era, and with variations of those other fighters which showed promise. The study employed the latest in dynamic simulator techniques, and used a base of knowledge about this aircraft and competing systems which we have established over many years.

It was the finding of this elaborate formal examination of the problem, and the judgment of the Naval officers who ran it, that the F-111B/PHOENIX system, on a deck-space and cost-effectiveness basis, was a better system for the fleet air defense role than any comparable system which could be introduced in the same time frame. We feel confident that this study has indeed shown, as well as anything but operating experience can, that this airplane, equipped with its PHOENIX missile system, will provide effective fleet air defense, and will meet the *military requirements* that led to its development, even if it does not meet all of the specifications that were the Contractor's guaranteed estimates of what the aircraft would do. The relative cost effectiveness advantage of F-111B/PHOENIX over competing systems is greatest for the more serious threats to the fleet. For lesser threats, the requirement for a complex fleet air defense is smaller and the other systems become more competitive. However, we find it necessary today, as in the past, to plan for the threats which the potential enemy is capable of launching, and this must include the serious and sophisticated threats.

We have treated this CNO study to sensitivity analyses for possible degradations in aircraft performance and modifications in cost. When all the elements of predicted ten-year operating costs, deck-space allocation, and effectiveness against threat, (including variations up to the highest threat that we believe could be mounted) are considered, we find that it meets our fleet air defense requirements better than any competing system available for study.

It now appears inappropriate to consider the F-111B as competing directly with the subsonic A-7 carrying conventional bombs. We are examining instead the possible employment of the F-111B as a missile platform in attacking with air-to-surface missiles with large stand-off ranges. In this role, its potential as a well equipped avionic platform with excellent performance, and its ability to return and land with unexpended expensive missiles, provides advantages that none of our other aircraft can match. We have not yet completely defined this new secondary role for the aircraft, which, in any case, would require the airplane to use stand-off missiles which have not yet completed development nor reached the Fleet.

In summary, we gave the contractor (and he accepted) a very tough requirement to meet, if he was to provide all the performance desired by the Navy and by the Air Force in the designs he initiated. As we examine the situation some years later we find that the aircraft will probably not meet all of the initial specifications and the contractor will have to accept some responsibility for this lack. It is, of course, not unusual for a military aircraft that uses advanced state-of-the-art to fail to meet some of the specifications, the real question is whether it meets military needs. We have examined whether the F-111B continues to meet the original primary military mission requirements, and we are convinced that in its primary air defense interceptor role the F-111B, equipped with the PHOENIX airborne missile control system, and firing multiple shots of the long range PHOENIX air-to-air missile, represents the finest fleet air defense system available in the immediate future.

The F-111B is now in the state of development where we are satisfied that the basic problems have been solved and that we have identified other design problems and we have solutions in progress. The overall success of an airplane is not determined by these initial technical problems, but is determined over the long run by how the system meets a solid military requirement. We are heartened by the fact that the Air Force now appears to be bringing its version of the F-111 into the operational inventory in a highly successful manner.

We base our expectation that the F-111B will be a satisfactory, carrier-suitable aircraft for its mission partly on the fact that corrections for the deficiencies discovered in the first serious flying of its development have been identified and designed, and partly on a historical record that tells us that mandatory deficiencies (frequently of a major kind) are normal in development aircraft emerging from Phase I NPE. In past development these have been corrected, with the result that we fly highly satisfactory aircraft in the Fleet.

NEW YORK CITY'S VEST POCKET HOUSING PROGRAM

Mr. JAVITS. Mr. President, I invite the attention of the Senate to New York City's proposed vest pocket housing program, the first in the Nation. It is a program which incorporates modern techniques of planning in one coordinated effort aimed at the problems and desires of individual neighborhoods. It works toward the rebuilding of each community on the basis of its unique history and character to meet the present needs and desires of its people. New York City has launched its own model cities program with a commitment of $15 million, most of which will go toward the vest pocket housing program.

This first step in New York's own model cities program was the subject of a searching inquiry when Jason R. Nathan, administrator of the Housing and Developing Administration of New York City recently appeared as a guest on the public affairs television program, "Youth Wants To Know."

I ask unanimous consent that highlights from the transcript of the "Youth Wants To Know" program, produced by Theodore Granik, a discussion by Mr. Nathan and a panel of interested students from Anacostia High School in Washington, D.C., Walt Whitman High School in Maryland, and Fairfax and George Marshall High Schools in Virginia, be printed in the RECORD.

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

YOUTH WANTS TO KNOW

(NOTE.—Made available through a grant from Mrs. Allie S. Freed, president, Buckingham and Claremont communities; created and produced by Theodore Granik; associate producer, Jay B. Cutler; assistant to the Producer, Susan Gallagher.)

Youth Wants To Know presents Mr. Jason Nathan, Administrator of New York City's Housing and Development Administration.

ANNOUNCER. Youth Wants To Know, the penetrating and provocative questions of America's young people, created and produced by Theodore Granik.

Mr. GRANIK. Welcome to Youth Wants To Know. Our Guest is Jason R. Nathan, Administrator of New York City's Housing and Development Administration, in proving the quality of urban life, America's most critical domestic problem, may very well find its prototype in New York City, symbolizes the grandeur and despair in life. Under the leadership and guidance of Jason Nathan, who has had a distinguished career in urban development, the City of New York has launched a penetrating attack on the root causes of the program, initiated a vest pocket housing plan, an action program which lays the foundation in the future of model's City's planning. What the program will encompass, how it will involve the community and what will be the design innovations are but a few of the areas about which Youth Wants To Know. Let's begin our questioning by a panel of high school students with you, David.

Question. Mr. Nathan, do you feel that the vest pocket program will be an answer to some of the problems of the ghettos of raising the economic standing of low income families and things like this?

Mr. NATHAN. Well David, I think it's one of a whole bushelfull of tools or answers to this problem. The old houses of ten or fifteen years ago, they used to think that the answer to all of these problems was a one shot affair—build housing but that isn't the answer, it's one of them. That's why we think so strongly about getting this new vest pocket program off the ground.

Question. How can you be sure that the people involved in this program will be happy with your results?

Mr. NATHAN. Well I think that what we are trying to achieve here and the way we are trying to achieve it Debbie is the best way I can express it. Everybody in this country has heard for years about urban renewal and public housing and the fact that the people in the neighborhoods object to them, negro removal, plans made back in city halls someplace and nobody knows what's going on, the essence to my mind for vest pocket program is that people in the communities have had a hand in developing the plan. We had since last Fall over 120 meetings in the vest pocket housing areas in New York of Harlem, Central Brooklyn and the South Bronx, and these programs in large part come out of these meetings with the communities.

Mr. GRANIK. It certainly takes in that East New York section where I was born.

Mr. NATHAN. Right, Bedford, Stuyvesant, Brownsville and East New York are included in the Central Brooklyn area.

Question. Mr. Nathan, what are some of the wide-spread criticisms you get of this program from the people involved?

Mr. NATHAN. Well so far I am sort of nervous because the criticism has not been widespread. I think the thing that was exciting a few weeks ago was that when a public hearing was held on the vest pocket program before the New York City planning commission the community groups were actually out in force supporting the program because they said its our program and it was a very heartening thing to me.

Question. Well sir, the militant negroes, on

the community action you talked about the vest pocket housing program, they do represent a segment of the negro community, are they in on the community action too?

Mr. NATHAN. I believe so to a very great degree. I had a session in my office just yesterday, a group of militant leadership from one of the areas. We talked about plans, we talked about jobs, we talked about the negro housing and militant or not, the interesting thing to me is that we were all talking about precisely the same needs and we weren't sitting on opposite sides of the fence from each other but we were in basic agreement on objectives. The question that we have to try to resolve is how to get there fast now, not five years from now. The problem of delay has been one of the root problems of the Cities—how do we get moving now?

Question: Sir, you said you want to move fast. I can see you want to start fast. But aren't you being a little unrealistic, I mean besides building houses you have to educate the people and this certainly can't come over night and this I think is one of the problems of the militant Negroes. Do you agree that you can move quickly?

Mr. NATHAN. Well, lots of people say I'm crazy when I say we should work toward doubling housing production for low and moderate income people in New York and my response to that is that I had better not be crazy because we have 450 thousand substandard housing units in New York and when we double it we have to go on to triple it. The housing problem, as I had in the beginning, is not going to solve all of the root problems but it does deal with a major element of environment in which people live. We can provide better education and we must but at the same time where people live has got to be worked on. That's why I say that we have to work on all of them at the same time. We can't wait to get better education before we start.

Question: Mr. Nathan, part of your program provides for bringing middle class families into the ghettos, providing housing for middle class families. How do you plan to attract these middle class families? What do you think will bring them back?

Mr. NATHAN. I don't think that the process of bringing back middle class families will come by housing alone. Let me answer it negatively to start with. I think that if we ever intend to work toward the day when Harlem is not a ghetto, then we must put something in Harlem besides low rent public housing. Because there are thousands of units of low rent public housing there and it contributes to being a ghetto. There has to be different kinds, different ranges, different economic levels of housing so there are choices and opportunities for people for residents of Harlem, Puerto Ricans, for anyone in Harlem to have a choice of low rent public housing. Or if his income has risen to have his choice of good, new middle income housing or moderate income housing but beyond that the problem of bringing middle income families there relates to making more than just a bedroom, more than just a closet out of the ghettos. Harlem has every physical attribute of a desirable community. The transportation is terrific, the location is terrific but if you have no reason to go there, except to sleep there, nobody else goes to Harlem. You have to bring other things except housing like community schools, like city wide facilities so other people including white people will go there.

Question: Sir, how do you account for the fact that more slums eventually regenerate into more slums and the cycle just goes over and over again as happened in many of the public housing instances.

Mr. NATHAN. Well I think this is one of the old, old problems. In fact out-dated problems that people have talked about for years. Why rebuild slums when they are just going to turn back into slums. The answer is number one we have to build, we have to provide decent housing facilities. Number two we have to manage them better. There are public housing projects throughout the country which are probably models of mismanagement and at the same time we have to provide more than just a house. We have to provide social services. We have to provide help to the families who have family problems—a reason for helping them out of anti-social behaviour—recreational facilities, job opportunities.

Question: Mr. Nathan, New York has had some of the strongest open housing legislation on the books for many years now. What has this done to stop the public housing areas from being ghettos?

Mr. NATHAN. I don't think it is in frankness, its done far too little, just scratched the surface. The open housing legislation has given you legal means through laborious court processes to enforce open housing but in too many cases it has been out of families reach, it has dealt with prejudices of people and it hasn't done the job.

Question: And yet in so many areas in the country everybody is in an uproar about getting open housing legislation on the books. Do you think that this is the first thing that we should be worrying about?

Mr. NATHAN. I think as I said before there are so many tools we have to be concerned about. The open housing legislation is important because it provides a legal framework for action but it is by no means an answer. It's one of the many tools.

Question: Mr. Nathan, in your vest pocket housing program, Mayor Lindsay said that federal funds would be needed eventually to complete the program. Well, if the funds don't come through will the whole housing program in New York fail?

Mr. NATHAN. No, not by any means. We are not jumping off on the vest pocket housing program and not knowing whether there is any water in the pool. We have the commitments of federal funds for the first stage vest pocket program of 8,000 units in these areas that we started on and the City of New York is going ahead with the seed money to start it, without waiting for the seed money from Washington. We are going ahead with a head-start program in housing and the federal funds have been committed for that.

Question: Mr. Nathan, you have recently voiced the crying need for private enterprise to come into the City. You said in fact that we are going to bribe them in. Is this necessary to vest pocket housing?

Mr. NATHAN. I guess I'll never live down that statement. But I think what I was trying to say in a joking fashion to whoever wrote the article in the newspaper that it is impossible to expect private enterprise which is by far the biggest and most resourceful part of our whole industry, of our whole economy. It's impossible to expect private enterprise to make major investments in the slums for the purposes of charity. Their stockholders are stockholders because they expect to make a profit on it. It seems to me that if we are going to bring the innovation and the "dynamism" and the drive of private enterprise into helping the Federal, state and local government do what they have failed so miserably to do which is to deal with the slum problem so that we have to provide financial incentive to bring them in.

Question: Mr. Nathan, when private enterprise builds a building on one of your lands for urban renewal do you have any control over the land charge?

Mr. NATHAN. This depends on the kind of situation we are talking about. If the property is sold to private enterprise for so called fully tax paid housing for example then there is no limitation. It depends on what kind of controls you seek to put on it. What kind of housing to build. If you are attempting to achieve middle income housing, then we would sell it to a private non profit sponsor who would build housing under an agreement to serve certain income levels and certain rentals. If it's for low rent public housing it would be specifically regulated to deal with that level.

Question: The units which you are building for the vest pocket, are they also going to be cooperative? Are they also going to be owned?

Mr. NATHAN. If there is anything the community has said to us that they want to mix. Our present plans based on the way the communities came out with it in this vest pocket housing program that the Mayor announced two weeks ago is for 8,000 units in the first stage, 8,000 units of housing of which 6,000 will be new, 2,000 will be rehabilitated, and of that 8,000 approximately fifty fifty, 4,000 will be low rent public housing and 4,000 will be moderate income housing. Some of it rental, some of it co-op.

Question: Mr. Nathan, then would you support proposals by Senator Percy and Senator Kennedy to provide for home ownership?

Mr. NATHAN. Well, I think the concept of home ownership is very, very important. I have serious questions as to whether or not the tremendous number of proposals for home ownership really spearheaded by Senator Percy whether or not these proposals are getting down to the low income group. I think that most of them are dealing with families in the $5,000.00 to $10,000.00 bracket and it really isn't relative to the low income families, at least the proposals I have seen in New York.

Question: Mr. Nathan, getting realistic, how are you going to attract middle and high income suburbanites to live in the city. What incentives are there?

Mr. NATHAN. Well let me state two very strong convictions. Everybody talks theory. The rich man and the poor man. You can't mix water and oil. It's funny, you drive along third avenue in New York which has been completely rebuilt with badly designed luxury apartments since World War II. And right around the corner from those high rise luxury buildings on third avenue right around the corner are five story old tenements some of them still under rent control with low income people and there doesn't seem to be a bit of a problem. We make more of a problem in theory than it is in fact. And the second thing is if we provide good housing buys, the pocket-book nerve is going to be a very effective part of the picture.

Question: But isn't the matter of education, the matter of facilities, the matter of people in suburban homes, who would rather be there?

Mr. NATHAN. Well, I think Philadelphia, among other cities has proven something and that is the attractiveness of living in the center of the city. I wouldn't, if my life depended on it, live out in the suburbs, but I happen to be prejudiced about living in the center of town. I think a lot of people feel the same way. Coming in from that postage stamp of grass that you are wedded to I think has lots of advantages.

Question: Mr. Nathan, in this case we are talking about mixing low and high income groups but I think you will have to admit that there is a very deep racial problem also. How are you going to convince white middle class people to move into the lower Negro areas.

Mr. NATHAN. Probably the only way we can even deal with this is the process of time and contact. Ignorance and wild assumptions are a difficult thing to overcome. But right now as I said before we had 35,000 units of middle income housing scattered around New York and in many, many of those projects, many, many whites and negroes are living together and no one thinks a thing about it. The discouraging thing that

all of us recognize is that we always hear the bad stories but we don't hear the heartening stories about people living together in peace and friendship.

Question: What are you going to do though about the middle class person who is already in the suburbs, who has firmly established in his mind the idea that Harlem is what it is now. How are you going to convince him to move to Harlem with all the connotations that it now has?

Mr. NATHAN. I don't expect to. Maybe next week I will be a magician. I don't expect to remake people's minds. I would hope that as they get less emotional and as they recognize that they cannot wall off themselves from the rest of the city's problems. This is not a matter of asking people to move to Harlem. It's a matter of living and let live. It's a matter of giving other people opportunities or not standing in the way of other opportunities.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

U.S. COURT OF LABOR MANAGEMENT RELATIONS

Mr. MORSE. Mr. President, yesterday, I had planned to testify before the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary on S. 176, a bill for the settling of labor disputes that affect the vital interests of the public. It was introduced by the distinguished Senator from Florida [Mr. SMATHERS].

I had prepared my testimony for that hearing, and expected to be able to testify at 2 p.m. before the subcommittee; but the Senator from Florida became involved in other matters that necessitated a postponement of the hearing, which I fully understand and appreciate, and it is perfectly satisfactory to me. However, I, too, have a great many other responsibilities that are taking me away from the Senate from time to time these days, and I do not know how soon it will be possible for me to appear before the subcommittee; and I desire to have my views a matter of public record. Therefore, I intend to present a summary of my testimony at this time on the floor of the Senate. I shall be available to testify—in fact, I am requesting that I have the privilege of testifying—before the subcommittee at an early date, when the chairman reconvenes the hearings on S. 176. I will then be subject to examination by the subcommittee with respect to my views in regard to how I believe emergency labor disputes that imperil the health, safety, and security of the country should be handled.

At this time, I wish to make this statement for the record.

Yesterday, I sent to the press a mimeographed copy of the testimony I would have given before the subcommittee, and I shall use that statement as the framework of my comments at this time.

The hearings that have been underway before the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary deal with a bill introduced by Senator SMATHERS, S. 176, to establish a U.S. Court of Labor-Management Relations, referred to generally in the press as a court of compulsory arbitration. Generally, the hearings appear to date to be directed toward a solution of the problem presented by labor disputes that would adversely affect the public interest of the Nation. The bill is not—and it is my understanding that the hearings generally are not—intended to deal with any area of labor-management relations except for such disputes.

I feel qualified to appear before the subcommittee and to make the speech today on this subject matter. I wish to point out, however, that I believe the subject matter is appropriate for the consideration of the Committee on Labor and Public Welfare, not the Committee on the Judiciary. The mere fact that the words "labor court" are used in the bill does not, ipso facto, automatically bring it within the jurisdiction of the Judiciary Committee.

The bill deserves to be considered by the Labor Committee because, from time immemorial, the Labor Committee has had jurisdiction over legislation that deals with the regulation of labor disputes.

In any event, I believe that the bill, after it is considered by the Judiciary Committee, should be referred to the Labor Committee for the consideration of the Labor Committee, before the bill comes to the calendar of the Senate.

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

Mr. MORSE. I yield.

Mr. JAVITS. I have had in mind testifying on this bill for labor courts because it seems to me to be a monumental, historic departure from the concept of collective bargaining that we have spent decades building up. It seeks to shortcut the process with which we have been struggling to deal with strikes which tend to tie up the Nation in an important segment of industry, such as railroads, airlines, and similar strikes, with which we have dealt in the Labor Committee.

I should like to join the Senator from Oregon in taking a stand against such a bill. The best that can be said for the bill is that it is very premature. But what is more important is that here is a totally new collateral attack on the collective bargaining system, with which we are having enough trouble as it is; and the bill will tend to divert energies toward contending with it, when it is really not apposite to the situation, under anything we can see in the present and look forward to in the future.

We would be much better advised to do what the Senator and I have urged—to consider the range of alternatives available to Congress, the President, and the country for dealing with these so-called national emergency strikes which have frustrated us. In the case of this bill, we are sort of going off into Alice in Wonderland. We are talking about labor courts when the country is not remotely ready for it. It is a different situation from the basic social and economic structure of the country which is based on collective bargaining and trade unionism as it exists today.

Mr. MORSE. I appreciate the intervention of the Senator from New York, and I agree with him.

I have been on the Committee on Labor and Public Welfare for many years, and measures always have been referred to the Labor Committee when they deal with any proposal that would regulate by legislation labor disputes in this country.

It is self-evident that the purpose of S. 176 is not to establish or change judicial procedure, but to deal with big strikes.

This is labor legislation. As such, it should have the review and consideration of the Committee on Labor and Public Welfare.

In the meantime, this hearing record should show some of the basic objections to this particular means of coping with national emergency disputes.

The present title II of the Taft-Hartley Act was passed by Congress in 1947. It was the result of the rash of strikes which followed the return of our country to a peacetime economy and the lifting of the wage-price controls which had been present during World War II. During that period there had been a voluntary agreement not to strike or lock out and the War Labor Board had adjudicated all requests for increases in wages. That was a wartime measure instituted to control the inflationary tendencies of a war economy. As a former member of that Board, I can say it worked and worked well.

It worked because it was based on a voluntary agreement entered into between labor and management that for the duration of the war they would suspend their right to strike and their right to lock out. It worked during the war period when all of us were willing to give up a portion of the usual freedoms we enjoyed.

Peacetime is quite different. In peacetime we traditionally do not want the Government to tell us what price to sell our merchandise at or exactly what the labor conditions of our employees should be. However, when the strikes during 1945, 1946, and 1947 appeared to disrupt our Nation's economy, legislation was passed in an attempt to solve the problem.

The 1947 legislation was not good legislation and very shortly thereafter Congress, or at least the Senate, attempted to devise some amendments to title II of Taft-Hartley in order to perfect the emergency dispute provisions of our labor laws. In 1952 the Senate Committee on Labor and Public Welfare reported by bill S. 2999 of the 82d Congress. The report on that bill, which was recently reprinted in the committee print, "Federal Legislation To End Strikes: A Documentary History," published by the Labor Subcommittee during the recent railroad shopcraft dispute, clearly sets forth the various possible avenues of legislative action. It concluded that only minor revisions of the provisions of title II were possible; however, in the rush to adjournment that year the bill was never acted upon.

In 1952, the Labor Committee rejected

the thought of instituting a system of compulsory arbitration for the settlement of emergency labor disputes. Since that time I have not seen any reason to change my judgment that the committee was correct in this conclusion.

COLLECTIVE BARGAINING IS BASIS OF LABOR-MANAGEMENT RELATIONS

The American system of labor-management relations is called collective bargaining. It proceeds upon the premise that given the time, management and labor have the ability to solve their own problems by sitting down across the table from one another and talking out their differences. Sometimes, and this is relatively infrequently, bargaining breaks down and resort is made to some sort of self-help to further the objectives of one side or the other and it also takes the form of lockouts or strikes. But this self-help is only for a limited period, because its only purpose is to induce the other side to agree at the bargaining table to the earlier demands which led to the use of self-help. The basic premise of the system is that the parties will be able to solve their differences between themselves without resort to outside interference or help. This means that neither side wants Government intervention because when the Government intervenes the parties lose control over the bargaining. They also lose control over the outcome. Of course the claim is made that weak industries are unable to hold their own against their workers and they need the counterbalance of the Government to stand against the might of unions that wish to drain all of the profits of the company to its workers, so it is alleged. Everyone knows that this is hypocrisy. Every union wants to continue a business which keeps its members' jobs healthy, for without a healthy business there are no jobs.

Moreover, the kind of dispute this bill would affect is hardly likely to be one involving small, weak companies or industries. There are those, however, who believe that the system which we have developed has developed middle-age spread. They believe that the strikes which occur causing inconvenience to the public should be eliminated. They therefore propose some sort of mechanism which they believe will deal fairly with both sides but will eliminate strikes. They seldom mention lockouts, but, of course, lockouts would be included. They propose a decisionmaking body of one sort or ananother which will settle the disputes which cause the strikes.

One commonly heard argument in support of the labor court concept is that it is used in other countries of the world. There are two fallacies contained in that argument. First is the conclusion that it has worked well, but the subjective conclusion that it has worked well is not justified, since our system has never been tried in those countries. Collective bargaining is desired by many of the labor experts of Australia and New Zealand.

Second, and much more important, is that while a system may be perfectly viable in a country with a population of 11,335,000, we have almost 200 million people in the United States and a regular work force of almost six times the entire population of Australia. We all know that the democracy as practiced in ancient Greece on a city-State level is not possible in our country today. It cannot be assumed that what is done in small, largely agricultural countries with small labor forces will work well for the greatest industrial nation in the world which is almost 15 times as large.

These things are seldom as simple as they appear at first glance. Of course, if a court or an arbitrator decides the matter in dispute, that dispute is gone and there will be no strike or lockout. But there will also be no collective bargaining because one side or the other will know that he can do better appealing to the independent third party than he can by means of bargaining. So he will sit tight and not bargain. So more and more the parties will just turn to that wonderful third party to tell them what to do.

When the Government tells you what to do, that is Government regulation. And when the Government can tell you what wages to pay your workers it is only one short step for the Government to tell businesses what prices they can charge and what profits they can make. Economic freedom, as we know it under our private enterprise system, goes out the window. Sure, it is much nicer and simpler not to have strikes, but how many of us want arbitrators, the courts, or the President of the United States to tell the country what wages the workers shall get, what profits the businessmen of the country shall make, and, of course, as we are so well aware right now, what the level of taxation of our citizens shall be?

Any solution to what can and must be described as basically a minor convenience should not destroy one of the things that has made this country's economic system so productive and so profitable—free collective bargaining.

You may ask, what about situations such as the recent railroad shopcraft dispute where you stated that the national welfare was being endangered? The Congress of the United States has done well to deal with each problem as it arises. We cannot use an atom bomb to kill one fly. No element in our entire private enterprise system is more basic to the system than is collective bargaining. I see no reason for Congress to shun its responsibility to protect the public interest through the commerce clause, by delegating this responsibility to another Government agency, on blanket terms to be applied to all disputes that meet the definition.

True, we have strikes of national impact from time to time. Where necessary, Congress has provided the machinery for terminating them. There is no evidence whatever that these disputes have unduly burdened the Congress, for this is one of the things we are here for.

I have been heard to say in past debates on this subject matter in the Senate that so long as the interstate commerce clause is in the Constitution, the Congress of the United States cannot and should not escape its responsibility to deal with an industrial dispute that reaches such a proportion that great jeopardy is placed upon the public interest. It is the Congress which has jurisdiction over interstate commerce, and the sole jurisdiction of Congress in the field of industrial relations stems from the interstate commerce clause. Oh, I know serious labor disputes are hot political potatoes. I understand politicians, I think, pretty well. They would rather not burn their fingers on them. But they were elected to office to carry out their responsibilities to every section of the Constitution of the United States, including the interstate commerce clause.

Let me say to the voters of this country, "Do not let your Congress ever duck its responsibilities in regard to great national emergency labor disputes. You elected them to protect you when you had a special situation that calls upon Congress for congressional action."

Now, they are few and far between, but that does not justify Congress seeking to pass a compulsory arbitration law and calling it under the very interesting label of "court of labor relations," and turning over the economic welfare of millions of workers and hundreds and thousands of employers to so-called judges who do not have the slightest background, training, or basis for handling questions of wages, prices, taxes, and profits.

We cannot separate those questions from the question of determining major labor disputes on a compulsory basis in this country. That is why I never have and never shall vote for a compulsory arbitration law. That is why I shall always be proud to have my record show that I was one of two Senators who voted against the only compulsory arbitration law ever passed by the Senate.

Thus, as one who has worked in this field for 32 years—for I arbitrated my first case 32 years ago and have been involved in many, many, in fact several hundred, major labor disputes in this country in the past 32 years—I shall never be a party to supporting compulsory arbitration legislation which seeks to substitute for that precious freedom, the freedom of employers and workers to iron out at the collective bargaining table their differences over wages, hours, and conditions of employment, the judgment of whatever number of men are placed on a so-called labor court to settle issues which are not judicial at all.

That is one of the basic fallacies in this whole approach to compulsory arbitration. We are not dealing with judicial issues. We are not dealing with litigious legal concepts. We are dealing with the basic economic rights of men and women among labor and among employers as to what their economic relations shall be in respect to the employer-employee relationship. That is why this proposal would establish a kind of statism in the American economy, a kind of collectivism in the American economy, a governmental dictation of the working relationships which are to prevail in a so-called democratic society between employers and employees. When we do that, we are not dealing with questions of legal rights. We are not dealing with questions of judicial problems. We are dealing with the economic relations between supposedly free employers and those free men and women who are the employees.

I will never cast a vote to enslave American employers and American workers under the arbitrary discretion of a so-called labor court. Because, when we do, we destroy the freedom of collective bargaining in this country.

Oh, the argument is made that I do go along with the exceptional cases. I shall cover those situations. They do not destroy free collective bargaining. We merely recognize that under our constitutional system that there is no absolute right to strike or lockout. It is a relative right. But it is a superior right in most instances, and becomes a subordinate right in few. When we get a great labor dispute which imperils—note my language—which imperils the health, safety, and security of the American people, then the superior right of the American people to governmental intervention subordinates the very precious right of management to lockout and workers to strike.

That is not the Smathers bill. The Smathers bill seeks to give jurisdiction to the court in a case in which they find it involves public interest.

What case does not? But they are altogether different from the emergency disputes which imperil the health and safety of the Republic under the Taft-Hartley law. How many such disputes have there been? Twenty-eight. Listening to some of my colleagues, we would think that a great strike peril was confronting us 24 hours a day because, from time to time, free men and women who are employees and free men and women who are employers exercise that precious freedom of the right to strike and lockout.

Well, let me say to those who are inconvenienced by strikes and lockouts, do not forget that the price of freedom comes high. But, it is worth it. It is worth all the inconveniences one has to suffer in the case of a strike or lockout, when that strike or lockout does not involve an imperilment of the health, safety, and welfare of the American people.

What does the Smathers bill propose to do? It proposes to take any labor case before an arbitration tribunal into a court for a compulsory decision, if it is alleged or a complaint is filed which claims the public interest is substantially involved. The public interest is involved in every labor dispute. That does not justify having the Government come in and dictate the terms of the economic life for the people involved in a good faith labor dispute.

If we do not understand that deep philosophical concept of the meaning of economic freedom for American workers and American employers, then we have not grasped the real meaning of the great strife which has occurred and developed in this country over the years for the rights of free men and women to bargain for the hours, wages, and conditions of employment in their relationships with employers.

We have fashioned specific machinery for specific disputes, in specific situations. By so doing, we have left collective bargaining as intact as it can be left after a national work stoppage. We have left the responsibility for wages and working conditions where it belongs—in the hands of union and management.

Once remove that responsibility from private hands—once put it in a permanent public agency—and we will have moved a long way toward the substitution of government fiat for private decisionmaking throughout our whole economic system.

Management has more to lose from this procedure than anyone else. Wages are one of its major costs, if not the major cost. Once this part of its business enterprise is turned over to a government agency for determination, management's operation of the enterprise is severely reduced. And that government agency is not going to be guided solely by what is good for management, but by its own charge to the public interest. Statism, collectivism, in labor-management relations is not going to benefit either party in the long run.

Congress, in short, is not too busy to deal with a national labor dispute of the proportions covered by this bill. Better that we should continue doing so on an ad hoc basis than turn over to a new bureaucracy so important a part of our economic life.

BILL IMPOSES NARROW SOLUTION ON ALL DISPUTES

Let me turn now to the terms of S. 176. I sympathize with what Senator SMATHERS is trying to do. He wishes to establish a course which would solve all emergency disputes. His bill has, however, only the most superficial relationship to the means provided under Public Law 90–54 which settled the railroad shopcraft dispute.

I do not agree with the principle of S. 176 that a court which must decide each case upon the record of evidence made before it is the best means of solving all national emergency disputes. Our recent rail board had no such constriction. Ours was not an arbitration board, as this court would be. Ours was a mediation board, empowered finally to propose a settlement within the bargaining history. That was our guideline; not the evidence subject to court rules, which so often can mean that the side with the best lawyers and best economists makes the best record. The arbitrator has no choice, then, but to make his award on that basis.

The arbitrator is bound by the record. The arbitrator is bound by the preponderance of the evidence. The arbitrator is subject to reversal if his decision cannot be documented and the transcript of the record applied to the burden of proof and the preponderance-of-evidence rule. A mediator is not so bound. The mediator seeks only to bring the parties to a conscionable compromise of their differences irrespective of the evidence.

A mediator takes into account the economic position of the parties. In the railroad case, we took into account, for example, the fact that for every day of strike the railroad companies would have lost $12 million-plus per day in expense losses alone, plus every dollar, amounting to millions more, of income from the railroads.

We took into account the fact that the public, in time of war, if a railroad strike brought the economy of the country to its knees in the midst of a national crisis, would lose hundreds of millions of dollars a day. We took into account what, in the long run, the workers and their families would lose in dollars and in public good will. That was what the mediators took into account along with such factors as were presented. We took into account what was fair for the workers today by way of a concession to them here and to the carriers there. We considered what would be a fair, commonsense, equitable solution of their differences.

It is an entirely different process from arbitration. It is not understood, I know. It is not understood by many in the labor ranks in this country. How well I know. I have taken their criticisms. But their criticisms never have the slightest effect on me so far as fulfilling my responsibilities is concerned when I am in charge of a labor case. We protected the legitimate rights of the carriers and the workers in that case by holding within the framework, as Congress provided for in the statute it passed, through a mediation process, not an arbitration process.

What is more, we protected collective bargaining as an institution, in this and in all other industries.

Mr. President, should industrial relations be subjected permanently and by compulsion to the straitjacket of compulsory arbitration? Are wages and working conditions really an appropriate subject for the rules of courtroom law? I think not, as a general rule. How many other business contracts, mergers, and so forth, would businessmen care to see arranged exclusively under such rules?

Each dispute in the labor field is unique. A permanent court of five men will not necessarily make available the men who may be best qualified in a particular dispute, especially since those who serve on it would have very few cases to handle. Ad hoc procedures, on the other hand, allow the use of the individuals best qualified to contribute their talents to the given case. The type of court proposed in S. 176 would exclude some of the Nation's best qualified laymen in industrial relations from contributing to the solution of labor disputes.

BILL EXPANDS DEFINITION OF EMERGENCY DISPUTES

I have already noted that the bill changes the definition of emergency disputes under Taft-Hartley from disputes which "imperil the national health or safety" to those which would "adversely affect the public interest of the Nation." Under the Taft-Hartley definition, there have been roughly 28 disputes since 1947 which could have gone to the court provided for in the Smathers bill.

That is an average of 1.4 disputes a year. During 4 of those years, there were no emergency disputes at all.

On the basis of the Taft-Hartley definition, one must conclude that this five-man, permanent court would have almost nothing to do. But under the definition of the bill, it would appear that most disputes would come under its jurisdiction and would be settled by pure and simple compulsory arbitration.

So we have to ask ourselves, is not eco-

nomic freedom worth something? Is it not worth inconvenience, is it not worth sacrifice; yes, is it not worth some of what S. 176 calls an adverse effect?

Remember that the dispute which "imperils the national health or safety" is a dispute so far reaching, so comprehensive, so vital that the national health and safety must come ahead of the interests of the parties. That was the situation we had in the recent rail dispute.

But the definition which changes "imperils" to "adversely affects" and changes "the national health or safety" to "the public interest" is going to turn over to compulsory arbitration the general, run-of-the-mill labor disputes anywhere in the country. The adoption of this bill would encourage one side or the other not to participate in good-faith collective bargaining, because they will sit down and see if they can gain more with the compulsory arbitration court. The Smathers bill would be an inducement to the breakdown of the precious right of freedom called free collective bargaining.

We still live in an economic and political democracy. There are no guarantees in a democracy; there are no guarantees of high wages or profits or success in the free enterprise system. We have thought the price of occasional inconvenience, of occasional loss of profits, of occasional loss of wages and family income was worth paying for the precious right of economic liberty.

ARSENAL OF WEAPONS APPROACH

Finally, I would elaborate on a point which I have already touched upon. I do not think there is one single solution which should be applied to all difficult labor-management disputes. That only complicates the situation. Everyone knows before the bargaining even begins how it will end if the parties do not make their own contract. The only permanent legislation in this area I have ever thought sound was the one that called for the so-called arsenal of weapons, which provided alternative solutions that could be applied depending upon the circumstances.

I think Public Law 90–54 was a sound solution for the recent rail dispute.

But who knows whether it would be appropriate for the next national emergency? It may not be. Certainly I would hope it will have the effect of discouraging both parties to rail bargaining from seeking a publicly imposed solution again.

In labor relations, nothing is more important than that the options be kept open. Congress should keep its options open, too. I know the groans and moans that go up in this body when a major dispute appears to be headed for legislation. The cry is heard that we should rid ourselves of labor issues, because they bring political repercussions no matter what a Member of Congress does. Many bills are based upon the desire for a politically painless solution to labor disputes. There just are none.

LABOR NEGOTIATIONS WILL BECOME MORE POLITICAL, NOT LESS

No one knows better than I that legislation in this area can be politically painful. But no one should be deluded that labor relations can be removed from politics. I would serve notice upon every Member of Congress that you turn over to a public body the job of writing wage contracts, and you will plunge Congress into a political pit that will make you wish for the good old days when you only had to worry about one dispute at a time.

You will bring into politics the whole spectrum of wages and working conditions. The members of the court will have to be appointed and confirmed; the guidelines any such body applies will be subject to amendment. You will have Congress lobbied so hard from all sides that wage levels will become a major and direct political problem for every candidate for Congress.

We in Congress are in charge of establishing wages for postal workers and civil servants. What this bill, and others like it do, in effect, is not to remove Congress from the labor field, but to put the whole massive set of private labor negotiations right in our laps, along with civil service and postal wage scales.

Do you think the Mine Workers and the Auto Workers and the Longshoremen—to name just three unions—will leave us alone, once we assign contract writing to a labor court? To the contrary, they will hold us responsible for the men on the court, for each of their decisions, and they will seek to improve their economic position by further legislation.

General compulsory arbitration, as provided by S. 176, will, in my opinion, do more harm than good to industrial relations, and I do not believe Congress should turn to it.

Oh, I made this plea in 1963, when I pleaded against that compulsory arbitration bill which came out of the Commerce Committee urging compulsory arbitration for the settlement of the railroad dispute in 1963. I was one of two Senators who voted against it. If one will read the RECORD, he will find that, looking up at the front row of the gallery, where there were sitting some of those who had brought the pressure and the lobbying techniques to bear upon the Senate to pass that law, I said to them, pointing my finger at them, "You will rue the day that you brought the pressure on the Senate to pass this compulsory arbitration law, for you leaders will have to assume the responsibility of passing the first compulsory arbitration law ever passed by the Congress of the United States."

I want to say, in complete fairness to them, that many of them have told me since how right they considered I was in 1963 and how much they appreciated the position I took. Well, I have had some difficulty with some of them since, as I have participated in the solution of some labor disputes, including two east coast dock cases, the airlines case, and recently the railroad case. When I am put on a board that is in the middle and called upon to settle a labor dispute, I never permit my obligations to that board to ever mix with my political views.

But today I am discussing what I think are major tenets of our economic and political philosophy that ought to be considered by Members of the Senate before they vote on the Smathers bill, if it ever comes to a vote. In my judgment a vote for the Smathers bill will be as great a mistake as the Senate made in 1963, when it voted for the first compulsory arbitration law in the history of the Republic. I hope such a vote will never be cast again, because it is most important that we see to it that workers and employers in America remain completely free to participate in collective bargaining between themselves for the determination of their wages, hours, and conditions of employment, and that no restriction ever be placed upon that freedom except in those rare and novel cases where a course of economic action on the part of workers and employers in a dispute imperils the health, safety, and security of the Republic. Even then, the Congress should assure that in protecting such a major, superior public interest, it does the least possible to interfere with collective bargaining.

VISIT TO THE SENATE BY THE RIGHT HONORABLE CLEDWYN HUGHES, M.P., SECRETARY OF STATE FOR WALES

Mr. DIRKSEN. Mr. President, it has been my privilege to bring to the floor of the Senate a very distinguished visitor, who is the Secretary of State for Wales, and who was appointed for that purpose in April 1966. He is also a Privy Counselor who served as a member of the Cabinet in Britain, and he is one of the foremost spokesmen for the Labor Party. He is a stanch Welshman. I have often expressed my high regard for Wales. I remember when I first encountered the middle name of John Llewellyn Lewis. I became curious and found out that he was a Welshman.

Subsequently, when I was a college student, I was assigned to sell books to farmers in an area of South Dakota, variously populated with Welsh people. I was a master at doubletalk, as it were, and almost got to the point where I could talk in Welsh.

Our visitor is a distinguished person who has served Her Majesty's Government so nobly. It is my privilege to introduce the Right Honorable Cledwyn Hughes, Secretary of State for Wales. I trust Senators can take a moment, after applause, to shake hands with our distinguished visitor. [Applause, Senators rising.]

Mr. President, it has been my pleasure, shared by other Senators this day, to meet and greet a distinguished visitor to this country and to this body—the Right Honorable Cledwyn Hughes, a member of Her Majesty's Privy Council, a member of the Cabinet, a member in Parliament from Anglesey in Wales, and Her Majesty's Secretary of State for Wales.

This is an office in the British Cabinet recently created to fill a long-felt need—one hoped for, aspired to, fought for, and desired by countless generations of Welshmen loyal to the concept of the United Kingdom.

Mr. President, in no way do I desire to intrude on this floor on matters that properly belong to our British friends. But I am moved to say, Mr. President,

that I rejoice with my fellow Americans of Welsh blood in not only the creation of this important Cabinet position, but in the dignity and ability that is being demonstrated by the present holder of this office.

I am moved to speak as did John Milton, a one-time Secretary of State for Foreign Affairs when Britain was a Commonwealth—who said of another who then held the responsibility of moving forward the affairs of the principality in the United Kingdom:

And all this tract that fronts the falling sun,
A noble peer of mickle trust,
And power has in his charge, with tempered awe to guide
An old and haughty Nation proud in arms.

—JOHN MILTON (1608–74).

Thus spake Milton, and in this context I can only say that the right honorable gentleman, the Secretary of State for Wales, has already brought to pass through the British Parliament an act that for the first time in over 700 years grants the ancient and honorable tongue of Wales full legal status in the courts of law within the ancient realm of British princes. This is a meet and goodly thing, but of equal importance is the guidance that is being given this "old and haughty nation" in making further contributions to the industrial Western World.

Welsh is the language of poets and hearthstone, but English, of course, is the language of commerce and all Welshmen today speak English, as many of them speak Welsh. We look back with admiration at this little nation that has so long contributed to the cause of freedom. We recall that it is said Thomas Jefferson and 16 of the other signers of our own Declaration of Independence were of Welsh blood and that a Welsh prince of Wales was signatory to the Magna Carta. We honor the leadership given by her sons and daughters both at home and abroad in war and peace, in labor and in commerce and agriculture, and especially wherever tyranny is to be denied.

May I add, Mr. President, that I am especially glad to welcome to this, our Capital City, a member of the British Cabinet charged with furthering the affairs of this small, but vitally important part of the islands of Britain—who together with her sister nations in the United Kingdom have for so many decades been our stanch allies in the cause of peace, freedom, and human dignity.

While men of Welsh blood look back with affection and pride to their long and tempestuous history, it is now obvious that, as demonstrated by Mr. Hughes' visit to the United States, the future holds bright promise for the people of Wales as they, with their skills and determination, diversify and expand their industrial contribution to their nation and the world.

Further, Mr. President, it may interest Senators to know that one of the few remaining Welsh churches in the United States is in the city of Chicago where services are held in the ancient British tongue—a reminder of how many Americans in my State and in others have their roots in this lovely little corner of Britain.

I ask unanimous consent to have printed in the RECORD the speech which Secretary Hughes delivered at noon today to the Interparliamentary Union group at a luncheon here.

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

SPEECH OF HON. CLEDWYN HUGHES, SECRETARY OF STATE FOR WALES, TO THE INTERPARLIAMENTARY UNION, U.S. GROUP, AT A LUNCHEON ON OCTOBER 19, 1967

It is a great privilege for me to be your guest today and it is particularly pleasing to me that this luncheon in my honour should have been arranged by the Interparliamentary Union—U.S. Group. I have been a member of the United Kingdom Group of the I.P.U. for 17 years and throughout that time I have taken a keen interest in the work of the Union. The Union's record is an enviable one and I believe that the Union will continue to make a massive contribution to better understanding between all those of us who are proud to be members of it.

My Department of State, the Welsh Office, is a very young Department; it is not yet 3 years old. The office which I hold—Secretary of State for Wales—carries with it membership of the British Cabinet. My particular job is to represent the needs and aspirations of Wales and of the people of Wales in the Cabinet—that is, in the most important forum in our system of government.

As Secretary of State I am the Minister of the Crown who is directly responsible for a wide range of executive functions for Wales—housing, local government, roads, environmental planning, economic planning and so on. But, of course, as a member of the Cabinet I share with my colleagues the collective responsibility for all my Government's policies and decisions.

The main purpose of my visit to the United States is to meet industrialists, bankers, businessmen and a host of others to talk about the exciting prospects for those Americans who are prepared to undertake industrial investment in the United Kingdom. I am not here to "bang the drum" for Wales alone, but as every perceptive investor will know the most fertile fields awaiting cultivation in the United Kingdom are found in Wales! The Welsh people are noted for being completely fair and unbiased in these matters!

My most lasting memory of this visit will be of the extraordinarily friendly welcome I have received. I have met a large number of members of Welsh societies and organizations—people who are first class citizens of this great country but who nevertheless cherish their links with the land of their fathers, grandfathers—and even farther back in history. Back in fact to 1170—which as every good Welshman knows is the year that the son of one of our Princes discovered America, long, long before anyone else thought of it!

The strength of the links was brought home to me very forcibly yesterday I had a long talk in the Welsh language with a Washington lady whose forebears came to this country in 1834 and who herself has never set foot in Wales. And it was brought home to me very movingly last Sunday when the children of a church which I attended at Wilkesbarre sang a hymn in Welsh.

For generations—indeed, for centuries, the Welsh people have greatly influenced and contributed to the growth of this country. And of course people from other parts of the United Kingdom have also played their part.

At home in Britain there is a lively debate going on—largely in the columns of the press—about the question of relations between the United States and the United Kingdom. Mr. Alfred Friendly drew attention to this in a recent article in the Washington Post and referred particularly to some remarks made by Lord Chalfont in an interview with an Italian newspaper and subsequently on television. Lord Chalfont, as you may know, is the Foreign Office Minister charged specifically with conducting the continued day-to-day handling of our application to join the E.E.C. and he has recently established himself in Brussels for this purpose. The London Times in its report on Lord Chalfont's recent statements used a rather sensational and certainly quite misleading headline—"Britian breaks special link with U.S." It is this as much as anything which has led to so much public discussion of what has so often been referred to as the "special relationship" between our two countries.

I should just like if I may to make one or two comments on this question, since I feel sure that headlines such as that used by The Times are liable to mislead the many friends of Britain in this country.

The basic trouble is that people in Britain tend to talk about a "special relationship" without really thinking deeply enough about what they mean. There are I believe two aspects of our relations which have to be looked at separately.

The first is what I might best describe perhaps as the "human" links between our two peoples. What I have in mind here is our common heritage of language and all that that implies in the cultural field, as well as our very similar conceptions of law, government, democracy and so on. These things are organic. They were not created by any act of government policy and equally cannot be and will not be abolished by any act of government policy. As Mr. Friendly put it, "this relationship persists whether anyone wants it to or not". My own experience during this visit is ample proof that Mr. Friendly is absolutely right. And the sympathy and understanding which flow from these human links is important, significant, and enduring.

The other aspect of our relationship, and this is the one of which Lord Chalfont was speaking, is the working relationship between our two Governments. This of course benefits from the other communtiy of feeling to which I have already referred, but it is not governed by it. Both our Governments have the duty of pursuing the interests of our two countries as they judge and assess them. It is by definition a feature of governments in the free and democratic world that the pursuant of self-interest is enlightened and should not be at the expense of others if this can possibly be avoided. This is not to say that we are always in full and perfect harmony—life would be rather dull if we were—but your country and mine both believe, with considerable justice in my view, that we are on the side of the angels.

Against this background, our handling of day to day problems inevitably goes on through periods of ups and downs. Many of you will not have been happy with the decisions we have found it right and necessary to take in the field of defense policy East of Suez. We have not enjoyed taking these decisions nor have we enjoyed the fact that you find them unpalatable. But the fact is that if we are to have any meaningful foreign policy at all, with continuing validity over the years, we must cut our coat to fit the cloth available and must create a stable economic base.

Part of this process is reflected in our application to join the European community. You will I am sure all have been struck by the extent of the conviction which exists in Britain today that this is a necessary step. As part of the process, we must demonstrate that we mean to be good Europeans in all aspects, and that we are not seeking simply the economic benefits of membership while trying at the same time to preserve some kind of special and exclusive relationship

with the United States such as existed as a fact of life during World War II. The Atlantic Alliance will continue to be—as it is for the countries of continental Europe—the basis of Britain's security.

I should perhaps also say that in the economic, commercial and technological fields there is a natural and legitimate concern in Europe, including Britain, at the growing need to preserve our separate identity in face of existing and growing American predominance. There is in this no desire whatever to do down the United States, and I have no doubt that you listening to me today will understand and sympathise with our motives.

The truth is that all this is a reflection of our fundamental economic problem and I would like to say a few words to you about our economy—a subject which has been the subject of lively discussion in recent months.

As you well know, the Government introduced stringent measures of restraint in July last year in order to correct our balance of payments difficulties and eliminate inflationary pressures. These measures are now bearing fruit and Britain's external position has been substantially strengthened. On the home front prices have been virtually stable over the past twelve months and wages have risen only slightly—which means, of course, that our relative cost position vis-a-vis the rest of the world has shown a real improvement. There has been a rise in unemployment as a result of these measures, but it should not be overlooked that a part of this increase reflects a marked improvement in the productive performance of industry. This improvement will continue. Let me give you one example from Wales: in two or three years' time one of our giant steelworks employing close on 20,000 men will be able to produce even more steel than at present but with about 40 per cent fewer men. There is clear evidence to hand that industry is tackling the structural difficulties that lie at the heart of Britain's economic problems.

The measures we have taken were, and are, unpopular in Britain and they involved politically difficult decisions. But the fact that we took these measures—and that we are standing by them—is proof of our unswerving determination to set the economy on the right course. And quite frankly I would rather be a member of an unpopular government of a solvent Britain than of a popular government of a bankrupt Britain.

During the year ending 30 June, 1967, we ran a favourable balance on our external accounts. This surplus was achieved by eliminating deficits on both the current and capital accounts. However, it is unfortunately the fact that during the first half of this year there has been some deterioration in our trading position which has set off periodic waves of adverse confidence in the pound sterling. But some deterioration was inevitable as a result of removing the import surcharge last November and eliminating the E.F.T.A. tariffs on 1 January. Unhappily, this upward movement in imports coincided with a dramatic slowing down in the growth of world trade, which affected our export performance. For instance, the U.S. economy showed little increase in total G.N.P. in the first half of 1967 and imports into this country remained virtually flat. Then again, Germany slipped into its most severe post-war recession, and the French economy ceased expanding. Given such a combination of factors, it is not surprising that our trading position suffered. Nevertheless, even in the face of this slowdown in world trade, Britain's exports in the first half of 1967 were up 5% over the 1966 level.

Looking to the future, we confidently expect that our exports will show a significant further expansion alongside a renewed growth in world trade. I would add, however, that these hopes are based on the assumption that the impetus towards liberal trading arising from the successful conclusion of the Kennedy Round will continue.

The world in which we live is a troubled world. You have enormous problems and responsibilities; so have we. Your resources are great; ours are less—but they are still considerable. In this troubled world the respect which our peoples have for those things that really matter—the freedom of the individual under the rule of law and for our great Parliamentary institutions—affords the best hope for the future of mankind.

U.S. POLICIES IN VIETNAM

Mr. JACKSON. Mr. President, at his press conference on October 12, Secretary of State Dean Rusk made a careful and thoughtful exposition of our policies in Vietnam, of the difficulties of bringing Hanoi to the conference room, and of our national interests in Asia. The Secretary's remarks, if fairly heard, should help Congress and the American people to get a better perspective on the problem of achieving a compromise settlement with an adversary who does not yet wish to compromise and to focus attention on the issues at stake in Vietnam.

Some people, I was surprised to discover, think that the Secretary was suddenly introducing a new and radical justification of our efforts in Vietnam by relating the war to the problem of China. It was the danger lurking in Chinese power and ambitions that we in the Senate had in mind when we ratified the SEATO Treaty more than a decade ago. It was this danger that President Eisenhower had in mind in April 1954 when he said that the loss of Indochina could have incalculably serious consequences for the free world and dramatized, perhaps too vividly, the process of disintegration that would follow in terms of the "falling domino" principle.

President Kennedy's decision to step up sharply the scale of our military assistance to the Vietnamese Republic was made not in terms of Vietnam alone but of the threat which, he said, China clearly posed to the security of independent countries of South and Southeast Asia.

It has fallen to President Johnson to persist without wavering on the course begun by his predecessors—a line of policy, furthermore, that has deep roots in our longstanding recognition that the domination of Asia by any one power is inconsistent with the vital interests of the United States. I wonder how many Americans today remember that the breakdown of our talks with Japan in the fateful summer of 1941 was caused by Japan's seizure of Indochina?

The importance of the American effort in Vietnam can be understood only in the context of Asia as a whole, and of the hegemonic aspirations of Red China. In Asia we and our allies are trying—and with far greater prospects of success than is recognized by those who cannot see beyond Vietnam—to create a reliable balance of forces. If we succeed, as we shall, the benefits will accrue not only to the non-Communist countries of Asia but also to ourselves and to our European allies.

Will any of those who, whether intentionally or unintentionally, are urging policies that lead toward an American withdrawal or a humiliating compromise argue that such a course would not open the doors to a vast extension of Chinese influence in Asia? As this became clear, would our Asian commitments decline, or would we feel compelled to extend and deepen them to many other areas, from Thailand to the Indian Ocean and to the Philippines? To me the answers are clear, just as it is clear that our stand in Vietnam has already strengthened hopeful tendencies in Indonesia—the fifth most populous country in the world—and elsewhere in non-Communist Asia.

It is hardly necessary to say, I hope, that the concern that has led to our involvement in Vietnam has nothing to do with a racist interpretation of history in terms of a yellow peril. It has to do with the tendency of great powers that possess, and are possessed by, a militant and expansionist ideology to dominate their neighbors unless they are checked by countervailing power.

In its lead editorial yesterday, the Washington Post correctly observed that "there is nothing mutually exclusive about the several reasons we fight this war." We are fighting at once to defend South Vietnam's right to an independent existence, to fulfill our commitments, to check aggression, to block Chinese expansion, and to reduce the danger of a later, greater war by fighting a limited war.

If anyone has a constructive suggestion to make on Vietnam, he should put it forward, so that it can be looked at hard and thoughtfully in an effort to understand its pitfalls as well as its possibilities. But all too often of late the criticisms have been negative, reflecting, I believe, the very frustrations the Communist adversary has hoped to arouse by protracting the conflict. Wishful thinking will not persuade Ho Chi Minh to accompany us down the path to negotiation and a peaceful settlement.

Obviously, no one who holds my point of view can prove beyond peradventure of doubt that his analysis is correct. I do not have, no one has, the gift of prophecy. I can only say that I can find nothing in history in general or in the history of Asia in particular to encourage me to believe that a great power that describes its purposes as China describes hers will refrain from exploiting the weakness of its neighbors—unless it has reason to fear the consequences.

We are not alone in our concern for the role China expects to play in Asia. Nehru once thought we were wrong, but in the fall of 1962 Nehru was obliged by events to revise his view of China. With good reason India today looks apprehensively at the giant beyond the Himalayas. The Indonesians took great pains to cultivate their relations with China; they paid a heavy price for the lesson Peking provided. Burma, Thailand, Malaya, and even Cambodia have learned through bitter experiences that inoffensiveness provides no security. On his current visit to this country, Prime Minister Lee Kuan Yew, of Singapore, is cautioning us to be patient and prudent in our policies in Asia, to stand firmly by our commitments, and to remember that Southeast

Asia needs strong friends if it is to maintain its independence.

Were we wrong here in the Senate to ratify the SEATO Treaty? Were Presidents Eisenhower and Kennedy wrong in their assessments of our national interest in defending the independence of Southeast Asia? Are China's neighbors wrong to fear China's expansionism? Are China's leaders lying when they proclaim their intention to foster and support so-called wars of national liberation? Were all of us who supported the Korean war wrong to think that the cause of peace requires the strong and peaceloving to oppose aggression by the strong and peaceupsetting?

This does not imply, as should be obvious, that the United States must take responsibility for every uprising or revolt anywhere in the world. We should not, if we could, for as we know better than most, revolution is not always a dirty word. No prudent person has ever thought that we should become the policeman of the world. We can do a lot, but our resources and capabilities are limited and our power must be rationed in accordance with a responsible ordering of our national interests.

I have been moved to speak today because I fear that our frustrations are showing. We are in for serious trouble indeed if our tempers become frayed and our understandable unhappiness with a long and difficult and costly war leads us to impugn one another's motives and to make charges that, if true, could only mean that our leaders do not merit our confidence as men of integrity and dedication to the national interest.

This weekend the streets and public gathering places here in the Nation's Capital will be filled with self-proclaimed apostles of protest—some prideful and some arrogant—confronting young Americans in uniform with such morale-building slogans as "Hell no, we won't go." We can and will survive such contributions to our national dialogue, but I am not sure that we could survive the debasement of our debates in Congress and in the national political campaign which looms just ahead to the level of this weekend's demonstrations.

I find it particularly disheartening that some who have long been identified with liberal policies and programs at home and who strongly supported the condemnation of aggression in the Charter of the United Nations, even when this involved a costly struggle against aggression in Korea, no longer seem able to bear the burden of staying the long hard course on which the world's chances for a peaceful future depend. Do they think we can build a better America in a world in which the bars to aggression by the strong against the weak are lowered?

We are facing a most serious test of our national character and democratic processes—a debate over our policies and purposes in the midst of a war and a national election campaign. We are, or ought to be, engaged in reasoning together, not in cutting each other up. The war in Vietnam cannot be brought to an end by attacking each other here at home, but it can be lost, rather, it will be lost, if we destroy our confidence in each other. It is my great hope that the Senate, with its great traditions, can set an example for the nation of how reasonable men reasoning together may find unity through honest and vigorous but temperate debate.

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

Mr. JACKSON. I am happy to yield to my distinguished friend from Wyoming.

Mr. McGEE. I commend the Senator from Washington for this very straightforward plea and forthright analysis of the nature of the American commitment in Asia; because, like the Senator from Washington, I have been very deeply concerned about the rather reckless kinds of assaults that have been contrived in the last few days, aimed in particular, and seemingly personally, at the Secretary of State in some cases and cloaked behind careful phrases and cliches.

Heaven knows, the whole question of Asia and what its future may be is difficult at best; and I know of no Senator with the ultimate wisdom to say with certainty what that future may be. That is all the more reason why I believe the Senator from Washington is correct in saying that this is no time for that kind of emotionalism, that kind of haranguing, or that kind of personal vindictiveness; that if we ever needed clear minds, clear spirits, and very levelheaded dialog, it is at this very moment.

For that reason, I believe the Senator has rendered a service here. I feel very deeply on this issue myself, as the Senator knows. I often think of a rather appropriate comment attributed to the late Adlai Stevenson, when he warned his fellow Americans that we have to be realists as well as dreamers.

As Stevenson said:

> We have to begin where we are.

What I believe he was trying to tell us is that we cannot begin where we should have been; we cannot begin where we might have been if things had somehow been different; and we cannot begin where we may some day be. Those are wishful thinking; but we have to start where we are.

Where we are is in the midst of a world that, in a national sense, is a lawless world. We do not have a world under law; and the only substitute, still, that civilized man has come up with for world war is stability through balance of the existing forces.

As Mr. Stevenson warned us, unless we are willing to start at that point, we are not going to be able to realize a stronger United Nations, a world under law, or stable international economic development.

That is what I think the Senator from Washington is suggesting to us, that it is that kind of realism that must mark our beginning. I would hope, as a sometime historian, that we might learn from history. A very wise philosopher reminded us that those who forget history are condemned to repeat it.

Mr. JACKSON. George Santayana, I believe.

Mr. McGEE. Yes. And there are elements of history that I think are very useful, and should not be forgotten. Certainly one of those, in terms of our experiences in World War II, was the lesson of how not to come to grips with open aggression. We learned that one important thing to avoid is giving somebody else's territory away to the aggressor, in the hope that somehow that will appease his ravenous appetite. We were taught that lesson the hard way, and I hope we learned it. Will the Senator agree that that lesson certainly is valid, in terms of our searching for guidelines for our conduct in Asia?

Mr. JACKSON. I agree with the Senator. And, Mr. President, I take this opportunity not only to compliment, but to commend the Senator from Wyoming for the able way in which he has articulated, on the floor of the Senate and throughout the country, our policy with reference to Vietnam. I believe the country owes him a great debt of gratitude for the clarity with which he has expressed our position. I deeply appreciate his comments and observations in connection with the situation as we find it today in Asia.

Mr. McGEE. Mr. President, I should like to add, if I may, that the lessons we learned so dearly and at such heavy cost in Europe we now have a chance to profit from in Asia. I would be the first to urge caution in that respect; I am sure that not everything that happened to work out in Europe would necessarily work out in Asia. The two areas of the world are quite different in many respects.

But one ingredient they have in common, and that is that they are made up of independent nation-states, each of which is sovereign unto itself, and they are free to run amok if they wish. I think the basis of American foreign policy since World War II has been the same in Europe and in Asia—that is, that it is in our national interest to see to it, if we can, if we have the wisdom and the will to do so, that no one nation ever again dominates either Europe or Asia.

We used to think of that principle only in European terms; but we did more than any other single force in the world to shove Asia directly front and center into the balance-of-power calculations of the whole globe, and thus establish, it seems to me, the inescapable truth that the world, indeed, is round. It is that role in which we now find ourselves.

There are some who say it is none of our business; but we did it. The Russians did not do it in Asia, the French did not not do it, the Dutch did not do it. We did it ourselves. The war in Asia was won almost unilaterally by America. We destroyed the warmaking potential of Japan. We were the ones who contributed most largely to the withdrawal of the French from Indochina and the Dutch from Indonesia. The shambles that remained at the end of the war was a feasting ground for aggressors and for those if you will, who would seek to exploit devastation, unless the devastation were cleaned up and some of the shattered pieces put back together again, as a starting point.

I think we were compelled, as a nation with a conscience and as a people who really generally mean it when we say that we aspire to a more stable

world, to try to take some responsibility for achieving a new sense of balance in Asia. For that reason I say that whenever the critics have a better case that they can make—and they have not come up with it yet—they will have to learn from the lessons that we learned so dearly from Hitler and Tojo and Mussolini. We, of course, must apply those lessons in Asia with caution and restraint, but with the keen insight that we have acquired because of the very dear experience we have had. I think the history in Asia since the end of World War II bears that out. It seems to me the record is already very clear. We have already made a difference in that part of the world.

The balance of Asia some day, I am sure, will be maintained by Asians themselves, perhaps one leg of it resting in Indonesia—as the Senator from Washington describes it, the fifth largest nation in the world—one leg in Japan, another one in mainland China, and another in India. We cannot say for certain where the structure will repose; but the Asians themselves would like to have that chance. One of the consequences of what we are trying to do in Asia now, I think, is to help to win the time that will preserve for them that sort of chance.

I am a little put out by those who set up their own straw men so that they can knock them down, or who drag across the floor of the Senate some kind of dead horse, if we may use another figure of speech, and then beat it as though they had nothing better to do. But when they talk about the yellow peril in Asia, when they talk about not taking part in land wars in Asia, when they talk in fetish terms or as if from some fountain of wisdom, I think they are not contributing to our national interest.

The issue is not the yellow peril; the issue is the balance of Asia. There are billions of Asians, and there will soon be more Asians. They would like a chance to say something.

Mr. JACKSON. I wonder what the position of some persons would be if the current thrust was against India instead of against South Vietnam.

Mr. McGEE. I think that some of them would have to readjust the verbiage they have been employing lately. The trouble, it seems to me, is that they are so far bogged down in thinking about the minutia of Vietnam that they cannot deal with Asia as a whole. Asia is the big issue; Vietnam happens to be where the war is taking place. It could have happened in a dozen other places in Asia. Would not the Senator agree?

Mr. JACKSON. I agree that the American stand in Vietnam can only be understood in the context of Asia. That is why it is interesting to raise the question as to what the attitude of some persons would be if some other Southeast Asian country were involved.

I recall that when the Chinese started to move into India in 1962, many of the great liberals of this country were highly exercised about it and wanted immediately to give military support to India. Some of our liberal friends are not very logical about all this.

As you say, a reliable balance of forces in Asia is the issue. That is the reason we are in Vietnam. That is the reason we are making this great effort.

I must say that I was shocked by the reaction of some people to the remarks made by the Secretary of State, Mr. Dean Rusk. What the Secretary of State said at his press conference is exactly what has been on the minds of millions of Americans and, yes, of friends around the world. Our friends and our thoughtful people at home have been thinking about this problem in terms of Asia and an expansionist Red China.

When the Secretary made his statement, some people claimed it was a wholly new approach to the problem. But, as I pointed out in my main remarks, it has been the policy of our Government since World War II with President Eisenhower, to see Vietnam in the context of Asia. President Eisenhower in 1954 viewed the situation in Indochina in the context of Asia. And President Kennedy followed through on the policies initially undertaken by President Eisenhower recognizing that the future of Southeast Asia is a matter that concerns the vital national interests of the United States.

Mr. McGEE. And the history of our country is replete with evidence to substantiate the conclusion of the Senator there.

The balance of Asia does make a difference to us. We are a great Pacific Ocean nation for better or for worse. The future of the world lies in the Pacific. That is where most of the human race is. That is the direction in which the whole world is moving.

Mr. JACKSON. Japan is the third largest industrial nation in the world.

Mr. McGEE. Thanks to the kind of policy the United States has been pursuing in Asia.

Mr. JACKSON. We know that the leaders in Japan and in the other non-Communist countries of Asia look to the United States for leadership. We have given them new hope. They have new confidence. They have a new determination to withstand the threat and maintain their independence. And I think this stems directly from the effort we are making in Vietnam.

Mr. McGEE. Would it be a fair summary then to say that, first of all, in the hindsight of history there is relevant history to guide us here? Historians even now speculate as to what would have happened if we had listened in 1931 to those who said: "Let's stop Japan in Manchuria before she gets bigger."

They speculate as to what would have happened in Europe with respect to Adolf Hitler. Some people advocated in 1936, before he broke into Western Europe, that he should be stopped then.

These are questions that face us in the hindsight of history. And I think most people would agree that in view of that hindsight it would have meant an entirely different course of events if we had acted sooner rather than later.

We have the word from Peking that we should look to the future. We have the word of Mr. Mao and Lin Piau and the rest of the men in Peking concerning how they do not really mean these things but just want to hear each other talk.

I can remember how people used to talk about the paperhanger from Austria, Adolf Schickelgruber. His book "Mein Kampf" was a very revealing book.

I do not think in the light of historical experience that we can be quite so indifferent as some of our critics seem to be when they profess that these people will not implement what they say they can.

That does not mean at all that we have to take on China any more than anybody else. We only ask that mainland China not resort to force to try to impress its will on others. If they persuade somebody by talk, more power to them. If they have a better idea than the next nation, great. However, let us make sure that we do not let them nibble away at the little ring of independent countries around them, because then that would make a difference not only to those small countries, but also to the United States.

It is not without great point that they talk with great confidence about being the wave of the future. They have already tried to put that into effect in Indochina through the Communist Party there. They almost succeeded. They flagrantly said that the Philippines were soon to be the target.

They began to press against India. I think it is of interest to note the double standards under which the critics operate, as the Senator has pointed out, in regard to India.

I talked to Mr. Nehru who had made a study on this very important subject. We discussed India's attitude on the use of force from the outside.

I will never forget what he said. He said:

> I have read American history. I remember that it took an attack by Japan on your territory to shock your country into divesting yourself of your isolationism.

He then said:

> I will give you a parallel. Something like this may have to happen to India before we are shocked into a more realistic attitude.

It was only 3 years after that that India indeed experienced her first assault from mainland China. Her attitude changed overnight in regard to China. Today, India has one-half million troops in the Himalayan Range.

Changes are taking place. There is this restless change that is already taking place. What we cannot know for sure is how far China intends to go. Nobody can know this.

Those who suggest that China is so convulsed that she cannot go anywhere ignore the fact that one reason for China's internal difficulty is that the United States stood, and that contributed to the erosion of the magical image that the Chinese sought to spread, that they were the wave of the future. And because we stood, China did not move in and take it all over.

Japan has been able to prosper only because China did not do that. She did not take Taiwan where there are roots and where they are a very strong, independent, economic entity, whatever else history may call it.

China did not take over Indonesia, and

they did not take it over almost entirely because of the American presence in Vietnam.

The Indians have stood against China because the United States responded with military help at a time when she needed it.

It is interesting to note that one of the great liberal voices of our country today that criticizes our policy in Asia was the first voice raised asking for American planes to help India, because that liberal voice came from the Ambassador to India in those days.

It makes a difference, then, when you have to take the consequences for what you say, and many of our critics are enjoying the luxury of irresponsibility.

The very last point I wish to make is simply to remind us that not only is history raising a warning finger to us not to make the same mistakes again, if we can avoid it, not only is the conduct of China even now open to serious question—our hope is that we can dissuade them from moving wildly and irresponsibly by making clear our position earlier rather than later—but also, the Asians, who have to live with the situation, next to China, are very strong in their concern about China's future plans. They make no bones about it.

I returned a few months ago from a trip around the rim of China, and they all mentioned this. This is their central fear. This is not something invented by Mr. Rusk, by the President, or by anybody else. This is no joke. These are the hard facts of power politics lines, and it has nothing to do with the green people, purple people, brown people, or yellow people. It has to do with the naked attributes of national power. That is what makes up the world today, until we can make it a better place, somehow.

This is what is at stake in Asia, and I believe we stand a much better chance in the tides of history if we can dissuade a nation from resort to those extreme points or if we can persuade those who are not as strong to stand together in an attempt to try to preserve the chance in Asia for the continent of Asia to proceed with some semblance of balance and freedom from force. It is the force that redounds to the advantage of the aggressor.

That is all we ask. We do not want the American image. We do not want to make little Democrats out of them. We do not want little of anything. We just want them to have the chance.

When you array the billion independent Asians alongside the approaching billion in China, you are not talking about a yellow peril. You are talking about a problem in Asia, an area in which we have learned that it makes a difference to our security, as Japan taught us very dearly; and the shape of this new balance in Asia makes a difference to the security of our country.

That is why I join with the Senator in applauding the Secretary of State for his hard-hitting, forthright, and direct approach to the basic question at stake in Vietnam. It has little or nothing to do with Vietnam. It has everything to do with this most important and potentially most powerful part of the world. I compliment the Senator.

Mr. JACKSON. Mr. President, I must say that the Senate is indebted to the able senior Senator from Wyoming for his very helpful remarks.

In short, what we are trying to do is to help create in Asia a reliable balance of forces. As the able Senator has pointed out, the non-Communist Asian leaders understand Communist China. They report that to know Communist China is to fear Communist China. I am glad that the Senator emphasized that point, because I believe it needs to be reemphasized over and over again.

I am happy to yield to the distinguished and very able member of the Committee on Armed Services, the senior Senator from Hawaii.

Mr. INOUYE. Mr. President, I commend my distinguished colleague, the Senator from Washington, for his very timely and forthright statement.

Recently, I was privileged to meet a very able and articulate Asian leader, a neutralist, who made a profound statement which I should like to share with my colleagues. He stated that all Asians know that Americans have great firepower, but most Asians are now wondering if Americans have staying power. This statement was made in reference to Vietnam.

If Americans do not have staying power, this Asian leader remarked, we are lost. This Asian leader felt that if we can convince Asians that we do have staying power, that we have the will, the perseverance, and the patience, this long and miserable war will be concluded.

I believe it is well for us to recall a speach that was delivered by President Johnson not long ago, in which he commenced by saying, "This is a time for testing." Yes, Mr. President, this is a time for testing of the will, patience, and perseverance of the people of the United States.

Mr. JACKSON. Mr. President, the able Senator from Hawaii certainly put his finger on the crucial point here. Our adversaries are hoping that our people will not have the will to stay the course. Our adversaries hope to be able to win this conflict in the American political arena. They know they cannot win it on the battlefield. They won it in Paris in 1954, and they hope the situation will develop in this country so that they will be able to repeat that maneuver.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to the able Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, the Senator from Washington has made a very able and thoughtful presentation, as indeed he always does. I was particularly interested in the last sentence of his remarks, in which he said:

> It is my great hope that the Senate, with its great traditions, can set an example for the Nation of how reasonable men reasoning together may find unity through honest and vigorous but temperature debate.

Mr. President, I believe it is very important, in the most important subject facing the American people today—the war in Vietnam—that there be full debate; and, as the able Senator from Washington has said, that there be vigorous debate but temperate debate.

I have long felt that one of the great failures of our Government in regard to Vietnam has been its inability to obtain effective support from other nations—or, perhaps, even its unwillingness to seek additional support from other nations. With that thought in mind, the late news from Bangkok is that Thailand has agreed to increase troop commitments to South Vietnam from 2,000 men to a full division. The news report did not indicate how many men that would provide, but a Thai division normally is considered to number roughly 20,000, as I recall.

Although I have been critical for over a year of our Government's lack of activity in this regard, I wish today to commend the President and our Government for focusing additional attention on the need for Asians themselves to participate to a greater extent in this struggle in Southeast Asia.

I commend, too, the Government of Thailand for its decision to send additional troops to Vietnam, and call attention to the recent action of Australia and New Zealand for doing likewise.

Again, I wish to commend the very able Senator from Washington for the remarks he made this afternoon.

Mr. JACKSON. Mr. President, I thank my good friend, the distinguished Senator from Virginia, for his comments. I fully agree with him on the need to get more Asians involved in the struggle for the defense of non-Communist Asia. I believe that the first order of business of the new Government in South Vietnam should be to build up more effectively their armed forces. They must in due time carry the brunt of the effort in Vietnam. I would hope that this would become the No. 1 priority item on the agenda of the new Government.

I commend the able Senator from Virginia for bringing up this point because it needs to be emphasized and reemphasized over and over again.

Mr. President, I yield to the Senator from Oklahoma.

Mr. HARRIS. Mr. President, I am privileged to serve under the leadership of the distinguished Senator from Washington on the Subcommittee on National Security and International Operations. I have watched him in both open and closed meetings as he has probed the issues which affect the vital national interests of this country. I have watched him as he, with real commonsense, has made constructive suggestions about the national security of this country.

Mr. President, I think that is what he has done here today. He has injected a much-needed measure of commonsense into the debate on Vietnam. If we are to have the kind of meaningful debate and national dialog that the Senator from Washington suggested we should have, it is important that the real issues be joined. We cannot do that if we resort to a questioning of motives, as has, unfortunately, been done in this country in recent days in regard to the President of the United States, particularly. I do not think there is any way the real

issues can be joined by questioning motives.

I do not believe the real issues can be joined on Vietnam by ascribing to one's opponent in the argument some ridiculous and superficial position, and then proceeding to knock it down. For example, one might charge that an opponent believes in a monolithic view of communism, and then argue the opponent is wrong because that view is outdated, when nobody really believes in a monolithic view of communism in the world today.

Mr. JACKSON. We all know that the Communist movement has never been monolithic.

Mr. HARRIS. That is the kind of thing we have had. Then, there is the yellow peril matter. It is a terribly helpful thing to one's own side of the argument if he can make the argument for the other side as well, and that is what has been attempted too much in this country in recent days.

The other thing that is necessary if the issues are to be joined is that we face up to the real fact of the fear for their own future which is in the minds of those in many countries in Asia.

I have recently had conversations with heads of states or persons who were very near heads of states in some five countries of Asia. What they have to say about their own future being very much bound up with what is going on in Vietnam cannot be denied. The issues on Vietnam cannot be joined unless that fact is met unless we discuss what we are going to say to those people if we do not continue what we are attempting to do there in assuring for the people of South Vietnam their right of self-determination without outside interference and aggression.

That seems to me to be the crux of what the Senator has said. We have to argue on the real issues and join debate on the real issues. We cannot do that with some of the kinds of arguments that have been put forth in the country in recent days.

Mr. President, I commend the distinguished Senator for his speech and helping to keep the debate on the real issues involved.

Mr. JACKSON. I thank the able junior Senator from Oklahoma for his most effective remarks in connection with this critical problem in Asia. Mr. President, I yield to the able junior Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I thank my colleague on the Committee on Armed Services for yielding. I shall take only a moment because I do not wish to infringe on the time of the very patient and agreeable senior Senator from Oregon [Mr. MORSE] who yielded to the junior Senator from Washington [Mr. JACKSON].

The Senator from Washington has made a knowledgeable, thoughtful, thorough, and thought-provoking speech, and he has performed a great service. I share the viewpoint he has expressed, and I congratulate him on making this statement today. It is a timely speech and needed to be made.

Mr. JACKSON. I thank my friend from West Virginia.

Mr. President, I yield the floor.

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, as the Senate knows, I was scheduled late yesterday afternoon to make a speech that I have prepared, setting forth my views on the proposal to amend the Internal Security Act of 1950. The RECORD of yesterday will show that because of the lateness of the hour, I agreed to make the speech today. It is not too long. I shall proceed with it without interruption, leaving such time as I can before my plane departs for questions after I finish; but I have not only a very important obligation here, but important obligations of political self-interest out in the great State of Oregon, and I am about to fly out there again to protect those political self-interests with a series of speeches during the next few days.

However, I should not want to go without at least leaving for the RECORD my views on this subject. I say that most respectfully to my beloved friend the Senator from Illinois. I wish to leave this message for him to consider, not that I have much hope of persuading him, as he often persuades me—though I think he will not dispute that sometimes, perhaps surprisingly, he finds himself in agreement with me.

However, on this issue, we have a good-natured friendly difference of opinion, and I want him to know that I am going to leave my position on the RECORD, and then I hope that my good friend from West Virginia, the acting assistant majority leader, will find it possible to arrange a live pair for me, if I am unable to get back in time. It may be that even my good friend from Illinois might be overcome by a feeling of charity for me, and give me a pair; but if not, perhaps my majority leader or my acting assistant majority leader can help me.

I do not know how long the debate will last. I am relatively certain, though, that the matter will be voted upon before I return; and, therefore, I hope that either the acting assistant majority leader, the majority leader, or my good friend the minority leader will be able to accommodate me. My friend the Presiding Officer (Mr. HOLLINGS in the chair), gave me a pair when I was absent on a recent trip, but I do not like to return to the same fountain twice in so short a time.

With that nonsense out of the way, I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, to make sure that the Senator catches his plane, he could send me a postcard, and just put his speech in the RECORD.

Mr. MORSE. I am watching the clock. I will catch the plane. I think, as long as I hold, after I have this pleasant visit with the Senator from Illinois, to my intention not to yield further, I shall have plenty of time to get the plane.

Mr. DIRKSEN. I say to my friend, in respect to a pair, that if the vote is substantially in our favor, probably I could be induced to give the distinguished Senator a pair.

Mr. MORSE. Being the great political economist that he is, I know that the Senator from Illinois knows that would be sound political economy; but I want a pair where the man pairing with me might be really giving me something of great value. Therefore, I want my majority leader to try to get me a pair even if the vote is close; and, in deference to the Senator from Illinois, I hope at least it will be close.

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

Mr. MORSE. I yield.

Mr. MANSFIELD. In order to speed this discussion, I wish to assure the distinguished senior Senator from Oregon that everything will be done to get him a live pair if necessary; and if I can afford to do so, I will give it to him.

Mr. MORSE. The majority leader has always been gracious to me in that respect, and I cannot begin to state how much I appreciate not only his many courtesies but those of the minority leader as well. I am now completely serious. Innumerable courtesies have been extended to me by both the majority leader and the minority leader.

Mr. President, I wish to take this opportunity to discuss S. 2171, the measure introduced by the distinguished minority leader, the Senator from Illinois, in an effort to resuscitate the Internal Security Act of 1950.

Someone once observed, I believe it was the French philosopher Voltaire, that the lesson history teaches is that we refuse to learn the lessons history teaches us. Certainly this is true about this legislation. Like Banquo's ghost, it comes to haunt us. It revives memories of a period we had hoped was over—and that should be over. It is, I think, a symptom of the increasingly strident tone with which the war in Vietnam is discussed by its proponents. It reflects a war mentality—nationalistic, self-serving, moralistic. It vents pent up indignation and frustration—"If we cannot locate and destroy the enemy in Vietnam, we will do it right here at home."

This bill is utterly pointless, unnecessary and dangerous. The most intelligent thing ever said about the Internal Security Act of 1950 was President Truman's statement when he vetoed it. It is clear, I think, that he possessed greater wisdom and presence of mind than the majority of those of us at this end of Pennsylvania Avenue in 1950. Now some among us wish to revive this pathetic effort at congressionally sanctioned witch-hunting. It carries the stamp and bears the stench of the McCarthy era. It would promote all the most insidious aspects of that tragic period in our history.

We are on notice regarding this legislation. The red flag is up. The effort made here only a few days ago to railroad this bill through the Senate should have raised questions in the mind of every Member of this body as to what there is in S. 2171 that is so obvious it need not be studied—so elementary it does not require analysis. The procedure attempted here the other day to hurry this bill on

its way was shocking. My position and my thought regarding this whole business were ably stated by the distinguished Senator from Wisconsin [Mr. PROXMIRE]. His remarks brilliantly exposed the dangers rampant in such hasty disposal of the bill. I applaud him for his efforts.

Of course, we all recognize why it would be desirable to consider this bill in a hurry. The only way in the world the Senate would allow this effort at legalized character assassination would be in haste. Because it will not stand up to the light of day. This bill should not be examined because it will not stand up under examination. The theory of this legislation is quickly murdered by the facts. That is why the Senate was asked to approve it in a hurry. The Subversive Activities Control Board has done absolutely nothing for at least 20 months, and of course the truth is that it has not done anything since its inception.

But now there is some compelling reason why the Senate needs its own Un-American Activities Committee. And what is even worse, there are those who equate this gesture with patriotism. Senator DIRKSEN, on the Senate floor last Thursday, October 10, urged passage of this legislation to boost the morale of the boys in Vietnam.

> There they are—

He said—

> fighting the Reds—and what is the Senate doing? What are they going to think of us?

I am sorry to hear such an appeal. It is tragically out of keeping with our responsibility. It is an obvious appeal to emotion and bad judgment. What is more to the point, it simply ignores the facts. I wonder how the boys in Vietnam would feel if they fully realized that the U.S. Senate was seriously considering legislation which would create an instrumentality perfectly capable of depriving those boys of the very principles for which they are fighting. Not once did the Senator from Illinois mention the rights of those who would become the objects of the insidious techniques of the Subversive Activities Control Board.

Why is it that there are always those in this country who, the minute the going gets a little rough, want to junk all the great protections of our rule of law in an effort to ferret out our enemies, both real and imagined? They never stop to consider the irreparable damage which will ensue to our system of government. What is it precisely we seek to protect? I believe it is the preservation of individual dignity by a rule of law and not of men. The only thing that protects each of our citizens from the arbitrary action of those who govern, is the rule of law. And the only thing in this world that distinguishes our system from the Communists is our dedication to that rule of law. Is it so difficult to see that if we use the same techniques as our opponents, we vitiate the whole reason for opposition?

What is there that is patriotic about depriving a man of his right against self-incrimination? What is there that is patriotic about giving a committee carte blanche authority to smear and attack the character of any of our citizens? What is there that is patriotic about discarding the normal function of our courts to set up this alegal agency to move over the landscape and spew its invective wherever it pleases? Would creation of such a monster make the boys on the front feel better? Is this what they are fighting for? Of course not.

I was very interested in the comments made last Wednesday by the distinguished Senator from Maine [Mrs. SMITH] regarding the retaliation which will probably be experienced by those who oppose this measure. Despite the fact that the Senator from Maine supports this bill, I thought her remarks regarding reaction by the extreme right to the Senate's refusal to suspend the rules in consideration of this bill were very apropos. The same hue and cry will be raised in response to the speeches of those of us who oppose this bill. The superpatriots and the hate merchants are never very happy when we describe this kind of legislation for exactly what it is. But then if it comes to the point where we are afraid to express our views in deference to the noisy right, we should all pack up and go home.

S. 2171 is nothing more than an effort to circumvent the thrust of Supreme Court decisions which gutted the Internal Security Act of 1950—and rightly so. This is a new effort to avoid—actually to ignore—the decisions of the Court.

We ought to go back and read Marbury against Madison. We ought to go back and read what that great Chief Justice of the U.S. Supreme Court pointed out—the importance of maintaining a government by law, vesting, as the constitutional fathers did, in the Supreme Court the determination of whether a given proposal is constitutional or unconstitutional.

The Supreme Court nullified the whole point of the 1950 act by finding the registration requirement unconstitutional in the case of *Albertson* v. *Subversive Activities Control Board*, 382 U.S. 70 (1965). Said the Court:

> It follows that the requirement to accomplish registration by completing and filing Form IS-53a is inconsistent with the protection of the Self-Incrimination Clause.

The Attorney General in that case was seeking individual party members to register after failure of the organization as a whole to do so. Justice Black, in 1961, had in a dissenting opinion stated persuasively why he felt the entire Internal Security Act was unconstitutional. Senator PROXMIRE very correctly referred to that statement in his speech of October 16, and it appears in the RECORD for that date. The danger that the act merely seeks to compel self-incrimination was voiced by the Attorney General in 1950, later Supreme Court Justice, Tom Clark as early as 1948 in testimony before the Senate Judiciary Committee.

The distinguished Senator from New York [Mr. KENNEDY], speaking here yesterday on this bill, very ably pointed out serious legal objections to this legislation. Here is a 13-page amendment to a law 50 pages long, reported out of committee without a report, without the advice of one legal scholar or any other witnesses for that matter, and we are told that we should simply proceed to approve it because it obviously is sound. Nonsense.

The opposite is true. Here is an effort to flush Communist action and Communist infiltrated groups into the open, and yet we are not given the slightest guideline as to what activity defines such an organization. The use of those phrases lays this bill wide open to legal objection—"void for vagueness." How long would it take the courts to strike down this obvious effort to sanction such power to smear? I should think the Members of the Senate would want to take a long hard look at this and have the opinion of our best legal minds before sending such legislation on its way. We all know that, if passed, this law goes from the Senate to the President to the courtroom. In light of Supreme Court decisions rendering the 1950 act useless, I should think we would be very concerned about what reception this law would receive in the courts. Do the proponents of this bill care what happens to it once passed? Do they really seek effective legislation to control Communists, or do they simply desire the grandstand play, a "charade," as Senator KENNEDY so aptly put it yesterday. I think the efforts to rush this bill through without examination answer those questions.

There are those who say this bill merely seeks to expose. Embracing the procedure suggested, that is bad enough, but it is not the whole truth. This bill punishes—as clearly and as effectively as a provision in our criminal code. It sanctions control over organizations branded—they are denied tax deductions; they must stamp their mail as from a Communist organization and identify themselves in broadcast communications. It does not require that we stamp their foreheads, though perhaps that is merely an oversight of its authors.

Then there is the very interesting question posed by Senator KENNEDY: What happens if a witness refuses to testify before the Board? What happens if the witness says to the Board, "My political beliefs are none of your business." Then what? Is there anyone in this room who believes there is a court in this land that would sanction forcing an individual to tell such a Board what his political beliefs are? And looking beyond the attractive idea of forcing Communists to squirm in their chairs, consider, if you will, the possibilities of similar legislation to investigate other groups. There are less than 10,000 Communists in America, and Mr. DIRKSEN wants to flush them out. But there are certainly other organizations holding views contrary to and perhaps as dangerous to America. Why not flush them out? Where does this kind of nonsense stop?

This is the reason why we have courtrooms and criminal procedures—to protect our basic constitutional rights, to protect against the whole witch-hunting business. We should have learned by now. Give a group such vague, open-ended authority as would rest with the Board, and we erode the basic legal principles upon which our system rests. A kangaroo court offends the whole tradition of American

jurisprudence. The McCarren Act and these proposed amendments are built on sand—quicksand, for all of us.

Supreme Court decisions on freedom of assembly portend nothing but complete emasculation for this bill should it pass. Senator KENNEDY discussed some of those decisions. He discussed the matter with a brilliant legal background. He discussed it as the former Attorney General of the United States.

In my own State as far back as 1937, in *De Jonge* v. *Oregon* (299 U.S. 353), defendant was convicted under an Oregon criminal syndicalism law of assisting in the conduct of a meeting called under the auspices of the Communist Party. The Supreme Court reversed the conviction, holding that participation in a public meeting, otherwise lawful, but held under the auspices of the Communist Party, violates freedom of speech and assembly guaranteed by the due process clause of the 14th amendment. In *Herndon* v. *Lowry*, 301 U.S. 242 (1937), Herndon was convicted by a Georgia court of attempting to incite insurrection by calling and attending public meetings and making speeches to organize the Communist Party of Atlanta to resist and overthrow the authority of the State. The Supreme Court reversed the conviction, holding that the statute did not furnish a sufficiently ascertainable standard of guilt. I have no idea what the ascertainable standard of guilt is under the legislation we are considering. In *Bridges* v. *Wixon*, 326 U.S. 135 (1945), detention of Harry Bridges under a warrant for deportation on the ground of affiliation with the Communist Party was held unlawful on the ground that the hearing on the question of his membership had been unfair. The court held that more cooperation with a Communist organization in connection with its lawful activities was not sufficient to show "affiliation." In *United States* v. *Lovett*, 328 U.S. 303 (1946), a statute forbidding payment of compensation to three named employees of the Government who had been charged with being members of Communist-front organizations was held invalid as a bill of attainder. In *United States* v. *Rosen*, 338 U.S. 851 (1949), Rosen was convicted of contempt of court for refusing to obey an order directing him to answer certain questions he had been asked before a grand jury concerning alleged criminal conspiracy by Communists. The court of appeals reversed his conviction, and the U.S. Supreme Court denied certiorari. In 1961, the Supreme Court struck down a Florida statue requiring all public employees on pain of dismissal to sign an affidavit stating, in part, that they would not aid or support the Communist Party. The opinion of the Court, delivered by Mr. Justice Stewart, held that the statute was so vague and ambiguous as to deprive the plaintiff of liberty without due proces of law. *Cramp* v. *Board of Public Instruction*, 368 U.S. 278 (1961). You will recall that Washington State's teacher's oath recently received similar treatment and was struck down for vagueness. In a concurring opinion in a 1963 case, *Gibson* v. *Florida Legislative Commission*, 372 U.S. 539 (1963), Mr. Justice Douglas pointed out:

> Government is not only powerless to legislate with respect to membership in a lawful organization; it is also precluded from probing the intimacies . . . of such groups . . . regardless of the legislative purpose sought to be served.

I say, most respectfully, that I pray to God that the Senate of the United States has not become a star chamber yet. Yet, this bill really causes one to think back to star-chamber procedures, which, do not forget, constituted one of the great causes for the revolution against the British Crown.

It bothers me, knowing our constitutional history—with which knowledge we should be able to charge every Senator—that we should be seriously considering in the Senate today a bill so obviously in violation of one constitutional guarantee after another. Do not take my word for it. Just read the decision by the Supreme Court to which I have alluded. The Supreme Court is the great citadel and guardian of the constitutional liberties of a free people. And I want to keep them free. I want to keep them free of legislation such as this, that infringes upon their freedom.

I cite these opinions and discuss these decisions—there are many more—only in an attempt to focus the attention of the Senate on the problems this legislation has already run into and the legal difficulties it would face if passed now.

The fact is, of course, that the McCarren Act has already been devastated by judicial opinion. As has been repeatedly said here, that is the reason the Board has done nothing for 2 years. It has done nothing because there is nothing for it to do. It is not just wounded—it is dead. Christ could be resurrected, but this Board cannot be, so far as ever giving it constitutional life is concerned. This Board is dead. So far as any legislation on which its operations are based today, it should remain that way.

No one has yet suggested one good reason why the act should be patched together. There is no evidence to justify its activity in the first place, nor is there any assurance that these amendments correct the legal failings of the original legislation. In fact, there is considerable evidence they would not. I was very interested in Senator KENNEDY's remarks that if there was any part of the original legislation that was valuable, it was perhaps the registration information supplied, and, of course, that was struck down and is not in these amendments at all. If there was any justification for this bill in the first place, it is removed. It is a pointless, idle gesture to send it back out into our judicial system to be struck down again.

In this connection, I wish to emphasize the importance of remarks made here October 18, yesterday, regarding another loophole in the original legislation not corrected by these amendments. I refer to the speech by my distinguished colleague, the Senator from Maryland [Mr. TYDINGS], wherein he pointed out that the McCarren Act applies only to Communism of the Soviet variety, relying on interpretations of the act by the SACB itself, the Supreme Court, and the Justice Department. What effect would this legislation have on Communist front organizations or Communist action groups directed from Peking and Hanoi? It is apparent that, even if we accept the minority leader's assumptions as to the need and practicability of these amendments, they are a halfway measure. It is plainly possible that the SACB might well have no authority to investigate organizations supported by the most militant Communist capitals in the world.

It is of considerable interest that much of the rhetoric here the past few days in support of S. 2171 has referred to the war in Vietnam as the most obvious symptom of a need for this legislation. Yet, ironically, it now appears this bill would not ever permit investigation of organizations in the country supported from Hanoi. All of which, I submit, reinforces my statement that this bill is but a gesture.

In light of recent Supreme Court decisions reemphasizing the necessity for protection of the individual's constitutional rights, I shudder to think of the Court's reaction to this legislation. I have no idea, nor have the proponents of this bill made any effort to explain, how this amendment could be squared with recent opinions of the Court. Here is a bill whose stated purpose is the exposure of communism by flushing them into the open. In a period of increased consciousness of the individual's right to privacy, the very idea of indicting a group of individuals by "exposure" cannot be justified. It is an anachronism. Criminal defendants have been assured, in the Escobedo and Miranda decisions, of their right to be fully informed of their constitutional rights and furthermore, the State bears the burden to show that those rights have been fully understood. These protections are rooted deeply in our history and reinforce the priority we place on individual liberty. How can this attitude be reconciled with efforts to accuse by association and punish by innuendo?

The answer is that they cannot. And they should not be. For the truth is that the laws now on our books are more than adequate to protect us from those who seek to overthrow our government by force. If not, let us consider new legislation which notifies those we would accuse of precisely the crime they committed and extend to them the guarantees of the procedure already firmly established in our court system. That is what courts are for. Not committees with the power to ruin reputation and character by whim. We do not need to resort to this kind of thing to protect ourselves from the Communists. We have an efficient law enforcement system fully prepared and capable of that job. Is not indictment and trial in a court of law sufficient "exposure?" Is it not effective to get the Communist into the open? The fact is that the proponents of this bill have not suggested one way in which it would assist in the struggle against internal communism. They have not pointed to one loophole in our present law enforcement procedure that this bill would plug.

This bill is a gesture, and an empty one at that. It seeks to satisfy those for

whom the ordinary processes of due process are too slow—those who cannot or would not wait for anything as patient as a trial by jury. No, vesting power in this committee to seek out and destroy is much swifter—much more efficient. This bill has war fever written all over it—it seeks to satisfy those frustrated by pursuit of an illusive enemy in a pointless, illegal, unjustified, immoral war.

What is there about the history of the SACB which its proponents believe portends such a bright future? Since 1950, the committee has spent a lot of the taxpayer's money and generated considerable heat but no light. As has been stated here before, it has managed to produce a raft of judicial opinions gutting it and spreading mistrust and suspicion of our entire legal process. There is not one shred of evidence that the professionals whose job is internal security—those in the Justice Department and the FBI and related agencies—cannot do the job. There is nothing to indicate that the Attorney General requests this legislation—nor that Mr. Hoover favors it. It would be interesting to have some hearings and to call them as witnesses, which we have a right to do, and that is what we should do. There is only some shrouded reference to the fact that the President wants this bill, though for what reason he evidently does not care to say.

I have great admiration for him, but he is no lawyer. If I wanted to learn about constitutional law I would not go to my President. I would be glad to listen to his lawyer, the Attorney General of the United States. But we have a duty to the President in this case. Those of us who are opposing this bill are really performing a great act of loyalty to our President when we are arguing in an attempt to save him from the horrendous mistake he would make if he signed such a bill. That is why we are pleading to get this matter back into committee and get the constitutional authorities before the committee and make a record. Then, I want to submit that record to my President because I predict to the Senate this afternoon that if you are willing to recommit this bill and conduct the hearings you should insist on, that record would show the shocking constitutional inadequacies of this bill; and although my President is not a lawyer, he is a reader, and I am satisfied that when the President finished reading that record, this talk that he wants the bill would then be open to serious question.

Those who support this bill refer us to recent hearings before the Senate Appropriations Committee for documentation of their case. The most striking thing about those hearings was that this bill was not under consideration, but that, I suppose, is a minor point. At any rate, the testimony makes interesting reading.

Principal spokesman before the committee in reference to the Control Board was Mr. J. W. Yeagley, Assistant Attorney General from the Department of Justice. Mr. Yeagley testified regarding some of the background of the Subversive Control Committee. In the course of his remarks, he stated that the Attorney General's list of subversive organizations, compiled in response to the 1950 act, has not been changed or added to since 1955, over 10 years ago. Mr. Yeagley testified that the most important reason for that fact was because of constitutional questions inherent in the program of the Control Board. He also indicated that the Justice Department has had difficulty preparing cases because of the burden of proof they must carry. It was interesting that when asked whether the Justice Department would be interested in assuming the functions of the Board, Mr. Yeagley stated that he did not think the Justice Department would want the job of trying to be prosecutor, jury and judge. If that is true, and I am sure it is, one wonders why a congressional committee wishes to assume the role of that particular trinity. Any lawyer knows the importance of separation of functions in a courtroom—why is that separation less important before the Board?

The fact is, of course, that the Board cannot, within its inherent structure, hope to afford the objects of its inquiry procedural due process. As I used to tell my law students some years ago, if procedural due process is denied an individual, it makes not one whit of difference what substantive rights he may have.

Mr. Yeagley's testimony also helps to explode the suggestion that the need for the Board has increased. As he pointed out, membership in the Communist Party is now estimated at somewhere between 8,000 to 10,000 people. This is considerably less than the estimated membership of 80,000 estimated at the end of World War II. But in response to these 10,000-odd fanatics, already subject to criminal prosecution, we are asked to assign $300,000 plus vague and undefined powers to the Subversive Activities Control Board for an excursion into the problems of internal security and an unlimited opportunity to experiment with the precious liberties of our citizens. I believe this amendment is totally ill advised.

As Senators know, I have called attention to this from time to time in the past, and now make only a sweeping, broad brush stroke reference to it this afternoon. It was in 1954 that the Senator from Massachusetts, Jack Kennedy, came to me and talked to me about an amendment that he was thinking about offering which sought to outlaw the Communist Party in this country. I discussed it with him. He was very careful in the amendment to protect due process and the procedures essential to its maintenance. I agreed with him. He and I went to another colleague in the Senate, the then Senator from Minnesota, now Vice President of the United States, Mr. HUMPHREY, and we explained our viewpoints to him in regard to the proposed amendment. The Senator from Minnesota agreed with us. Thus, the Kennedy-Morse-Humphrey amendment was offered, outlawing the Communist Party in this country with, as I said, all due process and procedural rights protected. It is the law of the land today.

I want to say that I remember that record and treat without very much seriousness the abuse and castigation which has been heaped upon me from time to time by those who do not know my record. Sometimes, they are uncharitable enough to question my patriotism. However, I stand on that record. I stand on my constitutional conservatism because, let me point out, if there is the slightest weakening, giving away, or violating of the precious constitutional guarantees given to the American people, to the extent that Congress does it, it will make the American people just that much less free.

We are talking today about preserving freedom in this Republic when, under the leadership of the Senator from Wisconsin [Mr. PROXMIRE], we are fighting this bill. For this bill cannot be reconciled with the preservation of the constitutional freedoms of the people of this country.

Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from an editorial on this subject, which was published in the Washington Post yesterday. It is a great editorial I commend the editors of the Washington Post for their journalistic insight into the great questions which make the pending bill, really, unacceptable, if Senators will only study all the aspects of its constitutional implications.

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

In order to get around the rulings of the Supreme Court, the Dirksen proposal would slough off the powers of the Board to require registration by the members of organization of which it disapproves. But it would continue the unseemly and oppressive power of the Board to label voluntary associations of American citizens "Communist-action" or "Communist-front" organizations.

What this comes down to, in simple terms, is an unlimited power to smear. And once it has attached an ugly label to a group it dislikes, the SACB can require it to use that label in its communications with the public, whether by mail or by electronic broadcast. It comes very close to empowering a Government agency to determine, in its own discretion, which associations may exist and which may not exist in a democracy which has functioned largely through freedom of association.

The statute under which the SACB would operate provides standards of a sort to guide its determinations. But they are so vague as to be without content or meaning. And in simple fact, as President Truman said when he vetoed the original act creating this monstrosity, they confer on Government officials "vast powers to harass all of our citizens in the exercise of their rights of free speech."

In the 17 years since its creation, the SACB has served no useful purpose and has made not a single contribution to the control of communism. The true American shield against communism lies in the solid common sense of the American people and in their free loyalty to democratic institutions. That shield has kept America secure and free. There is no need to import into this land and to impose on a free people the techniques of totalitarianism. In the name of genuine Americanism, the Senate ought to cast this scarecrow agency into the discard.

Mr. MORSE. Mr. President, the avowed purpose of the bill is to brand individuals and organizations as "Communist" after a proceeding of dubious validity and for no other purpose than to hold the individuals so named up to public ridicule. We seek to publish the names of our

enemies in the forum so that they may be made the objects of our scorn. I ask my colleagues of the Senate whether this is the manner in which a free society protects itself. I ask you to remember the mischief created by this type of activity. If we have learned from our experienced, we should, almost by reflex, avoid this Pandora's box.

This amendment repeals sections 7 and 8 of the 1950 act—those providing for registration of Communist organizations, and substitutes for those requirements, imposition of duty upon the Board to determine whether or not an organization is Communist and serve a copy of its finding upon the organization and upon individual members so accused. Notice of that determination would then appear in the Federal Register.

Obviously, there is no recourse for the individual so accused. The damage is done. Allowance for individual weaknesses or mistakes is not made. "Guilt by association" assumes physical form. The imputation of guilt is complete. The accused is not allowed to confront his accusers or subpena witnesses. I suppose the advocates of this bill relish the thought that such public notice gives avowed Communists just what they deserve. Perhaps—if the imputation of guilt is that obvious and the reasons for such association are so clear. But I am sure that they are not. I believe we found out in the fifties that motives are sometimes not so easy to discern and the reasons for an individual's conduct are not so readily learned in a crowded committee room. I make no excuse for dedicated Communists who seek the overthrow of this Republic. That is why I was one of the authors of the amendment which is now the law of the land which makes their party illegal in this Republic. But if in our effort to net them, we accuse and smear and attack those whose guilt is not so clear, we violate the basic guarantees of fairness and equity which we serve. We should know all this—we have been around this track many times.

I should also like to call the attention of Senators to the remarks made on the floor of the Senate by my distinguished colleague from Ohio [Mr. YOUNG] particularly regarding the cost of the Subversive Activities Control Board. The President is now asking us to pass a surtax to help finance the disaster in Vietnam. I had the occasion to speak in the Senate, just a few days ago, and record my views on that subject. I stated then, and I state again that I shall refuse to support any such increase until the Administration evidences a real desire to cut unnecessary spending. Expenditures for the Control Board almost define the word unnecessary.

Since 1965, it has cost our taxpayers $2 million to finance this Board while it did absolutely nothing. The Board's 18 employees average $11,000 a year, which is certainly an adequate amount to pay 18 people to keep track of each other. It will cost us over $330,000 this year alone. If the President wants to cut expenditures to indicate his good faith to the American people, he could begin by naming this expense the complete waste of money it so obviously is.

In this connection, I wish to indicate my support for the bill introduced by the Senator from Wisconsin [Mr. PROXMIRE], S. 2146, which would transfer all Board activities to the Justice Department, where they belong in the first place. Such a transfer would represent sound policy and sound economics.

In light of all the objections to the bill voiced in the Senate during the past few days, and in view of the overwhelming legal difficulties in store for such legislation, I suggest that it is imperative that the bill be referred back to committee for discussion and the taking of testimony. The distinguished minority leader suggests that there is nothing to investigate. I can make several suggestions to him.

I would suggest that the committee call as its first witness the Attorney General of the United States. His opinion seems to me to be essential to any intelligent consideration of the bill. This is particularly true in light of the comments made in the Senate on Tuesday by a distinguished former Attorney General of the United States, the Senator from New York [Mr. KENNEDY], that when he was Attorney General, his office did not receive one piece of information from the Subversive Activities Control Board in connection with communism in the United States that had not been uncovered in other ways. It was also his statement that if he were asked to testify before a congressional committee, he would have to say that to continue the existence of the Board would be a waste of the Government's money.

Those are strong statements. And they emanate from a man who ought to know. If Senator KENNEDY found the SACB to be useless while he was Attorney General, it appears to me that Mr. Clark's opinion as to his present evaluation of the work of the Board would be indispensible. I think the present Attorney General has a clear obligation to make his views known and I believe we have the right to hear them.

The American people have that right. The Senate has no right to deny that right to the American people. After all, we are but the agents of the American people. We have no right to sit here and take action on a bill that is subject to grave constitutional shortcomings without hearing the Attorney General and without hearing a series of top constitutional authorities in the Republic.

We keep hearing from the minority leader that he has a letter from Mr. Clark on this subject. Well, let Mr. DIRKSEN stand up and read the letter. But let me say that I do not care what is in the letter. I want the Attorney General put on the stand. I want to hear his case-in-chief. I want to hear his answers to the questions that will be put to him in an examination at a public hearing on a bill that so deeply concerns itself with the precious rights and the constitutional liberties of the American people.

The minority leader said he is content with the contents of that missive. That is wonderful. If the rest of us knew what it says, maybe we would be. Perhaps the Attorney General's opinion is being kept a secret for some reason known only to Senator DIRKSEN. Why are we not being allowed to inquire into the position of the Nation's top law officer? We also keep hearing veiled comments to the effect that the President supports this legislation. That is the statement of the Republican leader. I do not know of anything the President has said publicly.

I would suggest that there are at least 37 other excellent witnesses available to the Congress whose opinions would be of considerable relevance in considering this bill. I refer to the 37 prominent law professors around this Nation who have urged the Attorney General to oppose it. It seems to me a matter of no small moment when opposition to legislation is voiced by such distinguished legal scholars as Profs. Louise Jaffe and Clark Byse of the Harvard Law School and Walter Gellhorn of Columbia and many of their most outstanding colleagues.

These great constitutional scholars warn us about the dangers of this bill. Their analysis of the problems involved and the expression of their opinions would add considerably to our ability to make a good, well-reasoned determination. What good reason can the proponents of this bill give us for not hearing the testimony of these distinguished Americans? Are we in such a hurry we have no time for explanation of such complex legislation?

I think a very serious question arises in regard to this bill whether our committee system has been used in good faith in this matter. There is no explanation for why this bill was reported out without any report or analysis. It is clear on its face that it is not so elementary as to warrant such summary treatment.

The committee process and the taking of testimony and evaluation of legislation in an orderly manner are great procedural safeguards, belonging not to the Senate, but to the American people. This process of orderly legislative procedure has been developed over the years in order to protect the substantive legislative rights of the American people. The deliberations and reports of the Judiciary Committee would be of vital importance to us now. I do not understand why the committee conducted itself in the manner it did in relation to this bill. The committee heard not one witness. Not one page of testimony was taken. Not one scintilla of evidence was received relating to this, one of the most controversial issues facing our Nation.

I must respectfully submit, Mr. President, that the handling of this bill does not coincide with my idea of orderly legislative process. I can only assume that this effort to circumvent the normal committee process and the refusal of the bill's proponents to refer it back to committee stem from a fear of what a thorough investigation would reveal. I believe we seriously endanger the substantive rights of our citizens and the orderly processes of this great body when such an effort is made to push legislation through the Senate under a cloud.

Senator MUNDT stated yesterday that further hearings on this bill are not necessary because of the exhaustive hearings regarding the original legisla-

tion. It would appear that, like the Bourbons, we have learned nothing and forgotten nothing. It seems incredible to me that anyone could live through the McCarthy era with its smear tactics, methodical character assassination, and hours upon hours of pointless, meaningless testimony and not remember it. The pathetic spectacle—the constant vision of Senator McCarthy's effort to implicate every decent American who opposed him—the lies, the retributions, the broken careers and constant harangues—do we want to repeat them? I am appalled. I would have hoped that no one here—particularly here in the Senate—would want to revive the spectacle of that 14th-century witch hunt. The techniques used during that period made a mockery of judicial procedure and reduced the procedural and substantive rights of our citizens to ashes. For many, it poisoned forever their ability to respect and trust our form of government. I am sure these infamous hearings of the midfifties did more to spread communism in this Nation than any other single action in our history. The constant vision of men ignorant of their own history and indifferent to their future does not quell communism; it promotes it. And that is precisely the door now sought to be reopened.

Senator MUNDT's statement here yesterday in support of these amendments clearly set forth the essential reasoning of its proponents. The Senator expressed his fear of communism and stated that the need to protect our people from the Communists is obvious.

I am sure it is. We all oppose the Communist movement and would do anything possible to check its growth, within a government by law. Anything possible, that is, that did not force us to compromise our own convictions and sacrifice constitutional guarantees.

It is not the fear Senator MUNDT and Senator DIRKSEN and others have expressed, which is unreasonable. It is their response. They seek a worthwhile goal, but refuse to examine the methods they propose to reach it. In 1964, this philosophy that the end justifies the means ran for the White House. The American people listened, and watched, and voted. You know the result.

I say in all seriousness, if we come to the place in this Nation where we are willing to use any means at our disposal to spy upon our own citizens, invade their right of privacy and assembly, and in other ways ignore the constitutional principles upon which this Republic is based, in an effort to upbraid a handfull among us who do not belong, then I say to you, we prostitute our history and make sewage out of our system of jurisprudence.

The guiding principle which serves this Republic is our refusal to use totalitarian methods to preserve our society. We have never found it necessary to use authoritarian techniques to save ourselves. There is certainly no such need now.

Our history vomits up this effort to ignore our government of laws, not a government of men. Our reason is repelled by it. Our conscience is offended by it.

I oppose S. 2171 in all particulars that I have mentioned here today and others that I have not taken the time to mention. Therefore, I shall join in the motion to return this bill to committee for consideration, death, and burial.

Mr. President, before I yield the floor, to carry out a commitment I made to the Senator from Pennsylvania, I suggest the absence of a quorum——

Mr. PROXMIRE. Mr. President, will the Senator yield before doing that?

Mr. MORSE. I yield.

Mr. PROXMIRE. Mr. President, the Senate has just had an opportunity to hear a man who I think is, without question, the outstanding constitutional authority in the U.S. Senate. I believe the Senator from Oregon was the youngest law school dean in the Nation when he became dean of a great law school. He has studied the Constitution throughout his life. He has contributed repeatedly on the floor of this body the most invaluable kind of constitutional advice. Many Senators who disagree with the Senator from Oregon on particular issues before the Senate have been repeatedly swayed by his constitutional knowledge, because they know he speaks as a real scholar, as one who knows the Constitution thoroughly, and as one who is devoted to its principles.

There is one other point I would like to make in connection with the speech the Senator from Oregon has just made. I have always been impressed, in the 10 years that I have been in the Senate, with the insistence of the Senator from Oregon that we should have a record on legislation before it comes on the floor. Again and again, even as to legislation which he wholeheartedly approves and wants to get through the Senate in a hurry, he has insisted that we have hearings on it and establish a record, because, as the Senator from Oregon has said, this is the very heart of legislation, and unless we have hearings, we vote on legislation with our eyes closed.

As to the argument the Senator from Oregon has so ably and eloquently made this afternoon, it seems to me that it is in the best traditions of this body; and I hope that every Senator will read his speech in the RECORD. If Senators do not do so, we shall do our best to refer them to it at a subsequent time, because I think this issue is absolutely vital, and, as the Senator from Oregon has said, one that goes to the very heart of freedom in this country: constitutional liberties. On such a subject especially, we should all be concerned to have pertinent information fully developed at a hearing.

Mr. MORSE. Mr. President, I thank the Senator from Wisconsin for his overgenerous comments. He is, of course, a biased friend, and biased friends are very precious jewels. I appreciate his friendship. I wish to tell him that it was a pleasure for me to follow his leadership on this bill, and that in my opinion great thanks are due to the Senator from Wisconsin for his courage in making it perfectly clear to the Senate that he would see to it that there was full and adequate debate on the bill before it came to a vote. I commend him for his position and his courage, and thank him for his leadership. It was a pleasure to serve as a private in the ranks over which he has acted as general, as he marshaled this bill through the course of debate in the Senate.

Mr. McCARTHY. Mr. President, I wish to commend the Senator from Oregon for his statement on this serious matter.

Mr. President, it is my view that the history of the Subversive Activities Control Act provides conclusive evidence that any attempt to amend it should be subject to extensive hearings.

This is the normal procedure for any legislation, but in this case the record indicates need for special caution.

The House of Representatives in 1950 passed the Subversive Activities Control and Communist Registration Act by a vote of 354 to 20 and the Senate approved the bill by 70 to 7. President Truman vetoed the measure and the Congress passed it over his veto, by a vote of 286 to 48 in the House and 57 to 10 in the Senate.

Nearly everyone is familiar with what followed. It is not enough to have an overwhelming vote by Congress or for Congress to assert its power to override the President's veto. There are also constitutional questions, and the court decisions invalidating some of the statutory provisions have made the law ineffective to the point where in recent months the Board has been practically unemployed.

Now it is proposed by S. 2171 to amend the law, remove certain provisions, and continue the Board as an investigatory institution. But we are asked to do this without public hearings and without the careful examination of the constitutional questions.

Yesterday the Senator from New York [Mr. KENNEDY] who, as Attorney General had responsibility for several years for enforcement of the law, presented a summary of the Court decisions and of the constitutional questions which, in his judgment, still remain under the amended version now before the Senate.

As Senator KENNEDY stated, court decisions to the present have relied upon the privilege against self-incrimination but the right of association under the first amendment is also relevant, and this constitutional right as a result of court decisions over the past 17 years is clearer and more explicit than it was when the original measure was enacted.

In his statement yesterday the former Attorney General listed three additional constitutional questions which remain unanswered.

He stated:

First. The definitions of "Communist action" and "communist-infiltrated" groups are the same as they were in 1950—these definitions raise serious questions—they are vague about what groups are included and what groups are not. The Supreme Court's loyalty oath decisions have strongly suggested that vague definitions of "subversive" groups are not constitutionally permissible, because such lack of clarity discourages people from associating with legitimate groups. Yet section 782 of the act—which would not be affected by S. 2171—uses language of the most general sort.

Second. Although the Board's activities would be investigatory, there are a number of severe restrictions on members of suspect organizations which would apply once the

Board made its determination of "Communist-action" or "Communist-infiltration." The groups themselves are denied tax deductions—their mail must be stamped—their activities are subject to heavy supervision. Thus, the Board still has functions which are inherently punitive—and which may well be a violation of the privileges against self-incrimination.

In addition, the increased protection given political associations by the Supreme Court in recent years makes this kind of government supervision open to serious doubt under the first amendment.

Finally, the self-incrimination problem may be greater under this bill than under the existing act. What happens if an individual refused to answer political questions before the Board? Can he be punished for contempt? Is failure to testify evidence of subversive activity? If the Board's final determination results in severe restrictions on groups, is this not a use of investigatory power to punish?

Mr. President, this list of questions deserves careful consideration in hearings. It is not my view that the Congress should be awed by constitutional lawyers or that we should always refrain from action on their recommendations, but in an area involving constitutional rights so directly as this proposal does, we should hear what they have to say before taking action. We should not proceed to approve this bill until they have been carefully considered in hearings.

Apart from the constitutional questions there is a practical aspect which deserves reflection.

Members of the Senate recall the urgency with which the act of 1950 was pressed and the warnings of what would happen to the Nation if we failed to enact it. It is now 17 years later and for all practical purposes it has been ineffective; at least there have been no convictions under the law. Has the United States been endangered as a result? Have students in schools or citizens been subverted? Is communism stronger in the United States today? Has our freedom been endangered?

I believe the American people are better informed about the Communist challenge than 17 years ago. I believe they are better aware of the limitations and weaknesses of Communist nations than in 1950. Their judgment is a result principally of the events of history, of the evidence of inadequacies and failures of Communist parties as they have attempted to exercise political power in various nations, of the de-Stalinization revelations in the U.S.S.R. itself, of the Sino-Soviet split and the tension between Communist nations, of the Communist setbacks in Africa and Indonesia, and many other events.

On the positive side—and more important—the success of the Marshall plan in rebuilding Europe and the strength of Western European nations and the United States in moving forward under democratic governments have answered some of the questions and doubts of 1950. I do not believe we would routinely amend and extend a law dealing with subversive activities adopted in the spirit of 1950. Some old problems have been reduced and some new tensions have arisen. We should explore carefully whether we are establishing effective safeguards, or the most effective safeguards, for 1967 and the years ahead.

Of course, no nation can be unconcerned about subversive activities within its borders. The question is about the means to restrain them, and I believe this requires more thought and attention than has been given in reporting out S. 2171. In the meantime, I believe we can continue to have confidence in the FBI and the Department of Justice as to immediate dangers of subversive activities.

I am hopeful this measure will be sent back to committee and the entire question reviewed, adequate hearing held, and better procedures recommended to the Senate for debate and decision.

THE LETTER IN FACT AND FANCY

Mr. PROXMIRE. Mr. President, on Tuesday the distinguished minority leader dramatically waved in his hand a letter from the Attorney General of the United States, reportedly containing the opinion of the Attorney General on the pending legislation, S. 2171.

The Senator from Illinois [Mr. DIRKSEN], as is his privilege, preferred not to reveal the contents of that letter Tuesday.

I do not pretend to know the contents of Senator DIRKSEN's letter from the Attorney General. It is altogether possible that it could be one of the most important letters in United States' history. I, myself, cannot judge any letter's significance until I have had a chance to read it.

Perhaps it ranks with some of the great letters of history; with Disraeli's "Letters of Runnymede" or Gladstone's "Letters to Lord Aberdeen."

Perhaps this mysterious letter will be remembered by future generations along with the Federalist Papers which had their humble origin as mere letters.

But in the hope of setting the record straight, I want to inform the Senate that the distinguished minority leader is not the only Member of this body who receives correspondence from the Attorney General.

I checked my own files and discovered quite a number of epistles from Attorneys General.

Here is one from my early days in the Senate, just after my election. I had in mind a bill which I was convinced would settle many of the Nation's problems if it were constitutional. So I wrote to the Attorney General, at that time, and asked his opinion of my bill. His answer was not very encouraging. Although I had better not read the exact words, I will paraphrase his response. It went like this: "If your bill is enacted by the Congress, the Department of Justice will enforce it consistent with the Constitution and the standards of the act."

The Attorney General, at that time, was a very kind and tactful man. He let me down gently. I could hardly characterize his letter to me as a ringing endorsement of my bill.

So my imaginative proposal, which coincidentally had been the subject of no hearings and no reports from any executive agencies, did not save the Republic. But even without my bill's enactment, the Republic survived.

I also found in my files, after admittedly a cursory inspection, another letter from another Attorney General. But perhaps I had better not disclose the contents of this letter either, because it was written after the passage by the Senate of a major piece of domestic legislation during the Johnson administration.

The letter thanked me for my small part in Senate passage of that landmark measure. But I had best be careful because the letter went on to praise the distinguished minority leader for his unstinting dedication to the cause of civil liberties.

Perhaps it would be wiser not to read that letter at this particular time.

A third letter which I received from the Attorney General's office concerned a Federal judgeship in Wisconsin. But I better wait until the third reading of a bill from Senator TYDINGS' subcommittee to divulge that letter's contents.

I merely cite these examples to emphasize that the senior Senator from Wisconsin also receives letters from Attorneys General. I am sure that all Senators receive equally informative and interesting letters from the Attorney General from time to time.

But I do hope that no Senator will ever receive a letter from any Attorney General in response to an inquiry about a pet bill which states:

If the bill is enacted, the Department of Justice will enforce it consistent with the Constitution and the standards of the act.

That would be too cruel a jolt. I confess to my colleagues that receiving such a letter from the highest legal officer in our Nation really shook my confidence. I do not wish the same experience for any Senator.

When I received that discouraging word from the Justice Department, I was reminded of the passage from Corinthians:

Not of the letter but of the spirit; for the letter killeth, but the spirit giveth life.

Indeed the letter can "killeth."

Or maybe the Attorney General who had authored that deflating passage had, himself, heeded the advice of Thackeray, who wrote:

The best way is to make your letters safe. I never wrote a letter in all my life that would commit me.

All the senior Senator from Wisconsin seeks on this bill is really quite simple. We want to hear the Attorney General, the head of the Department which will initiate any action under this bill. I want to hear what he has to say: whether he agrees with his distinguished predecessor, the very able Senator from New York [Mr. KENNEDY] who opposes the proposed legislation and says the bill will not, cannot, work or whether he supports this legislation.

I think Sir Francis Bacon summed up my position on the question of hearings on S. 2171 when he said:

It is generally better to deal by speech than by letter.

Let us hear the Attorney General speak.

I yield the floor.

AUTHORITY FOR THE VICE PRESIDENT TO SIGN DULY ENROLLED BILLS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Vice President be authorized to sign duly enrolled bills presented to him today, even following the adjournment of the Senate.

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

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

The 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. MANSFIELD. Mr. President, on yesterday I had a colloquy with the distinguished senior Senator from Wisconsin, as shown by the RECORD on page 29259.

In that colloquy the Senator from Wisconsin [Mr. PROXMIRE] made the following suggestion with respect to the pending Dirksen bill:

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?

I replied to the proposal in the following manner:

Mr. MANSFIELD. I would give consideration to any amendment offered by the distinguish 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.

AMENDMENT NO. 414

Mr. MANSFIELD. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 12, after line 17, insert the following new section:

"SEC. 12. Section 12 of the Subversive Activities Control Act (50 U.S.C. 791) is amended by adding at the end thereof the following new subsection:

"'(i) The Board shall cease to exist on June 30, 1969, unless in the period beginning on the date of enactment of this subsection and ending on December 31, 1968, proceedings under this Act shall have been instituted before the Board and hearings under this Act shall have been conducted by the Board. On January 1, 1969 the Attorney General shall determine whether such proceedings have been so instituted, and such hearings have been so conducted, within that period. The determination so made by the Attorney General shall be published in the Federal Register.'"

Mr. MANSFIELD. Mr. President, after considering the matter thoroughly this amendment, I believe, is largely in line with the suggestion made by the distinguished Senator from Wisconsin [Mr. PROXMIRE] on yesterday.

As originally drafted, line 3 of the amendment under (i) contained the words "one or more" before the word "proceedings," and also on line 5, the words "one or more" appeared before the word "hearings."

Those words were struck out because I, at least, felt that if it were a matter of a single hearing or a single proceeding, that would be insufficient and therefore those terms appear in their plural context.

I wanted to explain that to indicate that we are trying to make this as tight and as reasonable as possible.

Mr. PROXMIRE. I say to the distinguished majority leader that I very deeply appreciate this. Frankly, I had intended at a later date to introduce an amendment of this kind. It is far better coming from the majority leader. I think it accomplishes a great deal of what we are interested in accomplishing.

Frankly, the amendment of the Senator was made available to me by the majority leader. I checked the amendment with my staff and they seem to think that it fulfills the kind of proposal I made yesterday.

I would greatly appreciate it if the Senator from Montana would permit me to discuss it for a short time with other people who have shared the position I take on the floor. But I think that we should be able, under this proposal, to arrive at a determination on the bill.

Mr. MANSFIELD. Oh, of course. Anything the Senator desires is his for the asking.

Frankly, I did not know whether the Senator intended to offer an amendment of this kind. I thought the proposal deserved consideration; it was considered and the amendment was drawn. So I will refer to this as the Proxmire amendment from now on, because the idea was generated in the course of the colloquy between us on yesterday.

Mr. PROXMIRE. If there is to be a vote on it, I hope it is referred to as the Mansfield amendment. It would do a lot better.

Mr. MANSFIELD. Let us not quibble about it. I do not intend to push it today. But I did want the Senator to have a copy of the amendment as proposed so as to find out if in his view it agreed with what the Senator said yesterday. And hopefully we can perhaps get a vote on the amendment tomorrow, all matters being considered.

Mr. PROXMIRE. That would be agreeable.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 889) to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARING, Mr. JOHNSON of California, Mr. UDALL, Mr. SAYLOR, and Mr. REINECKE were appointed managers on the part of the House at the conference.

The message also announced that the House concurred in the amendments of the Senate to the amendment of the House to the bill (S. 1933) to provide for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

ESTABLISHMENT OF CONGRESSIONAL DISTRICTS COMPOSED OF CONTIGUOUS AND COMPACT TERRITORY FOR THE ELECTION OF REPRESENTATIVES

Mr. BAKER. Mr. President, on June 8, the Senate passed by a convincing margin, 55 to 28, legislation that would set definite legislative standards implementing and fully consistent with the Federal Constitution's strict requirement that each man's vote count as much as another man's vote in the election of Members of the U.S. House of Representatives.

That legislation would have prohibited the gerrymandering of congressional districts and would have permitted a population variance of only 10 percent between the smallest and largest districts in a State beginning with the 1968 elections.

The House-passed version of this legislation, H.R. 2508, left the question of gerrymandering to the States and would have permitted a population variance of 30 percent between the largest and smallest districts in a State until the 1972 elections.

Because of the differences between the Senate and House versions, there was a conference.

The appointed conferees met several times and reportedly were deadlocked over both the gerrymandering provisions and the question of what the acceptable temporary population variance between districts should be.

I am informed that today the conference has filed an agreement that avoids both of these issues. The agreement, first, makes illegal "at large" elections for House Members, except in Hawaii and New Mexico, beginning with the 1968 elections.

Second, the conference decided that no State shall be required to redistrict until after the 1970 census unless an earlier special census, paid for by the State, is available, with the further provision again that prior to such special census, no State shall be required to elect its Representatives at large.

Mr. President, the desirability of Congress' acting definitively and in this manner regarding the prohibition of at-large elections is clear. No one doubts that

Congress may properly enact such a provision pursuant to its constitutional power under article I, section 4, to alter regulations governing the times, places, and manner of holding elections for Senators and Representatives.

However, I respectfully submit that the unconstitutionality and undesirability of the second section of the conference agreement—that courts cannot require States to realine congressional districts until a special Federal census is available—is equally clear.

My objections to this latter provision are briefly these:

First. If this proposal is saying to the courts, "You cannot order a State to redistrict unless that State voluntarily agrees to pay for and provide a special Federal census," then the legislation is clearly unconstitutional. This is so because in *Wesberry* v. *Sanders*, 376 U.S. 1, 8 (1964), the Supreme Court declared that the Federal Constitution's plain objective is that "as nearly as is practicable one man's vote in a congressional election is to be worth as much as another's." To permit any State the option of declining to redistrict by refusing to authorize and pay for a special Federal census is to permit the State unconstitutionally to withdraw from the Federal court's established jurisdiction over implementation of the one-man, one-vote principle.

Second. If the conference proposal were deemed constitutional, its immediate effect would be to delay until the 1972 elections Federal court enforcement of fair districting in 18 States which include 259 Congressmen, or more than half the Members of the House of Representatives.

Third. Not only would this proposal bring to a grinding halt court enforcement of redistricting, it would turn back the clock by permitting the 33 States which either have completed or begun redistricting since the *Wesberry* decision on February 17, 1964, to redraw their lines with no constitutional limitations on what the population variance between the largest and smallest districts might be.

Fourth. The proposal is inconsistent because it seems to permit States voluntarily to redistrict without a special Federal census, but provides that States which are ordered to redistrict by courts must pay for a special Federal census.

Fifth. The expense of a special Federal census will be an unwelcome financial burden to the financially hard-pressed States. There are 18 States with congressional districts which have been declared unconstitutional by the courts, or which have been challenged in the courts, or which are vulnerable to challenge under the most recent Supreme Court decision. In the two largest of these States, New York and California, the cost to the State of a special Federal census would be more than $6 million. If, as is conceivable, the courts order all 18 to conduct special census and redistrict before the decennial census in 1970, the total cost to this group of States would be approximately $35,273,000.

Thus, one might say that in this time of financial crisis Congress is considering a $35 million redistricting bill and sending the tab to the hard-pressed States.

Sixth. Under present procedures, it would be 1970 before the Census Bureau could complete the required special censuses if the courts ordered as many as 10 or 15 States to redistrict. Probably, the Supreme Court would not tolerate such a delay, and would require that the census be done immediately. That would considerably raise the cost of the surveys to the States so as to simply make such surveys impossible.

Seventh. There has been no adequate justification demonstrated for making a special Federal census a condition precedent to a court-ordered redistricting. Of course, because of population shifts, the 1960 census figures are not precisely accurate. Nevertheless, no one has proved that the distortion in fair representation caused by inaccurate census figures is anywhere nearly as bad as the distortion caused in the 18 States which are currently electing 259 Congressmen upon the basis of lines that are clearly unconstitutional.

Notwithstanding the argument that the 1960 census is old by 7 years, and not therefore current, it seems infinitely preferable, by appropriate legislation, to require redistricting on the basis of the best available and newest figures and to require the States to redistrict on the basis of what they should have done 7 years ago. The Supreme Court has never accepted this argument as a justification for waiting until 1972 to implement the one-man, one-vote decision. And, too, population estimates can be used, where available, to minimize whatever distortion has been caused by population shifts since the 1960 decennial census.

Eighth. Finally, this legislation actually increases, rather than lessens, the probability that at least the 174 Members of the House from California, Indiana, New Jersey, Texas, Missouri, Ohio, New York, and Florida might be forced by the courts to run at large for election to Congress in 1968.

Because of the wide-ranging effect this last provision may have on so many Members of the House, I should like to discuss it in detail.

To begin with, it is my reluctant but firm conclusion that, if enacted, the legislation contained in the report filed today by the distinguished conference committee will be rather swiftly declared unconstitutional by the Federal courts. In the earlier debate in May and June on this legislation, I elaborated my views on why I believe that the Federal courts will tolerate no Federal legislation that attempts to modify or circumvent its rulings which during the last 2 years have directed or encouraged fair redistricting in 33 States. I refer to the RECORD, pages 14016–14018, 14784. Suffice it to say that, while I favor prompt congressional action in establishing more definite standards within the constitutional limits set by the Court, there is no doubt that congressional action which attempts to circumvent or modify the Supreme Court's interpretation of the one-man, one-vote rule will be regarded by the Court as unconstitutional.

The provision which states that the courts cannot require a State to redistrict unless the State first voluntarily orders and pays for a special Federal census is unconstitutional because it permits the State to unilaterally withdraw from the Court's jurisdiction over redistricting.

Even if the legislation is read to authorize the court to order a special census before it orders a State to redistrict, I still believe the courts will regard the census provision as an unjustified delaying tactic and still hold the legislation unconstitutional.

I say this because it appears that, if a number of States descended upon the Census Bureau with court-ordered requests for a special survey, the Bureau could not complete any in time for the 1968 elections. Under the Bureau's present procedures, if 10 to 15 of the vulnerable 18 States requested special censuses it would take 8 months to provide the information for the smaller States and up to 15 or 16 months to provide the information for the largest States, New York and California.

It could be that the Census Bureau with additional personnel could conduct a number of surveys in time for the 1968 elections, but it is not likely at this late date. Thus, I conclude that by the time the courts consider this legislation, if enacted, they will decide that enough delay is enough and declare the entire act unconstitutional.

And what will be the result, if I am correct in my analysis, when the courts declare that the legislation is unconstitutional? Given the usual delays in both the legislative and judicial process, this ruling might not occur until late next spring. During that time, the legislatures in California, Indiana, and New Jersey—which are under court order to redistrict—would likely wait to see whether the Federal law might prove valid and therefore shield them from the court's redistricting order. Probably, the courts which are considering the cases in Texas, Missouri, Ohio, New York, and Florida would wait for a definitive decision on the question from the Supreme Court. Perhaps by that time suits will be filed in the remaining 10 States where the congressional lines are vulnerable to attack under constitutional standards—Colorado, Connecticut, Georgia, Iowa, Louisiana, Minnesota, Nebraska, Pennsylvania, Washington, and West Virginia—and those cases will also be stalled, waiting for definitive Supreme Court action on this enacted legislation.

Then, assuming that the Supreme Court declares the law unconstitutional next spring, what will happen in the States where the legislatures and the courts have delayed their decision? The courts could immediately prepare their own redistricting plans for the 1968 elections. Most likely, some would order the legislatures to redistrict immediately in time for the 1968 elections. Too, it is entirely possible that the legislatures in several States, some of which may have adjourned, will not be able to meet or, if they meet, to agree upon a redistricting plan. It is likely that the courts then will, because of the recalcitrance of the legislatures and the shortness of time before

the elections, order that all the Congressmen in those States run at large. Needless to say, at-large elections for the House would have important political consequences, especially in a presidential election year.

I should note that it is of no avail to argue that a court might uphold the prohibition of at-large elections even though it declared unconstitutional the special census provision. There is no severability clause in the conference report.

If the Court rules any of the law unconstitutional, it will rule it all unconstitutional.

In conclusion, I should say that I am not happy with the prospect of opposing the report of the distinguished conference committee. I had hoped that even if the conference could not agree on the gerrymandering provisions that there might be some agreement on definite temporary and permanent standards for permissible population variance between the largest and the smallest districts in a State. Failing that, I had hoped that the conference might simply report a bill that eliminated at-large elections, except in Hawaii and in New Mexico. I am disappointed that, because the census provision both attempts to delay redistricting and raises the possibility that many Congressmen will be forced to run at large, I cannot support this conference report.

Because of the merit in eliminating at-large elections and because the report's effort to do so is jeopardized by the apparent unconstitutionality of the remainder of the conference report, I am considering introducing to the pending business in the Senate or to the next pending business an amendment that would eliminate at-large elections. I feel confident the Senate would support such a measure and that with that issue out of the way, the vote whether to accept the conference report could concentrate mainly upon the issue of whether it is constitutional and desirable to provide that no State may be required to redistrict unless a special Federal census is conducted and paid for by the State.

SECURITY CLEARANCE OF WALT WHITMAN ROSTOW

Mr. THURMOND. Mr. President, press reports over the weekend state that Walt Whitman Rostow, special assistant to the President for National Security Affairs, denies that he was refused a security clearance three times under the Eisenhower administration.

I believe that Mr. Rostow is being less than candid. Both the Washington Post and the Evening Star quote him as follows:

> From 1951 onward, I had continuous security clearance from various agencies of the Federal Government.

Mr. President, this reply is not responsive to the allegations presented by Mr. Otto Otepka in his brief filed recently before a State Department hearing officer on his long and complicated case. The specific issue is whether Rostow was initially rejected for a high-level clearance by the Department of the Air Force; and again in 1955 by Herbert Hoover, Jr., then Under Secretary of State; and again in 1957 by Roderick O'Connor, then Administrator of the State Department Bureau of Security. Rostow has not denied these allegations because he knows he cannot truthfully do so.

When Rostow says that he has had security clearance from various agencies since 1951, he is trying to obscure the issue. Anyone who knows anything about security clearances knows they are granted for various degrees of accessability and by various agencies. The standards of each agency may be, and frequently are, entirely different; and they may be bypassed completely by high-level command.

While Rostow's statement that he has had continuous security clearance from 1951 onward is possibly true, it does not offer any refutation to the original allegation. Whatever level of clearance he may have had, the fact is that he has been denied strict high-level clearance on the three occasions mentioned. For example: under the Hoover action of 1955, Rostow was disapproved to attend meetings of a psychological warfare panel of the Operations Coordinating Board—OCB—which operates directly under the jurisdiction of the National Security Council. This is, of course, a very high level, critical clearance.

The fact that Rostow was denied high-level clearance three times indicates that the security factors involved were not taken lightly.

State Department security standards are spelled out in law and regulation. It is a fact that Rostow did not meet those standards. Today Rostow is special assistant to the President for National Security Affairs. The fact that he now presumably has a high-level clearance—that is permission to have access to sensitive data—shows clearly that the security standards in our top echelons have been lowered.

There is widespread public confusion about the exact meaning of the word "clearance." It has nothing to do with the commonly accepted meaning in legal parlance that a person is "cleared" of charges filed against him, for lack of evidence. A security check is not a judicial proceeding. To be "cleared" simply means that a person has received permission to have access to information of a certain level of sensitivity.

The reasons for denying a clearance do not necessarily imply that a person has engaged in subversive activities. The subject may be open to blackmail for some unfortunate incident in the past, or because he may have relatives behind the Iron Curtain. Past incidents may have shown carelessness in handling classified data, or friendships that could lead to unintentional transmission of data to the enemy. The denial of a security clearance does not necessarily imply disloyalty.

However, denial does imply that high risk is involved because of a subject's background. Intentionally or unintentionally, the subject presents some weak spot which could be exploited by the enemy. Subsequent clearance does not mean that evidence of weak spots has been disproved; more likely it means that a subjective judgment has been made to take the risk despite the evidence. Ultimately, the Soviet Ambassador himself could be given a security clearance if the President decided it was in the national interest.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that upon completion of the transaction of routine morning business tomorrow, I be recognized for not to exceed 20 minutes.

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

SPENDING CEILINGS ARE NOT THE BEST WAY TO CONTROL EXPENDITURES

Mr. PROXMIRE. Mr. President, on yesterday, I warned the Senate of dangers inherent in meatax spending cuts as compared to a rational system of budgeting priorities. Action by the House yesterday points out even more clearly the desperate need for Congress to have before it some means of judging which programs are contributing the most to national welfare.

Across-the-board budget slashes help no one. While the objective of economy in Government remains paramount, moves to trim all programs indiscriminately tend over the long run to create demands for higher spending in order to remedy dislocations suffered in vital programs which suddenly are left without funds.

The term "economy in government" is not tantamount to advocating equal reductions in all programs. Instead, when we aim for economy in government, the target is that of realistic spending priorities. With such priorities, Congress would be able to selectively pare expenditures by starting to cut first from the lowest ranked programs.

A current example is quite relevant. If Congress had insisted that the administration use alternative discount rates in cost-benefit analysis of public works programs, significant savings could have been achieved. Alternative interest rates, for instance, the current yield on Government securities and/or the estimated discount rate employed in the private sector, would have shown zero or negative present value of many expensive public works projects.

In hearings last month by the Economy in Government Subcommittee of the Joint Economic Committee, testimony revealed that present Government discount rates, based on historical coupon rates of long-term Government

bonds, lead to inaccurate budget decisions which ultimately cause increased inflationary pressures and lower economic growth. Witnesses said that the extremely low discount rate now applied by the Government creates serious misallocations, and they called upon Congress to change current policies so that such misallocations could be minimized.

Mr. President, across-the-board reductions are simple expedients; they will not solve the problem of budget priorities. Congress must act to establish and encourage techniques which will lead to better spending decisions.

BETTER DISTRIBUTION OF FEDERAL RESEARCH AND DEVELOPMENT FUNDS CAN HELP SOLVE RURAL-URBAN PROBLEMS

Mr. PROXMIRE. Mr. President, much attention has focused recently on the wisdom of tackling our urban problems in the rural areas. While this idea may sound paradoxical on the surface, it makes a good deal of sense, because it recognizes the connection between our rural and urban problems. This approach raises the idea that megalopolis may not be the only answer to economic progress; that, in fact, there is no reason to make urban poor out of the rural poor. In other words, this approach suggests that we could go a long way toward solving our urban crisis if we stopped emigration of the rural poor to the cities.

The Senator from South Dakota [Mr. MUNDT] and I have been impressed by the logic of this approach, and have introduced Senate Concurrent Resolution 33 directing the Joint Economic Committee to study the relationship of population movements to economic growth and development. Although such a study and the guidelines it could supply for public policy are prospective, we can and should begin to evaluate Federal programs and expenditures in light of their impact on our urban/rural problems.

Federal expenditures for research and development—R. & D.—are an obvious example of an area in which the Federal government can influence economic development. We know that Federal funds have a significant influence on the development of strong scientific departments in our academic institutions; and that in turn universities with superior scientific capability attract to the area new business firms which have a need for research facilities and talent. Thus, it is apparent that the distribution of Federal funds for research and development can and does affect the pattern of economic development in the country. For example, it is a well known fact that the growth of the electronics industry in the Boston area was due to a large extent to the proximity of the Massachusetts Institute of Technology and Harvard University.

But despite the impact the Federal Government could have in directing economic change through research and development expenditures, this factor has been given little if any emphasis in determining the distribution of these funds. Instead of attempting to change current development patterns, we have, in effect, contributed to their growth by giving the bulk of our funds to institutions already most advanced and by spending most of our funds in the very areas which are growing so rapidly. The figures are illustrative.

In fiscal year 1965—the last year for which we have a breakdown by States—the Federal Government spent about $14.4 billion on research and development. During this year 31.7 percent of these funds went to one State alone—California, and this actually represented a decline from fiscal year 1964 when California's percentage was 34.6. New York was second with 9 percent, Maryland third with 6.1 percent, Massachusetts fourth with 5.1 percent, and Texas fifth with 5.1 percent. Thirty-one States received less than 1 percent—Wisconsin included—and nine of these States had less than one-tenth of 1 percent.

Yet this distribution of funds has little relationship to population distribution. Whereas the Federal Government spent $287 on research and development for every person in California, it only spent $31 per person in Wisconsin. And although Wisconsin ranked 14th in population among the States in the 1960 census, it ranked 23d in 1965 in the amount of Federal research and development funds received. And this rank marked a rise from the previous year when Wisconsin was 26th.

I cite the example of Wisconsin, because it is, of course, the instance with which I am most familiar. However, the discrepancy between population and research and development funds received would apply equally to many other States—especially States with a large rural population.

Mr. President, I think this evidence provides a dramatic example of our failure to take into account national objectives and problems in the distribution of funds for special Federal programs. It is clear to me that we would better serve our national goals by spending a larger portion of our research and development funds in the less urbanized States. Such a policy would contribute a powerful impetus to the economic development of these States and would ultimately lessen some of the pressures on our urban States and large cities.

TAX INCREASE NOT THE ANSWER TO INFLATION

Mr. PROXMIRE. Mr. President, the Milwaukee Journal recently spelled out in an editorial why the tax increase proposal of the administration will not solve the serious and developing inflation problem that faces the country.

In selling the increase to the country, the President has repeatedly put his prime emphasis on its desirability in holding down prices.

The trouble, Mr. President, is that the inflation we are now suffering—in retail food prices, in the prices for steel, autos, chemicals, and medical services, will not be restrained by a tax increase.

The answer in food is well known. A tax increase that omits—as this proposal properly does—people with incomes below $5,000 will have no restraining effect on the demand for food.

In steel, autos, chemicals, and many other lines, demand has diminished below last year and far, far below capacity.

Thus, a tax increase to restrain demand further is not the answer. Prices in these areas are rising because of a cost push. A tax increase will simply push those prices up further.

In the rapidly rising service area, in medical services, for example, the shortage of doctors, hospital nurses is so acute that any lessening of demand by a tax increase will have little substantial effect.

I ask unanimous consent that the editorial from the Milwaukee Journal be printed in the RECORD.

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

L. B. J. UNCONVINCING

President Johnson's warning that a refusal to raise taxes will cost Americans twice as much in the form of higher prices is a scare tactic.

The president predicts that an overheated economy will force the cost of living up 4 to 5% next year unless there is a surtax, in which case he says the increase will be held to only 2.5%.

While the cost of living index is a key indicator, the president is fudging when he treats it as a single indivisible force. The Green Bay Packers are a team, but they also are individuals of varying ability to influence the outcome of a game. Similarly, the cost of living index has its internal components. When these are examined it is plain that some items—notably medical services—have risen much faster than others in the last 10 years. Indeed, commodities—especially new cars and household appliances—have been slow risers.

Thus, even if galloping inflation were an imminent danger, which many experts aren't ready to concede, it is doubtful that a tax increase is necessarily the best remedy. To slow down inflation, a tax increase must draw money that would otherwise be spent on things that contribute heavily to inflation. This would not likely be the case with medical care and many other services—from dry cleaning to haircuts—which have been a strong cause of higher living costs.

On the contrary, the brunt of the tax hike probably would be felt by producers of durable goods—cars, dishwashers and TV sets—who have done tolerably well in restraining prices since 1957.

Moreover, there is no guarantee that a tax increase would have much impact on federal spending, a key factor in any threat of overheating. The tendency of new expenditures to absorb new revenue is well known.

The economy, now in its 80th month of expansion, is beset by diverse forces. Signs of inflationary surge mix with omens of economic sag. However, if hyperinflation does occur, a reduction in nonwar, nonpoverty spending should be the first resort. The moon can wait, as can the supersonic transport and plenty of pork barrel projects.

Congress might even muster enough fortitude to close shameful income tax loopholes that permit too many rich men to pay far less than a fair share.

COMPREHENSIVE REVISION OF THE STANDING RULES OF THE SENATE

Mr. CLARK. Mr. President, I submit, for appropriate reference, a resolution embodying a comprehensive revision of the Standing Rules of the Senate. With the exception of certain minor changes necessitated by the passage of time, this

resolution is identical with a resolution originally introduced by me in the second session of the 88th Congress, on September 23, 1963, as Senate Resolution 372, and subsequently reintroduced in the 89th Congress.

I ask unanimous consent that the text of this resolution, together with an explanatory memorandum, which first appeared in the RECORD on September 23, 1964, be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CLARK. Mr. President, for the benefit of those who may choose to pursue the matter in detail, I point out that the RECORD of September 23, 1964, also contained a comparative side-by-side print of this resolution and the existing standing rules of the Senate. However, because of the length and complexity of this material, I do not ask that it be placed in the RECORD again. I would hope that serious students of our obsolete, outmoded rules would refer back to the RECORD for September 23, 1964, in order that the details of this comprehensive rewrite of the rules may become apparent to them.

I would hope, if there are serious students of rules reform—and I am sure there are—that I will receive some constructive suggestions with respect to the very detailed and comprehensive changes which the draft I have just submitted makes in our present rules.

Although this matter has been pending before the Senate since 1964, the Senate Committee on Rules and Administration, to which it has been referred, has not held 1 day of hearings on this revision.

During the debate earlier this year on the Monroney-Madden legislative reorganization bill, I sought to obtain Senate approval of a number of the more significant reforms contained in this resolution.

My efforts, except in a few instances, were unavailing. And since it now appears that the other body is unlikely to act at this session on the legislative reorganization bill, and possibly not next year, either, even those few exceptions may go down the legislative drain.

One of the arguments made against my proposed amendments to the Monroney-Madden bill was that the Joint Committee on the Organization of the Congress lacked jurisdiction over matters relating to the Standing Rules of the Senate. Although the argument, in my judgment, is irrelevant in the context in which it was raised, I do not doubt that several of my colleagues were persuaded by it and voted against reforms which they support on the merits because of the manner in which they were brought to the floor.

There is another aspect to this question which I desire to note briefly. At the time of the debate on the Monroney-Madden bill, and again when the so-called clean elections bill was before the Senate, I offered three amendments which I called the "Bobby Baker" amendments. These amendments undertook to require financial disclosure of income, assets, and liabilities of Members and of those of their staffs who were receiving salaries in excess of $10,000 a year. The "Bobby Baker" amendments also hit at other abuses which were brought to light during the extensive inquiry into Mr. Baker's affairs which was held—I note the Senator from Tennessee [Mr. BAKER] has come to the floor, and I wish to make it abundantly clear that I am not talking about him.

Mr. BAKER. Mr. President, if the Senator will yield, I have no doubts in that respect.

Mr. CLARK. I thank the Senator from Tennessee.

These "Bobby Baker" amendments did receive substantial support on roll-call votes in the Senate. I think one reason why that support was not sufficient to pass them was that we had a commitment from my friend the Senator from Mississippi [Mr. STENNIS] that, as chairman of the Select Committee on Ethics, he would bring forward at this session, in time for it to be debated and disposed of at this session, a comprehensive code of ethics.

I realize that the members of that select committee have been busy with a wide variety of other matters, including military authorizations and appropriations. I realize further that pending before the select committee is the consideration of the behavior of one of our colleagues. But we do have a definite commitment that a proposed code of ethics will be forthcoming in time for the Senate to vote on it at this session. I hope that that commitment will be kept. It is now Thursday, October 19. Who knows how much longer we shall vegetate in Washington? I would suggest that if the commitment is to be kept, it is about time we saw some action.

I make these comments not in derogation of the ability or the zeal or the industry of the members of the select committee. I merely point out that a commitment is a commitment. I hope very much that it will be met.

Returning to the subject of the rules, there can be no question of the jurisdiction of the Committee on Rules and Administration, on which I serve, to consider and report the resolution which I am submitting today, either in its entirety or seriatim. Let the committee pick those changes in the rules that it believes are desirable and reject those that are not. Let us have some hearings. Let us call some experts. Let us have some debate. Let us have a committee report and, if necessary, minority or supplemental or concurring views.

But let us not sweep this vexed problem of a badly needed revision of the Rules of the Senate under the rug. Let us not go on, as we have for so many years, with rules which are totally inadequate to the needs of the 20th century—and the third third of the 20th century, at that.

I say to my friend from Wisconsin, whom, I am candid to say, I am assisting in his effort to get a free, full, and complete debate on the subversive activities control bill, let us get some rules which will make a long-winded filibuster impossible, so that when a majority of the Senate is ready for action, it will be able to act.

I should like to deny categorically that any of us who are assisting the Senator from Wisconsin in attempting to bring out into the open the many deficiencies in the substance of this bill and in the procedure by which the present bill was brought to the floor of the Senate, and is attempted to be jammed down our throats without adequate hearings, without any effort to write the kind of report which would be intelligible, are seeking to conduct a filibuster. But we ought to be able, under our rules, to stop that sort of menace. I am sure that the Senator from Wisconsin would agree with me, as he has in the past, that we do need some drastic reform of our present procedure of conducting unlimited debate until such time as two-thirds of the Members of the Senate present and voting are prepared to impose cloture.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. CLARK. I am happy to yield to my friend from Wisconsin.

Mr. PROXMIRE. I wholeheartedly agree with the distinguished Senator from Pennsylvania. As the Senator knows, I have always voted for majority cloture and supported those who have advocated majority cloture. It seems logical and proper to me that a majority of Senators should be able to bring a matter to a vote whenever they wish to act.

On this particular point, I think it is mandatory that when you have no record, when you have no hearings, when you have no testimony, then you are forced into the position where you have to debate the matter at length on the floor, particularly if it is a controversial matter, one that does concern our Constitution and our most vital liberties. This is certainly true if it is a matter which the most distinguished law experts of our country have told us has serious constitutional defects; or which, as the Senator from Oregon said of this proposal earlier today, goes to the heart of freedom in this country; or which, as the former Attorney General of the United States, the Senator from New York [Mr. KENNEDY], has said, is unworkable, specifying the particular constitutional defects in it.

Under such circumstances, it seems to me it would be negligent on the part of Senators if they voted on the matter after a brief debate, without full, comprehensive discussion of the issues of the case, such as the Senator from Pennsylvania, the Senator from Oregon, the Senator from New York, and some of the other outstanding Members of the Senate have given this matter.

Mr. CLARK. I quite agree with my friend from Wisconsin, and I thank him for his helpful intervention.

I say in all good humor to our mutual and dearly beloved friend from Illinois [Mr. DIRKSEN]—whose absence from the floor I deeply regret, since this is a matter of great interest to him—that he has tried to impose cloture upon us with regard to this problem. He tried it just the other day, when he wanted, by a two-thirds waiver of the rules, to tack this

iniquitous measure onto an appropriation bill.

He failed.

I am sure the Senator from Illinois feels very strongly that the public interest requires the passage of this bill. I make these comments hoping that he, or some member of his staff, will pick them up from the RECORD, and that by this very action he may be persuaded to join the Senator from Wisconsin and me in attempting to change our rules so as to obtain majority cloture when the issue shall again come before the Senate.

Mr. President, in view of the continuing and, to my mind, highly justifiable outcry about the need for reform in the Senate, both procedural and ethical, I hope that the Committee on Rules and Administration will show more interest in the matters raised in this resolution than it has in the past.

I point out that a year or two ago the Committee on Rules and Administration, on motion of our beloved President pro tempore [Mr. HAYDEN], was given the authority to spend a substantial amount of money on an investigation of the rules of the Senate. They obtained another authorization for that purpose early this year. But so far as I know, the Committee on Rules and Administration, except for hiring a quite competent and able young man to look into the matter, has not done anything with respect to the study of the rules for which the money was appropriated. I do hope, perhaps as a result of this gentle reminder, that they will decide to have a good, hard look at this suggestion for proposed revision of the rules, which I now send to the desk and ask to have appropriately referred.

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

The resolution (S. Res. 179) was referred to the Committee on Rules and Administration, as follows:

S. RES. 179

Resolved, That the Standing Rules of the Senate are amended to read as follows:

"RULE I

"ELECTION OF PRESIDENT PRO TEMPORE AND SELECTION OF OFFICERS

"At the commencement of each Congress, the Senate shall elect a President pro tempore and shall choose its officers, the Secretary, the Sergeant at Arms, the Chaplain, the Secretary to the Majority, the Secretary to the Minority.

"RULE II

"APPOINTMENT OF A SENATOR TO THE CHAIR

"1. The President pro tempore shall perform the duties of the Chair in the absence of the Vice President or vacancy in the office of Vice President.

"2. In the absence of the Vice President, and pending the election of a President pro tempore, a Senator designated by the majority leader, with the concurrence of the minority leader, shall perform the duties of the Chair.

"3. The President pro tempore shall have the right to name in open Senate, or, if absent, in writing, a Senator to perform the duties of the Chair. In the absence of such designation by the President pro tempore, the majority leader, with the concurrence of the minority leader, shall designate a Senator or Senators to perform the duties of the Chair; but in neither instance shall such substitution extend beyond an adjournment, except by unanimous consent.

"4. Whenever any Senator shall be designated to perform the duties of the Chair during the temporary absence of the President pro tempore, such Senator shall be empowered to sign, as acting President pro tempore, the enrolled bills and joint resolutions coming from the House of Representatives for presentation to the President of the United States.

"RULE III

"PRESENTATION OF CREDENTIALS

"1. The presentation of credentials of Senators-elect and other questions of privilege shall always be in order, except while a question of order or a motion to adjourn is pending, or while the Senate is dividing; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed of.

"2. The Secretary shall keep a record of the certificates of election of Senators by entering in a well-bound book kept for that purpose the date of the election, the name of the person elected and the vote given at the election, the date of the certificate, the name of the governor and the secretary of state signing and countersigning the same, and the State from which such Senator is elected.

"RULE IV

"OATHS, ETC.

"The oaths or affirmations required by the Constitution and prescribed by law shall be taken and subscribed by each Senator, in open Senate, before entering upon his duties.

"RULE V

"COMMENCEMENT OF DAILY SESSIONS

"The Presiding Officer having taken the Chair, and a quorum being present, motions to correct any mistakes made in the entries of the Senate Journal of the preceding day shall be in order and proceeded with until disposed of, unless objected to. If objection is made, the Senator moving to correct the Senate Journal and the Senator objecting may file at the Clerk's desk briefs in support of their positions. Such briefs shall be printed in the Senate Journal for the calendar day on which the motion to correct was made, together with a notice that a vote on the motion will take place on the following calendar day on which the Senate is in session at a time certain to be set by the Presiding Officer. At the designated time, the motion to correct shall be submitted to the Senate and decided without debate.

"2. Unless a motion to read the Senate Journal of the preceding day, which shall be nondebatable, is made and passed by majority vote, the Senate Journal shall be deemed to have been read without actual recitation and approved.

"3. A quorum shall consist of a majority of the Senators duly chosen and sworn.

"RULE VI

"SENATE JOURNAL

"1. The proceedings of the Senate shall be accurately stated in the Senate Journal which shall be the Senate section of the Congressional Record. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate; the legislative proceedings; and, the executive proceedings in open executive sessions, shall be entered.

"2. The executive proceedings in closed session, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded by the Journal Clerk in a separate book.

"RULE VII

"QUORUM—ABSENT SENATORS MAY BE SENT FOR

"1. No Senator shall absent himself from the service of the Senate without leave.

"2. If, at any time during the daily sessions of the Senate, a question shall be raised by the Majority Leader or the Minority Leader, or, in their absence, by the Acting Majority Leader or the Acting Minority Leader, as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

"3. Any Senator may raise the question as to the presence of a quorum but only for the purpose of seeking recognition and calling for a vote on the pending business once the presence of a quorum has been ascertained; and, declaration of such intention shall be made by such Senator immediately prior to his raising the question as to the presence of a quorum. Immediately upon the statement of such intention and the raising of such question by any Senator, the Presiding Officer shall forthwith direct the Secretary to call the roll and proceed as above provided.

"4. Whenever, during any quorum call as provided for in paragraphs 2 and 3, the Presiding Officer ascertains that a majority of the Senators are present in the Chamber, he shall direct that the quorum call be halted.

"5. Whenever upon such rollcall it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

"RULE VIII

"ORDER OF RECOGNITION

"When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized; and the Presiding Officer shall recognize the Senator who shall first address him, except that he shall first give recognition to the following Senators in the order prescribed if any of them shall also seek recognition:

"(1) The Majority Leader, or, in his absence, any Senator designated as Acting Majority Leader by the Majority Leader, and occupying the Majority Leader's desk.

"(2) The Minority Leader, or, in his absence, any Senator designated as Acting Minority Leader by the Minority Leader, and occupying the Minority Leader's desk.

"RULE IX

"DEBATE

"1. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; *Provided, however*, that such consent shall not be required where any Senator shall raise a germane point of order that the Senator in possession of the floor has transgressed the rules of the Senate. Unless submitted to the Senate, the germane point of order shall be decided by the Presiding Officer subject to an appeal to the Senate as provided in Rule X. Any Senator against whom a germane point of order shall have been raised and any Senator raising such point of order may appeal from the ruling of the Presiding Officer, which appeal shall be open to debate. If the Presiding Officer shall sustain the germane point of order and no appeal is taken, or if upon appeal the Senate shall sustain the germane point of order, the Senator against whom it has been made shall take his seat; otherwise he shall retain possession of the floor.

"A germane point of order may be raised in respect to enforcement of paragraphs 3 and 5 of this Rule.

"2. It shall not be in order to interrupt a Senator having the floor for the purpose of

introducing any petition, memorial, report of a committee, resolution, or bill. It shall be the duty of the Presiding Officer to enforce this Rule without any point of order hereunder being made by a Senator.

"3. No Senator shall speak more than twice upon any one question in debate on the same legislative day without leave of the Senate, which shall be determined without debate.

"4. Upon the request of any Senator who has been recognized, his remarks upon any subject may be delivered in writing, and if so delivered shall be printed in the Senate Journal in the same manner, and in the same size print, as if those remarks had been delivered orally. The Senate Journal shall contain a notation that the material was submitted but not delivered orally.

"5. Whenever a Senator has held the floor for three consecutive hours, he shall be required to yield the floor upon objection and any Senator may raise a point of order at any time thereafter that such Senator yield the floor.

"6. No Senator in debate shall directly or indirectly, by any form of words, impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator, or refer offensively to any State of the Union.

"7. If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgresses the rules of the Senate by impugning the motives or integrity of another Senator, the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall take his seat, and may not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. Any Senator directed by the Presiding Officer to take his seat, and any Senator requesting the Presiding Officer to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate.

"8. If a Senator be called to order for words spoken in debate, then, upon the demand of the Senator or of any other Senator, the exceptionable words shall be read by the Official Reporter for the information of the Senate.

"9. Whenever confusion arises in the Chamber or the galleries, or demonstrations of approval or disapproval are indulged in by the occupants of the galleries, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator.

"10. No Senator shall introduce to or bring to the attention of the Senate during its sessions any occupant in the galleries of the Senate. No motion to suspend this rule shall be in order, nor may the Presiding Officer entertain any request to suspend it by unanimous consent.

"11. During the consideration of any measure, motion, or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such a motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate.

"12. When the reading of a paper is called for, and objected to, it shall be determined by a vote of the Senate, without debate.

"13. No dilatory motion shall be entertained by the Presiding Officer. A Senator whose motion has been determined by the Presiding Officer to be dilatory may appeal from the decision of the Chair, which appeal shall be decided by the Senate without debate.

"14. Former Presidents of the United States shall be entitled to address the Senate upon appropriate notice to the Presiding Officer who shall thereupon make the necessary arrangements.

"RULE X

"QUESTIONS OF ORDER

"1. Subject to the limitations in Rule IX, a question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

"2. The Presiding Officer may submit any question of order for the decision of the Senate.

"3. When a question of order has been submitted to the Senate, or a debatable appeal has been taken on a decision of the Presiding Officer as provided herein, debate on such submission or appeal shall be limited, in all, to one hour, unless the Senate shall otherwise direct.

"RULE XI

"MORNING BUSINESS

"1. One hour, if that much time be needed, shall be set aside for the transaction of morning business as set forth in Rule XI, paragraph 2, on each legislative day at the opening of proceedings unless the Senate shall otherwise order by unanimous consent. The period for morning business may be extended for up to one additional hour, upon motion, which shall be nondebatable, approved by majority action.

"2. The Presiding Officer shall, during the period for morning business, lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for:

"The presentation of petitions and memorials.

"Reports of standing and select committees.

"The introduction of bills and joint resolutions.

"Concurrent and other resolutions.

"Statements or comments not to exceed three minutes which may include requests for unanimous consent to insert articles and other printed matter in the Senate Journal and to submit statements.

"3. Until the morning business shall have been concluded, and so announced from the Chair, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up.

"RULE XII

"PETITIONS AND MEMORIALS

"1. Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred to the appropriate committee without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

"2. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

"3. Only a brief statement of the contents of such communications as are presented under the order of business 'Presentation of petitions and memorials' shall be printed in the Senate Journal; and no other portion of such communications shall be inserted in the Senate Journal unless specifically so ordered by the Senate, as provided for in Rule XL, paragraph 1; except that communications from the legislatures or conventions, lawfully called, of the respective States and insular possessions shall be printed in full in the Senate Journal whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

"4. Senators having petitions, memorials, or private bills to present after the conclusion of the morning business may deliver them to the Secretary of the Senate, indorsing upon them their names. Said petitions, memorials, or bills shall, with the approval of the Presiding Officer, be entered on the Senate Journal with the names of the Senators presenting them as having been read twice and referred to the appropriate committees.

"RULE XIII

"CALENDAR MONDAY

"1. At the conclusion of the morning business on each Monday, unless upon motion decided without debate the Senate shall otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and bills and resolutions that are not objected to shall be taken up in their order. An objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the conclusion of morning business, and shall take precedence of the unfinished business and other special orders.

"RULE XIV

"MOTIONS TO CONSIDER

"1. All motions to proceed to the consideration of any matter shall be debatable, unless otherwise provided in these Rules; *Provided, however,* that when any Senator shall file, at the desk of the Clerk, a notice of intention to move to consider any matter on the Senate Calendar on the following calendar day on which the Senate is in session, such motion for consideration when made by such Senator shall be decided without debate. The notice of intent shall be printed in the Senate Journal.

"RULE XV

"SPECIAL ORDERS

"1. Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time in which it was made special, unless it shall become by adjournment the unfinished business.

"2. When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate.

"And all motions to make a subject a special order, or to change such order, or to

proceed to the consideration of other business, shall be decided without debate.

"RULE XVI

"BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

"1. Every bill and joint resolution shall receive three readings previous to its passage. The first reading and the second reading may be on the same calendar day, if the Senate by majority vote without debate, shall so direct; but the third reading must be on a different calendar day. The Presiding Officer shall give notice at each reading whether it be the first, second, or third. The first or second reading of each bill, or both, may be by title only, unless the Senate by majority vote without debate shall otherwise order.

"2. Every bill or joint resolution shall immediately after second reading be referred by the Presiding Officer to the appropriate committee. Appeals from rulings of the Presiding Officer referring bills and joint resolutions to committee shall be decided by the Senate without debate. A motion to place a bill or joint resolution on the Senate Calendar immediately and not refer it to committee may be made by any Senator after such bill or joint resolution has been read twice but before it has been referred to committee, and such motion shall be decided by majority vote of the Senate after debate not to exceed a period of one hour.

"3. Every bill and joint resolution having been read twice and referred to a committee, shall, upon being reported by the committee, immediately be placed on the Calendar. Every bill and joint resolution originating in a committee shall, upon being reported by the committee, be read twice and then placed on the Calendar.

"4. The Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and shall examine all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

"5. All resoluions shall lie over one calendar day for consideration unless the Senate shall by majority vote otherwise direct.

"RULE XVII

"REPORTS OF COMMITTEES AND MOTIONS TO DISCHARGE

"TO LIE OVER

"All reports of Committees and motions to discharge a committee from the consideration of a subject, and all subjects from which a committee shall be discharged, shall lie over one calendar day for consideration, unless the Senate, without debate, by a majority vote shall otherwise direct, or unless otherwise provided in these Rules.

"RULE XVIII

"REFERENCE TO COMMITTEES—AMENDMENTS

"When motions are made for reference of a subject to a select committee or a standing committee, the question of reference to a standing committee shall be put first; and a motion simply to refer shall not be open to amendment, except to add instructions.

"RULE XIX

"AMENDMENTS TO APPROPRIATION BILLS

"1. All general appropriation bills shall be referred to the Committee on Appropriations, and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate submitted in accordance with law.

"2. The Committee on Appropriations shall not report an appropriation bill containing amendments proposing new or general legislation or any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law if such restriction is to take effect or cease to be effective upon the happening of a contingency, and if an appropriation bill is reported to the Senate containing amendments proposing new or general legislation or any such restriction, a point of order may be made against the bill, and if the point is sustained, the bill shall be recommitted to the Committee on Appropriations.

"3. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received.

"4. No amendment which proposes general legislation shall be received to any general appropriation bill; nor shall any restriction on the expenditure of the funds appropriated which proposes a limitation not authorized by law be received if such restriction is to take effect or cease to be effective upon the happening of a contingency.

"5. No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the fact of the amendment.

"6. (a) Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

"Name of committee	*Purpose of appropriation*
Committee on Agriculture and Forestry.	For the Department of Agriculture.
Committee on Armed Services.	For the Department of Defense.
Committee on Aeronautical and Space Sciences.	For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.
Committee on Commerce.	For the Department of Commerce and related activities.
Committee on the District of Columbia.	For the District of Columbia.
Committee on Finance, Committee on Post Office and Civil Service.	For the Departments of the Treasury and the Post Office.
Committee on Foreign Relations.	For the Department of State and related agencies, and for the foreign assistance programs.
Committee on Interior and Insular Affairs.	For the Department of the Interior and related agencies.
Committee on the Judiciary.	For the Department of Justice and for the Judiciary.
Committee on Labor and Public Welfare.	For the Departments of Labor and of Health, Education, and Welfare.
Committee on Public Works.	For Public Works.
Senate Members of the Joint Committee on Atomic Energy (to be selected by said members).	For the development and utilization of atomic energy.

"(b) At least one member of each committee enumerated in subparagraph (a), to be selected by his or their respective committees, shall be a member of any conference committee appointed to confer with the House upon the annual appropriation bill making appropriations for the purposes specified in the foregoing table opposite the name of his or their respective committee.

"7. When a point of order is made against any restriction on the expenditure of funds appropriated in a general appropriation bill on the ground that the restriction violates this rule, the rule shall be construed strictly and, in case of doubt, in favor of the point of order.

"RULE XX

"AMENDMENTS—GERMANENESS

"No amendment not germane or relevant to the subject matter contained in a bill under consideration shall be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments, when raised, shall be decided by the Presiding Officer, subject to appeal to the Senate to be decided without debate.

"RULE XXI

"AMENDMENT MAY BE LAID ON THE TABLE WITHOUT PREJUDICE TO THE BILL

"When an amendment proposed to any pending measure is laid on the table, it shall not carry with it, or prejudice, such measure.

"RULE XXII

"AMENDMENTS—DIVISION OF A QUESTION

"If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

"RULE XXIII

"AMENDMENTS AFTER THIRD READING—RECOMMITMENT

"When a bill or resolution shall have been ordered to be read a third time, it shall not be in order to propose amendments, unless by unanimous consent, but it shall be in order at any time before the passage of any bill or resolution to move its commitment; and when the bill or resolution shall again be reported from the committee it shall be placed on the Calendar unless the Senate by majority vote shall otherwise direct.

"RULE XXIV

"MOTIONS

"1. All motions shall be reduced to writing, if desired by the Presiding Officer or by

any Senator, and shall be read before the same shall be debated.

"2. Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.

"RULE XXV

"PRECEDENCE OF MOTIONS—PREVIOUS QUESTION

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"For the previous question.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged, except that after the previous question shall have been ordered on the passage of a bill or joint resolution, no motion to lay on the table shall be in order; and the motions relating to adjournment, to take a recess, for the previous question, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. (a) Whenever any motion or amendment to a measure pending before the Senate has received consideration for a total of not less than fifteen hours, during a total of not less than three calendar days, any Senator may move the previous question with respect to such motion or amendment.

"(b) Whenever any measure pending before the Senate, together with any motions or amendments relating to it, has received consideration for a total of not exceeding fifteen calendar days, any Senator may move the previous question with respect to such measure and any or all motions or amendments relating to it.

"(c) When such a motion is made and a quorum is ascertained to be present, it shall be submitted immediately to the Senate by the Presiding Officer, without debate and shall be determined by a "yea" and "nay" vote, a majority prevailing. A previous question may be asked and ordered with respect to one or more measures, motions, amendments, or matters, and may embrace one or more amendments to any pending measure, motion or matter described therein, and the passage or rejection of the pending bill or resolution; Provided, however, that any or all motions or amendments not so embraced by the motion for the previous question shall be deemed rejected. If the previous question is so ordered as to any measure, motion, amendment, or matter, that measure, motion, amendment, or matter shall be presented immediately to the Senate for determination. One hour of debate, equally divided between opponents and proponents, shall be allowed on any motion, amendment, or matter, other than the passage or rejection of the measure, bill, or resolution on which the previous question has been ordered; and, four hours of debate, divided in the same manner, shall be allowed on the passage or rejection of the measure, bill, or resolution covered by such order.

"All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal, or otherwise, without debate.

"RULE XXVI

"PREAMBLES

"When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, on ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

"RULE XXVII

"VOTING, ETC.

"1. A demand for the yeas and nays, when seconded by eleven Senators, shall be sufficient to require a rollcall vote. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question unless excused by the Senate. Senators entering the chamber after their names have been called may obtain recognition from the Presiding Officer and have their votes recorded prior to the announcement of the vote; but no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, except that a Senator may, for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

"2. When a Senator declines a vote on call of his name, he shall be required to assign his reasons therefor, and having assigned them, the Presiding Officer shall submit the question to the Senate: 'Shall the Senator, for the reasons assigned by him, be excused from voting?', which question shall be decided without debate; and these proceedings shall be had after the rollcall and before the result is announced; and any further proceedings in reference hereto shall be after such announcement.

"3. No request by a Senator for unanimous consent for the taking of a final vote on a specified date upon the passage of a bill or joint resolution shall be submitted to the Senate for agreement thereto until, upon a rollcall ordered for the purpose by the Presiding Officer, it shall be discovered that a quorum of the Senate is present; and when a unanimous consent is thus given, the same shall operate as the order of the Senate, but any unanimous consent may be revoked by another unanimous consent granted in the manner prescribed above upon one day's notice.

"RULE XXVIII

"RECONSIDERATION

"1. When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.

"2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

"RULE XXIX

"APPOINTMENT OF COMMITTEES

"1. At the beginning of each Congress the Senate shall proceed by ballot to appoint the members of each standing committee, and unless otherwise ordered, of each other committee of the Senate. All members of each such committee so appointed shall be appointed by one ballot. A plurality of the votes cast shall be required for the appointment of the members of each such committee.

"In the event a vacancy occurs for any reason in the membership of a standing committee and of any other committee of the Senate during a session of Congress, the Senate shall proceed by ballot to fill the vacancy. A plurality of the votes cast shall be required in the filling of a vacancy.

"2. Upon the appointment of the members of each such committee at the beginning of a Congress pursuant to paragraph 1, the majority Members thereof shall elect by secret ballot of the majority members of the committee one member of that committee to be chairman thereof. Such member shall be of the majority party of the Senate. A majority of the whole number of votes given shall be required for the election of a chairman of any such committee.

"No Senator shall be elected or shall continue to serve as chairman of a standing committee after he has attained the age of seventy years.

"When a permanent vacancy occurs for any reason in the chairmanship of a standing committee and of any other committee of the Senate, the vacancy in the membership shall first be filled (if necessary) as provided in paragraph 1 hereof, and a successor chairman thereafter elected as hereinabove provided.

"No Senator shall be chairman of more than one standing committee nor of more than one subcommittee of each committee of which he may be a member.

"RULE XXX

"STANDING COMMITTEES

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"(a)(1) Committee on Aeronautical and Space Sciences, to consist of sixteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating primarily to the following subjects:

"(A) Aeronautical and space activities, as that term is defined in the National Aeronautics and Space Act of 1958, except those which are peculiar to or primarily associated with the development of weapons systems or military operations.

"(B) Matters relating generally to the scientific aspects of such aeronautical and space activities, except those which are peculiar to or primarily associated with the development of weapons systems or military operations.

"(C) National Aeronautics and Space Administration.

"(2) Such committee also shall have jurisdiction to survey and review, and to prepare studies and reports upon, aeronautical and space activities of all agencies of the United States, including such activities which are peculiar to or primarily associated with the development of weapons systems or military operations.

"(b) Committee on Agriculture and Forestry, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Agriculture generally.

"2. Inspection of livestock and meat products.

"3. Animal industry and diseases of animals.

"4. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.

"5. Agricultural colleges and experiment stations.

"6. Forestry in general, and forest reserves other than those created from the public domain.

"7. Agricultural economies and research.
"8. Agricultural and industrial chemistry.
"9. Dairy industry.
"10. Entomology and plant quarantine.
"11. Human nutrition and home economics.
"12. Plant industry, soils, and agricultural engineering.
"13. Agricultural educational extension services.
"14. Extension of farm credit and farm security.
"15. Rural electrification.
"16. Agricultural production and marketing and stabilization of prices of agricultural products.
"17. Crop insurance and soil conservation.
"(c) Committee on Appropriations, to consist of twenty-six Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to appropriation of the revenue for the support of the Government.
"(d) Committee on Armed Services, to consist of eighteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. Common defense generally.
"2. The Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally.
"3. Soldiers' and sailors' homes.
"4. Pay, promotion, retirement, and other benefits and privileges of members of the armed forces.
"5. Selective service.
"6. Size and composition of the Army, Navy, and Air Force.
"7. Forts, arsenals, military reservations, and navy yards.
"8. Ammunition depots.
"9. Maintenance and operation of the Panama Canal, including the administration, sanitation, and government of the Canal Zone.
"10. Conservation, development, and use of naval petroleum and oil shale reserves.
"11. Strategic and critical materials necessary for the common defense.
"12. Aeronautical and space activities peculiar to or primarily associated with the development of weapons systems or military operations.
"(e) Committee on Banking and Currency, to consist of fourteen Senators, to which committee shall be referred all proposed legislation, messages, petitioners, memorials, and other matters relating to the following subjects:
"1. Banking and currency generally.
"2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
"3. Deposit insurance.
"4. Public and private housing.
"5. Federal Reserve System.
"6. Gold and silver, including the coinage thereof.
"7. Issuance of notes and redemption thereof.
"8. Valuation and revaluation of the dollar.
"9. Control of prices of commodities, rents, or services.
"10. Bonded debt of the United States.
"11. Deposit of moneys.
"(f) Committee on Commerce, to consist of eighteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. Interstate and foreign commerce generally.
"2. Regulation of interstate railroads, busses, trucks, and pipe lines.
"3. Communication by telephone, telegraph, radio, and television.
"4. Civil aeronautics, except aeronautical and space activities of the National Aeronautics and Space Administration.
"5. Merchant marine generally.
"6. Registering and licensing of vessels and small boats.
"7. Navigation and the laws relating thereto, including pilotage.
"8. Rules and international agreements to prevent collisions at sea.
"9. Merchant marine officers and seaman.
"10. Measures relating to the regulation of common carriers by water and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
"11. Coast and Geodetic Survey.
"12. The Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.
"13. The United States Coast Guard and Merchant Marine Academies.
"14. Weather Bureau.
"15. Except as provided in paragraph (d), the Panama Canal and interoceanic canals generally.
"16. Inland waterways.
"17. Fisheries and wildlife, including research, restoration, refuges, and conservation.
"18. Bureau of Standards, including standardization of weights and measures and the metric system.
"19. Transportation of dutiable goods.
"(g) Committee on the District of Columbia, to consist of eight Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
"2. Public health and safety, sanitation, and quarantine regulations.
"3. Regulation of sale of intoxicating liquors.
"4. Adulteration of food and drugs.
"5. Taxes and tax sales.
"6. Insurance, executors, administrators, wills, and divorce.
"7. Municipal and juvenile courts.
"8. Incorporation and organization of societies.
"9. Municipal code and amendments to the criminal and corporation laws.
"(h) Committee on Finance, to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. Revenue measures generally.
"2. Customs, collection districts, and ports of entry and delivery.
"3. Revenue measures relating to the insular possessions.
"4. Veterans' measures generally.
"5. Pensions of all the wars of the United States, general and special.
"6. Life insurance issued by the Government on account of service in the armed forces.
"7. Compensation of veterans.
"(i) Committee on Foreign Relations, to consist of nineteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. Relations of the United States with foreign nations generally.
"2. Treaties.
"3. Establishment of boundary lines between the United States and foreign nations.
"4. Protection of American citizens abroad and expatriation.
"5. Neutrality.
"6. International conferences and congresses.
"7. The American National Red Cross.
"8. Intervention abroad and declarations of war.
"9. Measures relating to the diplomatic service.
"10. Acquisition of land and buildings for embassies and legations in foreign countries.
"11. Measures to foster commercial and cultural intercourse with foreign nations and to safeguard American business interests abroad.
"12. United Nations Organization and international financial and monetary organizations.
"13. Foreign loans and grants.
"14. Reciprocal trade agreements.
"15. Tariffs and import quotas and matters related thereto.
"(j)(1) Committee on Government Operations, to consist of fifteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"(A) Budget and accounting measures, other than appropriations.
"(B) Reorganization in the executive branch of the Government.
"(2) Such committee shall have the duty of—
"(A) receiving and examining reports of the Comptroller General of the United States and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;
"(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;
"(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;
"(D) studying the intergovernmental relationships between the United States and the States and municipalities.
"(k) Committee on Interior and Insular Affairs to consist of seventeen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:
"1. Public lands generally, including entry, easements, and grazing thereon.
"2. Mineral resources of the public lands.
"3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
"4. Forest reserves and national parks created from the public domain.
"5. Military parks and battlefields, and national cemeteries.
"6. Preservation of prehistoric ruins and objects of interest on the public domain.
"7. Measures relating generally to the insular possessions of the United States, except those affecting their revenue and appropriations.
"8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects.
"9. Interstate compacts relating to apportionment of waters for irrigation purposes.
"10. Mining interests generally.
"11. Mineral land laws and claims and entries thereunder.
"12. Geological survey.
"13. Mining schools and experimental stations.
"14. Petroleum conservation and conservation of the radium supply in the United States.
"15. Relations of the United States with the Indians and the Indian tribes.
"16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.
"(l) Committee on the Judiciary, to consist of sixteen Senators, to which committee shall be referred all proposed legislation,

messages, petitions, memorials, and other matters relating to the following subjects:

"1. Judicial proceedings, civil and criminal, generally.

"2. Constitutional amendments.

"3. Federal courts and judges.

"4. Local courts in the Territories and possessions.

"5. Revision and codification of the statutes of the United States.

"6. National penitentiaries.

"7. Protection of trade and commerce against unlawful restraints and monopolies.

"8. Holidays and celebrations.

"9. Bankruptcy, mutiny, espionage, and counterfeiting.

"10. State and Territorial boundary lines.

"11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.

"12. Civil liberties.

"13. Patents, copyrights, and trademarks.

"14. Patent Office.

"15. Immigration and naturalization.

"16. Apportionment of Representatives.

"17. Measures relating to claims against the United States.

"18. Interstate compacts generally.

"(m) Committee on Labor and Public Welfare, to consist of sixteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Measures relating to health, education, labor, or public welfare generally.

"2. Mediation and arbitration of labor disputes.

"3. Wages and hours of labor.

"4. Convict labor and the entry of goods made by convicts into interstate commerce.

"5. Regulation or prevention of importation of foreign laborers under contract, and migratory labor generally.

"6. Child labor.

"7. Labor statistics.

"8. Labor standards.

"9. School-lunch program.

"10. Vocational rehabilitation.

"11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.

"12. United States Employees' Compensation Commission.

"13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.

"14. Welfare of miners.

"15. Vocational rehabilitation and education of veterans.

"16. Veterans' hospitals, medical care and treatment of veterans.

"17. Soldiers' and sailors' civil relief.

"18. Readjustment of servicemen to civil life.

"19. National social security.

"20. Employment, unemployment and the utilization of manpower.

"(n) Committee on Post Office and Civil Service, to consist of twelve Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. The Federal civil service generally.

"2. The status of officers and employees of the United States, including their compensation, classification, and retirement.

"3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.

"4. Postal-savings banks.

"5. Census and the collection of statistics generally.

"6. The National Archives.

"(o) Committee on Public Works, to consist of sixteen Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Flood control and improvement of rivers and harbors.

"2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).

"3. Water power.

"4. Oil and other pollution of navigable waters.

"5. Public buildings and occupied or improved grounds of the United States generally.

"6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.

"7. Measures relating to the Capitol building and the Senate and House Office Buildings.

"8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

"9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

"10. Measures relating to the construction or maintenance of roads and post roads.

"(p)(1) Committee on Rules and Administration, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

"(B) Except as provided in paragraph (o)8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

"(C) Except as provided in paragraph (o)8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

"(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

"(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Buildings and the Senate wing of the Capitol; assignment of office space; and services to the Senate.

"(F) Matters relating to printing and correction of the Congressional Record.

"(2) Such committee shall also have the duty of assigning office space in the Senate wing of the Capitol and in the Senate Office Buildings.

"(3) Such committee shall have jurisdiction to investigate every alleged violation of the rules of the Senate, and to make appropriate findings of fact and conclusions with respect thereto after according to any individual concerned due notice and opportunity for hearing. In any case in which the committee determines that any such violation has occurred, it shall be the duty of the committee to recommend to the Senate appropriate disciplinary action, including reprimand, censure, suspension from office or employment, or expulsion from office or employment.

"2. The said committees shall continue and have the power to act until their successors are appointed.

"3. (a) Except as provided in paragraph (b) of this subsection, each standing committee, and each subcommittee of any such committee, is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, subject to the provisions of section 133(d) of the Legislative Reorganization Act of 1946.

"(b) Each standing committee, and each subcommittee of any such committee, is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

"4. Each Senator shall serve on two and no more of the following standing committees: Committee on Aeronautical and Space Sciences; Committee on Agriculture and Forestry; Committee on Appropriations; Committee on Armed Services; Committee on Banking and Currency; Committee on Commerce; Committee on Finance; Committee on Foreign Relations; Committee on Government Operations; Committee on Interior and Insular Affairs; Committee on the Judiciary; Committee on Labor and Public Welfare; and the Committee on Public Works. No Senator shall serve on more than one of the following standing committees: Committee on the District of Columbia; Committee on Post Office and Civil Service; and the Committee on Rules and Administration. Each Senator shall serve on no more than two of the subcommittees of any standing committee of which he may be a member, except that he may serve on more than two subcommittees of the Appropriations Committee. The foregoing provisions of this paragraph shall not be effective during any period when there are more than forty-six Senators of the minority party.

"5. No standing committee shall sit without special leave while the Senate is in session. A motion for leave for a standing committee to sit while the Senate is in session shall be a privileged motion and shall not be debatable.

"RULE XXXI

"COMMITTEE PROCEDURE

"1. Each standing committee shall meet at such time as it may prescribe by rule in accordance with provisions of section 133(a) of the Legislative Reorganization Act of 1946, upon the call of the chairman thereof, and at such other time as may be fixed by written notice signed by a majority of the members of the committee and filed with the committee clerk.

"2. The business to be considered at any meeting of a standing committee shall be determined in accordance with its rules. Any measure, motion, or matter within the jurisdiction of the committee which a majority of the members of the committee indicate their desire to consider by votes or by presentation or written notice filed with the committee clerk, shall be considered at such meeting.

"Action for the initiation, conduct, and termination of hearings by a standing committee upon any measure or matter within its jurisdiction shall be determined by majority vote of the members of the committee.

"3. Whenever any measure, motion, or other matter pending before a standing committee has received consideration in executive session or sessions of the committee for a total of not less than five hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum as prescribed by committee rules pursuant to paragarph 3 of Rule XXX is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea-and-nay vote. A motion for the previous question shall be decided by a majority vote of the Senators voting. A previous ques-

tion may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described there in and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter, that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of thirty minutes.

"4. The provisions of paragraph 1 herein, where applicable, and of paragraphs 2 and 3 herein shall be applicable to meetings and procedure thereat at any meeting of any subcommittee of any standing committee.

"RULE XXXII

"INSTRUCTIONS TO REPORT ON MAJOR LEGISLATIVE MATTERS

"1. It shall be in order at any time after the concusion of morning business for any Senator to make a motion to denominate any measure then pending in any committee or subcommittee of the Senate as a 'major legislative matter,' and such motion shall be a privileged matter and subject to immediate consideration, provided that a notice of intention to make such a motion shall have been presented on the previous calendar day on which the Senate was in session, and printed in the Senate Journal.

"2. Debate upon such motion shall be limited to eight hours, the time to be evenly divided between the opponents and proponents of the motion.

"3. Such motion, when agreed to, shall constitute an instruction to the committee to which the measure denominated a 'major legislative matter' has been referred to report such measure to the Senate within 30 calendar days, by poll or otherwise, with the recommendation (a) that it be passed, or (b) that it not be passed, or (c) that it be passed with such amendments as shall be recommended.

"RULE XXXIII

"SESSION WITH CLOSED DOORS

"On motion made and carried by a vote of a majority of Senators present and voting to close the doors of the Senate on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

"RULE XXXIV

"EXECUTIVE SESSIONS

"1. When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of Executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend at the place appointed, with the necessary officers of the Senate.

"2. All business in the Senate shall be transacted in open session, unless the Senate in closed session by a majority vote shall determine that a particular nomination, treaty, or other matter shall be considered in closed executive session, in which case all subsequent proceedings with respect to said nomination, treaty, or other matter shall be kept secret; *Provided*, That the injunction of secrecy as to the whole or any part of proceedings in closed executive session may be removed on motion adopted by a majority vote of the Senate in closed executive session; *Provided, further*, That Rule XXXIII shall apply to open executive session; *And provided further*, That any Senator may make public his vote in closed executive session.

"3. When the Senate is acting in closed executive session, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Sergeant at Arms, the Parliamentarian, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy.

"4. All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret until the Senate shall, by resolution, take off the injunction of secrecy, or unless the same shall be considered in open executive session.

"5. Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate (except for the disclosure by a Senator of his vote in closed executive session) shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate, and to punishment for contempt.

"6. Whenever, by the request of the Senate or any committee thereof, any documents or papers shall be communicated to the Senate by the President or the head of any Department relating to any matter pending in the Senate, the proceedings in regard to which are secret or confidential under the rules, said documents and papers shall be considered as confidential, and shall not be disclosed without leave of the Senate.

"RULE XXXV

"EXECUTIVE SESSIONS—PROCEEDINGS ON TREATIES

"1. When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall be in order except to refer it to a committee, or to consider it in open executive session.

"When a treaty is reported from a committee with or without amendment, it shall, unless the Senate shall otherwise direct, lie one day for consideration; after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, 'Will the Senate concur in the amendments made in Committee of the Whole?' And the amendments may be taken separately or in gross, if no Senator shall object; after which new amendments may be proposed.

"The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless the Senate shall otherwise determine; at which stage no amendment shall be received unless by unanimous consent.

"On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds.

"2. Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted; but all proceedings on treaties shall terminate with the Congress, and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.

"RULE XXXVI

"EXECUTIVE SESSION—PROCEEDINGS ON NOMINATIONS

"1. When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered, be referred to appropriate committees; and the final question on every nomination shall be, 'Will the Senate advise and consent to this nomination?', which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless the Senate, by majority vote, should so direct.

"2. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection on a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion.

"3. Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate.

"4. When the Senate shall adjourn or take a recess for more than thirty days, all motions to reconsider a vote upon a nomination which has been confirmed or rejected by the Senate, which shall be pending at the time of taking such adjournment or recess, shall fail; and the Secretary shall return all such nominations to the President as confirmed or rejected by the Senate, as the case may be.

"5. Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than thirty days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President.

"RULE XXXVII

"THE PRESIDENT FURNISHED WITH COPIES OF RECORDS OF EXECUTIVE SESSIONS

"The President of the United States shall, from time to time, be furnished with an authenticated transcript of the executive records of the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary, except by special order of the Senate; and no paper, except original treaties transmitted to the Senate by the President of the United States, and finally acted upon by the Senate, shall be delivered from the office of the Secretary without an order of the Senate for that purpose.

"RULE XXXVIII

"CONFERENCE COMMITTEES

"1. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee.

"2. The presentation of reports of committees of conference shall always be in order except if a question of order or a motion to adjourn is pending, or which the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

"3. Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained, the report shall be recommitted to the committee of conference.

"4. Every report of a committee of conference shall be accompanied by a detailed statement of the Senate conferees sufficiently explicit to inform the Senate what effect such amendments or propositions as the conference shall have agreed to will have upon the measures to which they relate. The statement shall be in writing and shall be signed by at least a majority of the Senate conferees.

"5. (a) In any case in which a disagreement to an amendment in the nature of a substitute has been referred to conferees, it shall be in order for the conferees to report a substitute on the same subject matter; but they may not include in the report matter not committed to them by either House. They may, however, include in their report in any such case matter which is a germane modification of subjects in disagreement.

"(b) In any case in which the conferees violate subsection (a), the conference report shall be subject to a point of order.

"RULE XXXIX

"MESSAGES; MATTER FROM THE PRESIDENT AND THE HOUSE OF REPRESENTATIVES

"1. Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is dividing, or while a question of order or a motion to adjourn is pending.

"2. Messages shall be sent to the House of Representatives by the Secretary, who shall previously certify the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the President of the United States all resolutions and other communications which may be directed to him by the Senate.

"3. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Represenatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

"RULE XL

"PRINTING OF PAPERS, ETC.

"1. Every motion to print documents, reports, and other matter transmitted by any of the executive departments, or to print memorials, petitions, accompanying documents, or any other paper, except bills of the Senate or House of Representatives, resolutions submitted by a Senator, communications from the legislatures or conventions, lawfully called, of the respective States, and motions to print by order of the standing or select committees of the Senate, shall, unless the Senate shall otherwise order, be referred to the Committee on Rules and Administration. When a motion is made to commit with instructions, it shall be in order to add thereto a motion to print.

"2. Motions to print additional numbers shall also be referred to the Committee on Rules and Administration; and when the committee shall report favorably, the report shall be accompanied by an estimate of the probable cost thereof; and when the cost of printing such additional numbers shall exceed the sum of twelve hundred dollars, the concurrence of the House of Representatives shall be necessary for an order to print the same.

"3. Every bill and joint resoluiton introduced on leave or reported from a committee, and all bills and joint resolutions received from the House of Representatives, and all reports of committees, shall be printed, unless, for the dispatch of the business of the Senate, such printing may be dispensed with.

"4. Whenever a committee reports a bill or a joint resolution repealing or amending any statute or part thereof it shall make a report thereon and shall include in such report or in an accompanying document (to be prepared by the staff of such committee) (a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee. The subsection shall not apply to any such report in which it is stated that, in the opinion of the committee, it is necessary to dispense with the requirements of the subsection to expedite the business of the Senate.

"RULE XLI

"WITHDRAWAL OF PAPERS

"1. No memorial or other paper presented to the Senate, except original treaties finally acted upon, shall be withdrawn from its files except by order of the Senate. But when an act may pass for the settlement of any private claim, the Secretary is authorized to transmit to the officer charged with the settlement the papers on file relating to the claim.

"2. No memorial or other paper upon which an adverse report has been made shall be withdrawn from the files of the Senate unless copies thereof shall be left in the office of the Secretary.

"RULE XLII

"REFERENCE OF CLAIMS CASES AND OF CLAIMS ADVERSELY REPORTED

"1. Whenever a private bill is under consideration, it shall be in order to move, as a substitute for it, a resolution of the Senate referring the case to the Court of Claims, under the provisions of the act approved March 3, 1883, as amended.

"2. Whenever a committee of the Senate, to whom any claim has been referred, reports adversely, and the report is agreed to, it shall not be in order to move to take the papers from the files for the purpose of referring them at a subsequent session, unless the claimant shall present a petition therefor, stating that new evidence has been discovered since the report, and setting forth the substance of such new evidence. But when there has been no adverse report, it shall be the duty of the Secretary to transmit all such papers to the committee in which such claims are pending.

"RULE XLIII

"BUSINESS CONTINUED FROM SESSION TO SESSION

"1. At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place.

"2. The rules of the Senate shall be adopted at the beginning of each Congress on a yea and nay vote, a quorum being present. A majority of the Senators voting and present shall prevail. They may be changed at any time as provided in these rules.

"RULE XLIV

"PRIVILEGE OF THE FLOOR

"No person shall be admitted to the floor of the Senate while in session, except as follows:

"The President of the United States and his private secretary.

"The President elect and Vice President elect of the United States.

"Ex-Presidents and ex-Vice Presidents of the United States.

"Judges of the Supreme Court.

"Ex-Senators and Senators elect.

"The officers and employees of the Senate in the discharge of their official duties.

"Ex-Secretaries and ex-Sergeants at Arms of the Senate.

"Members of the House of Representatives and Members-elect.

"Ex-Speakers of the House of Representatives.

"The Sergeant at Arms of the House and his chief deputy and the Clerk of the House and his deputy.

"Heads of the Executive Departments.

"Ambassadors and Ministers of the United States.

"Governors of States and Territories.

"Members of the Joint Chiefs of Staff.

"Members of National Legislatures of foreign countries.

"Judges of the Court of Claims.

"Commissioners of the District of Columbia.

"The Librarian of Congress and the Assistant Librarian in charge of the Law Library.

"The Architect of the Capitol.

"The Secretary of the Smithsonian Institution.

"Clerks to Senate committees and clerks to Senators when in the actual discharge of their official duties. Clerks to Senators, to be admitted to the floor, must be regularly appointed and borne upon the rolls of the Secretary of the Senate as such.

"RULE XLV

"REGULATION OF THE SENATE WING OF THE CAPITOL

"1. The Senate Chamber shall not be granted for any other purpose than for the use of the Senate; no smoking shall be permitted at any time on the floor of the Senate, or lighted cigars be brought into the Chamber.

"2. It shall be the duty of the Committee on Rules and Administration to make all rules and regulations respecting such parts of the Capitol, its passages and galleries, including the restaurant and the Senate Office Building, as are or may be set apart for the use of the Senate and its officers, to be enforced under the direction of the Presiding Officer. They shall make such regulations respecting the reporters' galleries of the Senate, together with the adjoining rooms and facilities, as will confine their occupancy and use to bona fide reporters for daily newspapers and periodicals, to bona fide reporters of news or press associations requiring telegraph service to their membership, and to bona fide reporters for daily news dissemination through radio, television, wire, wireless, and similar media of transmission. These regulations shall so provide for the use of such space and facilities as fairly to distribute their use to all such media of news dissemination.

"RULE XLVI

"SUSPENSION AND AMENDMENT OF THE RULES

"No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. These rules may be

amended by a majority vote, but a two-thirds vote of the Senators present, a quorum being present, is required for their suspension. Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, Rule XXVII.

"RULE XLVII

"DISCLOSURE OF FINANCIAL INTERESTS

"1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate for that calendar year a written report containing the following information:

"(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusively of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

"(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

"(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

"(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

"(e) The name and address of any professional firm which engages in practice before any department, agency, or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency, or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

"(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

"2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

"3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1968. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

"4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate, and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificate of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

"5. As used in this rule—

"(a) the term 'asset' includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

"(b) the term 'liability' includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly.

"(c) the term 'income' means gross income as defined by section 61 of the Internal Revenue Code of 1954.

"(d) the term 'security' means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

"(e) the term 'commodity' means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

"(f) the term 'dealing in securities or commodities' means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

"(g) the term 'officer or employee of the Senate' means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

"RULE XLVIII

"PROHIBITED ACTIVITIES

"1. No Member of the Senate or any officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination, or transaction with any person, firm, or corporation which is—

"(a) engaged in any lobbying activity;

"(b) engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof; or

"(c) engaged in, or seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

"2. No Member of the Senate or any officer or employee of the Senate may accept—

"(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100; or

"(b) within any calendar year from any such individual, entity, or enterprise such gifts in an aggregate amount or having an aggregate value in excess of $100.

"3. No officer or employee of the Senate may be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation among Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate.

"4. As used in this rule—

"(a) the term 'officer or employee of the Senate' has the meaning given thereto by rule XLVII; and

"(b) the term 'lobbying activity' means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.

"RULE XLIX

"TESTIMONY OF MEMBERS OF THE SENATE BEFORE COMMITTEES

"Whenever any standing, special, or select committee of the Senate or any joint committee of the Congress, which is engaged in any investigation within its jurisdiction, has reason to believe that the testimony of any Member of the Senate may be pertinent to such investigation, such committee, with the approval of a majority of its members (including at least one member of the minority

party), by written communication may request such Member of the Senate to appear before the committee to give testimony concerning the subject matter under investigation. Such Member of the Senate shall appear before such committee in obedience to such request unless within ten days after receipt thereof he delivers to the chairman of such committee a written statement, duly signed by such Member of the Senate, stating that he is without knowledge of the subject matter under investigation.

"RULE L

"OUTSIDE EMPLOYMENT

"1. No officer or employee of the Senate shall engage in any business, financial, or professional activity or employment for compensation or gain unless—

"(a) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"(b) express permission has been granted by the Members of the Senate charged with supervision of such officer or employee by this rule;

Provided, however, That in no event shall any officer or full-time employee of the Senate, without special leave of the Senate—

"(a) serve in any managerial capacity in any business or financial enterprise; or

"(b) engage in any regular professional or consulting practice, or maintain an association with any professional or consulting firm.

"2. For the purposes of this rule—

"(a) each Member of the Senate shall be charged with the supervision of each of his employees;

"(b) each Member of the Senate who is the chairman of a Senate or joint committee or subcommittee shall be charged with the supervision of each employee of such committee or subcommittee;

"(c) the majority leader shall be charged with the supervision of each officer and employee of the majority, and the minority leader shall be charged with the supervision of each officer and employee of the minority;

"(d) the Vice President shall be charged with the supervision of each of his employees; and

"(e) the President pro tempore shall be charged with the supervision of all other officers and employees of the Senate.

"3. As used in this rule, the term 'officer or employee of the Senate' has the meaning given thereto by rule XLVII.

"RULE LI

"The Presiding Officer shall construe these rules so as to give effect to their plain meaning. Precedents and rulings in force prior to the adoption of these rules shall not be binding in the construction of these rules."

The explanatory statement is as follows:

EXHIBIT 1

SIGNIFICANT CHANGES IN COMPREHENSIVE REVISION OF SENATE RULES PROPOSED BY SENATOR JOSEPH S. CLARK

"1. Journal: The Senate Journal is nothing more than a quaint anachronism which is never looked at by anyone and is read only for purposes of delay. Its place has been taken, for practical purposes by the CONGRESSIONAL RECORD. The revision recognizes this fact, and satisfies article I, section 5, clause 3, of the Constitution, which requires each House to keep a journal of its proceedings, by stating that the Senate section of the CONGRESSIONAL RECORD shall be the Senate Journal.

Since the CONGRESSIONAL RECORD is printed and available to Senators each morning following a session, there is no need to have it read aloud, and the right to require that is abolished. Presumably any errors in the CONGRESSIONAL RECORD will be corrected informally, or by unanimous consent, as they are today. But a procedure for correcting mistakes by motion, without debate, is provided for those cases in which unanimous consent cannot be obtained. Under this procedure, the Senator seeking to make the correction, and the Senator objecting to the correction may file written briefs in support of their positions for publication in the CONGRESSIONAL RECORD in advance of the vote.

2. Quorums: The unrestricted right of any Senator to call for a quorum has frequently been the source of great harassment and delay. The revision circumscribes this right by requiring a Senator to declare his intention to call for a vote on the pending business once the presence of a quorum has been ascertained. Only on this condition could an individual Senator suggest the absence of a quorum. However the majority or minority leaders, or in their absence, the acting majority or minority leaders, could call for a quorum at any time. The Presiding Officer would have the duty to halt the quorum call once he ascertains the presence of a quorum in the Chamber.

3. Order of recognition: This provision codifies and elaborates the unwritten rule that the Chair will always give preference in recognition to the majority and minority leaders. In the absence of the leaders, it gives equivalent rights to any Senator designated to act in that capacity and occupying the leader's desk.

4. Germane points of order: The revision seeks to clear up the confusing situation which presently exists with regard to the right to interrupt a Senator who has the floor for the purpose of raising a point of order. It provides that a Senator may be interrupted without his consent for the purpose of raising a point of order that the Senator in possession of the floor has committed a transgression of the rules of the Senate germane to his possession of the floor.

5. Submission of speeches without delivery: Upon request, a Senator would be permitted to have his written remarks printed in the CONGRESSIONAL RECORD in normal size print without the requirement of full oral delivery. However, the RECORD would contain a notation to the effect that the material was submitted but not delivered orally.

6. Three-hour rule: Whenever a Senator has held the floor for more than 3 consecutive hours, an objection to his continued possession of the floor, if made by any Senator, would compel him to yield the floor.

7. Germaneness of debate: The present rule, which provides for a daily 3-hour period of germane debate, would be made more flexible by the adoption of a procedure whereby a majority of the Senate, by nondebatable motion, could require further debate on the pending business to be germane to the subject matter before the Senate until the business was disposed of.

8. Points of order: This new provision would limit debate on questions of order submitted to the Senate, and debatable appeals from rulings of the Chair, to 1 hour, in all, unless the Senate orders otherwise.

9. Morning business: The morning hour rule has been revised extensively to abolish the confusing distinction between morning hour and morning business, and to dispense with the need for unanimous consent to make statements or comments of not more than 3 minutes' duration. There would be a daily period of 1 hour, if that much time should be needed, set aside at the opening of each new legislative day for the conduct of morning business. The Senate, by majority vote without debate, could extend the period for up to 1 additional hour. During this period, under the regular order of business, Senators would have the privilege of making 3-minute statements and could seek unanimous consent to have printed matter inserted in the RECORD.

10. Motions to take up: This revision would provide a means by which a Senator could convert a motion to proceed to the consideration of any measure on the Senate Calendar, which would ordinarily be debatable, into a nondebatable motion. This could be done by filing at the desk of the clerk a notice of intention to make such a motion on the following calendar day on which the Senate is in session. The notice of intention would be printed in the CONGRESSIONAL RECORD.

11. Procedure for bills, joint resolutions and resolutions: This rule has been extensively rewritten both to clarify its operation, and to reduce the potential for disruption of normal legislative procedures by the objection of a single Senator. The provision by which any Senator can prevent a bill from being referred to committee, and have it placed directly on the calendar after second reading, has been eliminated. However, this may be done on motion by a majority of the Senate after 1 hour of debate, equally divided between opponents and proponents. The section permitting any Senator to force a postponement of the introduction of any bill or joint resolution for 1 day has also been eliminated.

12. Ex officio members of appropriation committee: The Senate rules presently provide for the selection of three ex officio members of the Appropriations Committee from each of eight legislative committees. These ex officio members serve on the Appropriations Committee for the limited purpose of considering annual appropriations for programs within the jurisdiction of their particular legislative committee. The revision of this rule adds five more legislative committees to this list, on the ground that they have equally valid claims to participate in appropriations decisions affecting matters within their jurisdiction. These five additional committees are: Commerce, Finance, Interior and Insular Affairs, Judiciary and Labor and Public Welfare.

13. Germaneness of amendments: This provision, which is similar to the present practice of the House of Representatives, incorporates a general prohibition against nongermane amendments. Questions of germaneness are to be decided by the Presiding Officer subject to appeal to the Senate without debate.

14. Previous question: The cumbersome and unwieldy cloture provisions of rule XXII would be deleted by this revision. In their place would be substituted a split-level motion for the previous question, by which a majority of Senators present and voting could terminate debate: (1) on any motion or amendment to a measure pending before the Senate after that motion or amendment has received 15 hours of consideration on not less than 3 calendar days; or (2) on the measure itself, together with any motions or amendments relating to it, after the measure plus all related motions and amendments has received consideration for 15 calendar days.

If the previous question is ordered, 1 hour of debate equally divided between opponents and proponents, would be allowed as to any motion or amendment encompassed by the motion for the previous question, and 4 hours, divided in the same manner, would be allowed on final passage. Unlike the cloture procedure under which Senators may call up for a vote after cloture any germane amendment which has previously been presented and read, this procedure would limit consideration after the previous question had been ordered to amendments embraced by the motion. All other amendments would be deemed rejected.

15. Voting: Two additions have been made to the existing rule, both for the purpose of codifying existing practice: (1) A demand for the yeas and nays, when seconded by 11 Senators, shall be sufficient to require a roll-call vote; and (2) Senators entering the Chamber after their names have been called may obtain recognition from the Presiding

Officer and have their votes recorded prior to the announcement of the vote.

16. Selection and retirement of committee chairmen: Chairmen of standing committees would be chosen by secret ballot of the majority members of the committee at the beginning of each new Congress. In addition, no Senator would be permitted to serve as chairman of a standing committee after he has attained the age of 70.

17. Jurisdiction of committees: The jurisdiction of the Senate Committees on Finance, Banking and Currency, Foreign Relations, Commerce, and Labor and Public Welfare would be shifted to provide a more logical and equitable division of responsibility. In addition, the jurisdiction of the Committee on Rules and Administration would be enlarged in accordance with Senate Resolution 338, to include violations of the rules of the Senate. The Rules Committee would also be given the power to recommend appropriate disciplinary action, including reprimand, censure, suspension or expulsion from office or employment after making findings of fact and conclusions and after according notice and an opportunity for a hearing to any individual concerned.

18. Limit on committee memberships: The present rule which limits Senators to membership on not more than two major and one minor committee contains a grandfather clause making an exception for members of the Government Operations and Aeronautical and Space Sciences Committees. As a result, some Senators serve on as many as four major and one minor committee. This revision would strike the exception, and make up the difference by reducing slightly committee memberships. The Appropriations Committee would be reduced from 27 to 24 members. Of the remaining major committees, 10 would be cut back from 17 to 15 members, and two would be cut back from 15 to 13 members.

19. Committee meetings during Senate sessions: Although standing committees may now sit without special leave during the period while morning business is conducted, a single Senator still has the power to prevent every standing committee and every subcommittee of a standing committee from meeting while the Senate is in session after the close of morning business. The sole purpose of this revision is to implement the intention of the drafters of the Legislative Reorganization Act by stating that a committee may obtain leave to sit while the Senate is in session by a privileged, nondebatable motion.

20. Committee bill of rights: A majority of the members of each standing committee would be authorized, in addition to the procedures now provided in individual committee rules, to convene meetings; to direct the initiation, conduct, and termination of hearings; to call up bills for consideration; and to terminate debate in committee after a measure has received committee consideration in executive session for a total of 5 hours.

21. Instructions to report on major legislative matters: Although it is axiomatic that the committees of the Senate are its creatures and agents, no procedures presently exist by which the Senate can exercise its authority in a fair, orderly, and effective manner.

The rules do presently provide for a motion to discharge a committee from further consideration of a measure. But this motion cannot be used to secure committee consideration of a subject, nor does it provide a device for obtaining a committee's recommendations. Moreover, such a motion can be filibustered, since it is debatable.

This proposal remedies these defects by creating a privileged motion to denominate any measure pending in committee or subcommittee as a "major legislative matter." This motion would be nondebatable, provided that a notice of intention to make such a motion had been presented on the previous calendar day, and printed in the CONGRESSIONAL RECORD.

Debate on the motion would be limited to 8 hours, the time to be divided equally between opponents and proponents. Such motion, if carried by a majority of Senators present and voting, would constitute an instruction to the committee in which the measure was then pending to report it to the Senate within 30 calendar days, by poll or otherwise, with the recommendation (a) that it be passed, or (b) that it not be passed, or (c) that it be passed with amendments, stating the recommended amendments.

22. Selection of conferees and explanatory statement: A majority of the Senate members of a conference committee would have to be chosen from those who indicated by their votes their concurrence with the prevailing view in the Senate on matters in disagreement with the House. Senate conferees would be required to prepare a statement explaining the action of the conference, just as the managers on the part of the House are required to do under the House rules.

23. Adoption of rules for each Congress: The provision continuing the rules of the Senate from one Congress to the next Congress would be deleted, and a majority of Senators present and voting would be empowered to adopt rules at the beginning of each Congress.

24. Disclosure of financial interests: This new rule, which was offered as an amendment in the nature of a substitute to the disclosure resolution favorably reported by the Rules Committee earlier in the year, would require every Senator and every Senate officer or employee compensated at a gross rate in excess of $10,000 per annum, to file a financial report each year. The report would contain the following kinds of information:

a. Assets: The identity and fair market value of any asset having a fair market value of $5,000 or more.

b. Liabilities: The amount of each liability in excess of $5,000, and the name and address of the creditor.

c. Capital gains: Source and amount of all capital gains realized in the preceding calendar year in excess of $5,000.

d. Income: Source and amount of every item of income for the calendar year in excess of $100, including gifts other than gifts from a relative.

e. Assets belonging to a trust; assets, liabilities, capital gains, and income of a spouse; and capital gains earned through a strawman are all covered. Family homes and tax-exempt charitable entities are exempted.

f. Association with a professional firm which practices before Federal Government agencies.

g. Service as director, officer, or manager in a business enterprise.

25. Relations with lobbyists: This is another new rule which was offered as an amendment to the Rules Committee proposals. It prohibits Senators, and Senate officers and employees from engaging in joint ventures with lobbyists, and from accepting gifts worth more than $100 from lobbyists.

26. Testimony of Senators before committees: This new rule, also offered as an amendment to the Rules Committee conflict-of-interest resolution, would grant authority to any duly authorized committee of the Senate to request any Senator to come before it and give any pertinent testimony it has reason to believe he can give on the subject matter under investigation. A Senator receiving such a request would be required to appear and give testimony, unless within 10 days he delivers to the chairman of the committee a signed statement to the effect that he is without knowledge of the subject matter under investigation.

The Rules Committee would have the power to investigate breaches of this rule, and to recommend appropriate disciplinary action, including reprimand, censure, suspension, or expulsion.

27. Moonlighting by Senate employees: This rule was also a part of the omnibus substitute amendment offered to the Rules Committee resolution. It would prohibit officers and full-time employees of the Senate from serving in any managerial capacity in any business or financial enterprise, or engaging in any regular professional or consulting practice, or maintaining an association with any professional or consulting firm without special leave of the Senate. In addition, it would permit moonlighting only if two conditions are met: (1) the activity or employment must not be inconsistent with the conscientious performance of the officer or employee's official duties; and (2) express permission must have been given by the Member of the Senate charged with the supervision of the officer or employee. For the purposes of this rule, each Senator would be responsible for supervising his own staff; chairmen of committees would supervise committee staffs; the majority and minority leaders and the Vice President would supervise their own employees; and the President pro tempore would be charged with the supervision of all other officers and employees of the Senate.

PROPOSALS REQUIRING CONCURRENT ACTION OF BOTH HOUSES

1. Appropriations Committee procedures: House and Senate Appropriations Committees would be authorized to hold joint hearings and half of the appropriations bills each year would originated in each Chamber to expedite congressional business. (S. Con. Res. 28, introduced by Senator CLARK on March 7, 1963, and pending in Rules Committee.)

2. Separate session for appropriations: (S. 2198, introduced by Senator MAGNUSON, and cosponsored by Senators CLARK, NEUBERGER, and HART; pending in Rules Committee.) This bill would divide the annual session of Congress into two parts: a "legislative session" which would begin on January 3 of each year and end not later than the first Monday in November; and a "fiscal session" beginning on the second Monday in November and ending not later than December 31. Under the proposed procedure, Congress would devote the early session to substantive legislation including authorizations. It could then recess for the summer and come back in November to deal with appropriations. The bill also changes the fiscal year to make it correspond with the calendar year, so that all appropriations bills will be enacted before the beginning of the fiscal year to which they pertain.

THE WAR ON POVERTY

Mr. CLARK. Mr. President, recent developments in the House of Representatives with respect to the war on poverty and legislative authorizations, and indeed appropriations, for that most necessary war, have indicated an opinion on the part of some of our colleagues in the House of Representatives that the war on poverty has not been a success; that it is vulnerable in terms of support by the constituents of the Members of the House of Representatives; and that, therefore, a political field day can be had at the expense of the war on poverty by chopping it to pieces, refusing to permit the employees of the Office of Economic Opportunity to receive the pay raise which the House has joyously voted for all other Federal employees, and cutting back, as it did yesterday, the appropriations for the poverty war to a far greater extent than other appropriations—indeed, as I understand it, chopping an

additional $500 million out of those appropriations for the current fiscal year, reducing the appropriations which were eventually passed from a figure of around $1,650,000,000 to $1,200,000,000 or less.

My purpose in raising this question on the floor of the Senate today, before we take up the drastic action of the House of Representatives in the cutting of domestic expenditures at an extraordinary session last night, is to give tongue, if you will, to my view that our friends in the other body vastly underestimate the strong public support, all over the country, for the war on poverty.

If I am right, our colleagues will come to regret the precipitate action taken last night.

VISTA WORKS QUIETLY FOR A BETTER AMERICA

Mr. CLARK. Mr. President, the past summer was not the best of summers for Americans who are happy to serve their country and their fellow men in quiet, unobtrusive ways. The headlines have gone to those who set whole neighborhoods ablaze with incendiary words and incendiary Molotov cocktails. Television has seemed preoccupied with the handful of individuals who denounced their country and preached sedition from Communist havens in Cuba and Hanoi.

But for all their sound and fury they actually do amount to only a handful of demagogs who are already repudiated by the vast majority of Americans of all races, creeds, and national origins.

But while this treacherous handful was ranting and rabble rousing, many Americans this summer were quietly, peacefully and devotedly building better towns and cities, a better Nation. They were, in fact, building a more encompassing and more enduring American brotherhood.

I speak particularly, Mr. President, of the self-sacrificing and self-effacing men and women, and boys and girls, who are the warriors in our country's war on poverty. Their unsung accomplishments are creating a better world for all of us, a world of pervading social and economic justice. Among these antipoverty warriors, I would like to single out today the VISTA—Volunteers in Service to America.

The story of what the VISTA volunteers have done and are doing at Maple Lodge, the former resort home of the world-famous philosopher John Dewey near Pittsburgh, deserves the widest possible audience. And the VISTA young people, themselves, deserve our praise and heartfelt thanks for what they are doing in this instance and other instances.

I ask unanimous consent, Mr. President, to have printed in the RECORD an article in VISTA and the Maple Lodge Camp, which appeared in a recent issue of the Pittsburgh Point, a weekly newspaper, which comments from time to time on matters of importance to the greater Pittsburgh metropolitan area, and is a splendid weekly, always containing perceptive and stimulating articles.

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

MAPLE LODGE CAMP: A SUCCESS STORY

(By Carl Gershman)

Just a little over a month ago a short article appeared in this newspaper describing a place called Maple Lodge. Some VISTA workers in Pittsburgh were trying to get a camp under way there, and a request was made for financial assistance. At the time the project seemed to many people like another good idea that was doomed to falter on the traditional stumbling blocks of insufficient funds and talent. But to the pleasant surprise of everybody, Maple Lodge Camp is now a going concern, complete with children, adults, horses, dogs, a chicken that lays an egg a day, and a sheep named Beeswing.

In days past Maple Lodge was the resort home of the famous American philosopher and educator John Dewey and his wife. Situated on a beautiful 45-acre estate, the lodge was an ideal place where Dewey could study and write. There also the Dewey's entertained some of Western Pennsylvania's most eminent citizens. Since Dewey died, in 1952, the lodge has had only limited use, although its history is remembered with pride by the residents of the small neighboring town of Slickville, who still talk of the beautiful flowers and the "fine people."

About two years ago Mrs. Dewey offered to lease Maple Lodge for a dollar a year to the Mayor's Committee on Human Resources. It was her understanding that the Mayor's Committee, the administrative body of the poverty program in Pittsburgh, would both pay the $1300 annual insurance fee for the property and develop a program that would enable some of the city's less privileged children to take advantage of her former home. In 1965 The Mayor's Committee was able to satisfy the first criterion with a federal grant, but somehow it never accomplished the more demanding task of developing a program. With the 1966 cutback in federal funds, the grant for the insurance was lost; and as the lodge had not been used in the past, it was decided not to raise the money privately but to give up the property.

In February of this year, some two months before the lease was to run out, a VISTA from Homewood-Brushton took a group of ten children out to the estate. That Saturday was one of the coldest days of the year, but the children didn't seem to mind. According to the kids, the Dewey property was one of the "baddest" places they had ever been to, and they were all for coming back again on the following Saturday.

Each Saturday new VISTAs organized car pools to make the 30-mile trek out to Maple Lodge. As the weather got warmer, the kids started playing in the small creek that runs by the house. One VISTA even brought two large families out, and it is still uncertain whether or not the parents enjoyed the outing more than the kids. The Dewey property was never referred to as such back in the neighborhoods. Some called it "the farm," others "East Pittsburgh," but to most it was simply "the country," and soon the VISTAs were not able to satisfy all the requests to go there.

When the VISTAs learned of the Mayor's Committee's decision to give up the property, they were surprised as well as disappointed. Many parents and children suggested that the $1300 needed to keep the property be raised through car-washes and bake-sales. One thing was clear to everybody—that under no circumstances should the property be lost.

In April several of the VISTAs got together to draw up a proposal for the use of the property, with the objective that if presented to the Board of Directors of the Mayor's Committee, they would not simply change their vote but also assist in raising the funds. The proposal outlined an eight-week-VISTA-supervised summer camp for children—one week for each of the eight poverty neighborhoods—as well as weekends devoted to leadership seminars for teenagers, classes for un-wed mothers, and short vacations for the elderly. When it was presented to the Board there was some grumbling about alleged VISTA immorality in New Mexico, and lack of proper supervision, but in the end the Board gave its unanimous approval for the idea, on the understanding that the VISTAs would raise the money.

Things started slowly, as it was hoped the money might be coming from a local foundation. When no money did come, a candy-sale was organized in which the children and the VISTAs, with the help of some friends from the middle-class neighborhoods, raised $1000. Mrs. Dewey sent a contribution of $450, and a group of junior high school kids from Squirrel hill netted another $100 with a picnic. The Point article also brought in some money, and soon the whole project was underway.

Chuck Koloms, chairman of the VISTA Council, contacted Jean Vondracek, who has had considerable experience with camps as well as with the Summerhill School. After seeing the estate she volunteered to run the camp, while Koloms was to take care of all matters concerning money, transportation, and enrollment. Much fixing up was needed at the property, and during the month of June an enormous amount of labor was devoted to that purpose. The grass was cut, the garage was transformed into an arts and crafts center, and the main house was thoroughly cleaned, as were the creek and the fields, to make certain that there were no dangerous objects lying about. Virgil Walters, a neighboring farmer who said he's for "any place for kids to play," brought his tractor down and cut the grass on the fields that for years had been left untouched. On one Saturday, through Bob Pease of the Urban Redevelopment Authority, 15 teenagers from the URA came out to help. Pease also arranged for Richard Mellon to donate a tractor.

While all this was going on the Mayor's Committee submitted a request to Washington for OEO summer funds and for government surplus food. The camp was to begin on July 3, and it was not until June 30 that the money came in from Washington—not $5000, as requested, but $7000. This was in addition to some money that the Mayor's Committee had already allotted the project. And so the camp did begin as planned, as 12 girls from Homewood-Brushton, aged 11–14, accompanied by two VISTAs, arrived at Maple Lodge on the morning of July 3.

Judy Nelson and Linnea Hendrickson, the two VISTAs, realized that to adhere rigidly to program they had planned would be phony. The activities were determined by the children after they had felt out the place and adjusted to its mood of freedom and peacefulness. At any time during the day some children would be painting or making candles at the arts and crafts center, others might be catching minnows down at the creek or fooling around in the water, and still others might be riding horses or playing with Beeswing. If somebody wanted to do nothing that was all right also.

Everything is very personal at Maple Lodge. The number of children is small (Mrs. Vondracek's four children stay there in addition to the kids brought by the VISTAs), and they know each other, as well as the VISTAs, before coming. The experience is one of individuals living in community. Mrs. Vondracek described this as letting "each one do as he pleases" without ever violating the rights of others. For example, the first night some children wanted to listen to the radio while others wanted to sleep. The solution was simply to play the radio quietly. Acting as the devil's advocate, I asked Mrs. Vondracek:

if the group decided to do a certain thing and one person did not care to participate, would not this be a case of lack of adjustment? She replied, "Adjustment to what?"

It would be wrong to imply that anarchy reigns at Maple Lodge. The children asked that they be trusted with responsibility and not merely be ordered to do things as they are at home and at school. The trust was given and they were remarkably responsible. They abided by all the health and safety rules and imposed discipline on themselves. The work required of them was divided into four chores which were assigned on a rotating basis to four groups of four children each. As the kids regarded Maple Lodge as their own home as well as somebody else's, they were very thorough in doing their chores. One girl called the place "a home away from home."

The group activities that were planned were attended by everybody. There were cook-outs, movies, and story-telling. One night Becky Coker, a detached youth-worker from the Y on the Northside, came out to show a film on human reproduction. A box for write-in questions was set aside so that the children could ask impersonally about things they might otherwise have been embarrassed to mention. There was little giggling during the discussion after the film. On the contrary, the children participated in a mature discussion of a very serious subject. One girl wrote in, "I have no question but thank you for taking the trouble to come out and speak to us."

There are many things planned for Maple Lodge. The camp is still only in experimental stages, but as its founders are learning, there is joy in discovery. One still pressing need is someone to help with the cooking so that some of the pressure can be taken off Mrs Vondracek. (If anyone is interested in giving this assistance, contact Curt Roemele at the Mayor's Committee, 261–5191.) On the last weekend in July there will be a teenage leadership workshop. About 20 teenagers will come out for a weekend of seminars with community leaders from Pittsburgh on such subjects as "The New Face of Politics in America," "Civil Rights and the Law," and "Careers." Hopefully these workshops can become a regular program.

It is, of course, still too early to assess the success of Maple Lodge Camp in terms of its effect on the children or as an experiment in communal living. Judging by the quiet satisfaction of those who have worked to make it a reality, as well as by the sometimes not-so-quiet reaction of the children who have attended it, it would seem that the prospects for success are considerable. All of the children at the camp come from poverty areas, many from Pittsburgh's crowded ghettoes. Out at the camp, however, the burden of poverty and distinction of race seem irrelevant. They are forgotten, if only temporarily, in the solitude of the surroundings and in the uncompromised individuality of community life. It's a safe bet that if John Dewey were alive, he would approve of the use being given his former home.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, 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 House to the bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

The message also announced that the House had passed the bill (S. 2310) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol Buildings and the U.S. Capitol Grounds, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

PRESERVATION OF SAFETY WITHIN THE U.S. CAPITOL BUILDINGS AND GROUNDS

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2310.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2310) to provide more effectively for the regulation of the use of, and for the preservation of safety and order within, the U.S. Capitol buildings and the U.S. Capitol Grounds, and for other purposes, which was to strike out all after the enacting clause and insert:

That (a) the first section of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a; D.C. Code 9–118), is amended by—

(1) inserting therein, immediately after the words "book 127, page 8,", the words "including all additions added thereto by law subsequent to June 25, 1946,"; and

(2) striking out the words "as defined on the aforementioned map".

(b) Section 6 of that Act (40 U.S.C. 193f; D.C. Code 9–123) is amended to read as follows:

"SEC. 6. (a) It shall be unlawful for any person or group of persons—

"(1) Except as authorized by regulations which shall be promulgated by the Capitol Police Board:

"(A) to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or

"(B) to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(C) to transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device; or

"(2) Knowingly, with force and violence, to enter or to remain upon the floor of either House of the Congress.

"(b) It shall be unlawful for any person or group of persons willfully and knowingly—

"(1) to enter or to remain upon the floor of either House of the Congress, to enter or to remain in any cloakroom or lobby adjacent to such floor, or to enter or to remain in the Rayburn Room of the House or the Marble Room of the Senate, unless such person is authorized, pursuant to rules adopted by that House or pursuant to authorization given by that House, to enter or to remain upon such floor or in such cloakroom, lobby, or room;

"(2) to enter or to remain in the gallery of either House of the Congress in violation of rules governing admission to such gallery adopted by that House or pursuant to authorization given by that House;

"(3) to enter or to remain in any room within any of the Capitol Buildings set aside or designated for the use of either House of the Congress or any Member, committee, subcommittee, officer, or employee of the Congress or either House thereof with intent to disrupt the orderly conduct of official business;

"(4) to utter loud, threatening, or abusive language, or to engage in any disorderly or disruptive conduct, at any place upon the United States Capitol Grounds or within any of the Capitol Buildings with intent to impede, disrupt, or disturb the orderly conduct of any session of the Congress or either House thereof, or the orderly conduct within any such building of any hearing before, or any deliberations of, any committee or subcommittee of the Congress or either House thereof;

"(5) to obstruct, or to impede passage through or within, the United States Capitol Grounds or any of the Capitol Buildings;

"(6) to engage in any act of physical violence upon the United States Capitol Grounds or within any of the Capitol Buildings; or

"(7) to parade, demonstrate, or picket within any of the Capitol Buildings.

"(c) Nothing contained in this section shall forbid any act of any Member of the Congress, or any employee of a Member of the Congress, any officer or employee of the Congress or any committee or subcommittee thereof, or any officer or employee of either House of the Congress or any committee or subcommittee thereof, which is performed in the lawful discharge of his official duties."

(c) Section 8 of that Act (40 U.S.C. 193h; D.C. Code 9–125) is amended to read as follows:

"SEC. 8. (a) Any violation of section 6(a) of this Act, and any attempt to commit any such violation, shall be a felony punishable by a fine not exceeding $5,000, or imprisonment not exceeding five years, or both.

"(b) Any violation of sections 2, 3, 4, 5, 6(b), or 7 of this Act, and any attempt to commit any such violation, shall be a misdemeanor punishable by a fine not exceeding $500, or imprisonment not exceeding six months, or both.

"(c) Violations of this Act, including attempts or conspiracies to commit such violations, shall be prosecuted by the United States attorney or his assistants in the name of the United States. None of the general laws of the United States and none of the laws of the District of Columbia shall be superseded by any provision of this Act. Where the conduct violating this Act also violates the general laws of the United States or the laws of the District of Columbia, both violations may be joined in a single prosecution. Prosecution for any violation of section 6(a) or for conduct which constitutes a felony under the general laws of the United States or the laws of the District of Columbia shall be in the United States District Court for the District of Columbia. All other prosecutions for violations of the Act may be in the District of Columbia Court of General Sessions. Whenever any person is convicted of a violation of this Act and of the general laws of the United States or the laws of the District of Columbia, in a prosecution under this subsection, the penalty which may be imposed for such violation is the highest penalty authorized by any of the laws for

violation of which the defendant is convicted."

(d) Section 16(a) of that Act (40 U.S.C. 193m; D.C. Code 9–132) is amended to read as follows:

"SEC. 16. (a) As used in this Act—

"(1) The term 'Capitol Buildings' means the United States Capitol, the Senate and House Office Buildings and garages, the Capitol power plant, all subways and enclosed passages connecting two or more of such structures, and the real property underlying and enclosed by any such structure.

"(2) The term 'firearm' shall have the same meaning as when used in section 1(3) of the Federal Firearms Act (52 Stat. 1252, as amended; 15 U.S.C. 901(3)).

"(3) The term 'dangerous weapon' includes all articles enumerated in section 14(a) of the Act of July 8, 1932 (47 Stat. 654, as amended; D.C. Code 22–3214(a)) and also any device designed to expel or hurl a projectile capable of causing injury to persons or property, daggers, dirks, stilettoes, and knives having blades over three inches in length.

"(4) The term 'explosive' shall have the same meaning as when used in section 1(1) of the Act of October 6, 1917 (40 Stat 385, as amended; 50 U.S.C. 121).

"(5) The term 'act of physical violence' means any act involving (1) an assault or any other infliction or threat of infliction of death or bodily harm upon any individual, or (2) damage to or destruction of any real property or personal property."

SEC. 2. Section 15 of the Act of July 29, 1892 (27 Stat. 325; 40 U.S.C. 101; D.C. Code 4–120, 22–3111), is amended by deleting "shall, upon conviction thereof, be fined not more than $50.", and inserting in lieu thereof: "shall be fined not more than $500, or imprisoned not more than six months, or both."

SEC. 3. Prosecutions for violations of the Act of July 31, 1946 (60 Stat. 718; 40 U.S.C. 193a et seq., D.C. Code 9–118 et seq.) and of section 15 of the Act of July 29, 1892 (27 Stat. 325; D.C. Code 4–120, 22–3111), occurring prior to the enactment of these amendments shall not be affected by these amendments or abated by reason thereof. The provisions of this Act shall be applicable to violations occurring after its enactment.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p.m.) the Senate adjourned until tomorrow, Friday, October 20, 1967, at 12 noon.

NOMINATION

Executive nomination received by the Senate October 19, 1967:

U.S. ATTORNEY

K. Edwin Applegate, of Indiana, to be U.S. attorney for the southern district of Indiana for the term of 4 years, vice Richard P. Stein, resigned.

CONFIRMATION

Executive nomination confirmed by the Senate October 19, 1967:

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Jerre S. Williams, of Texas, to be Chairman of the Administrative Conference of the United States for a term of 5 years.

EXTENSIONS OF REMARKS

Our Friend Sam Davenport

EXTENSION OF REMARKS

OF

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. DORN. Mr. Speaker, though Sam Davenport is no longer officially associated with the Congress, we often think of him and his splendid service to the membership. Most of us perhaps will always remember Sam as connected with the Office of the Coordinator of Information. We know how faithful and dedicated he was to duty. While here he answered thousands of our questions and inquiries annually. He often answered the phone himself and would often bring a reply in person so as to explain more fully.

He was devoted to the House as a great American institution. He loved the House and respected it as the most direct representation the people have in our democracy. Sam Davenport was well aware that a Congressman not only had to legislate, but he has to perform tasks for his individual constituents. He realized that a Congressman was no more effective than his political strength back home.

While serving us here Sam was courteous, sympathetic, and kind. He is a true gentleman.

I first knew Sam not as one to provide the answer to our difficult questions, but as an unofficial member of the House Christian Breakfast Group. In the old 80th Congress Sam was there every Thursday morning and this is where I first learned to know, respect, and admire him. He is a Christian soldier who fervently believes that Christianity is the answer to our complex modern-day problems. He is truly one of the finest men it has ever been my privilege to know.

While Sam is no longer officially associated with the Congress, he will continue to be of service to his country and to his fellow man.

Mrs. Dorn and my staff join with me in wishing for Sam and his family the very best always.

Gen. Casimir Pulaski

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. BRASCO. Mr. Speaker, 188 years ago, the cause of freedom lost an outstanding general in Casimir Pulaski.

After a courageous, but unsuccessful struggle against Russian control of his own beloved Poland, this great Polish patriot learned of the American Revolutionary War, and immediately volunteered his services in our fight for independence.

The dedication with which he performed his self-imposed duty to defend our right to freedom and democracy inspired troops at Brandywine, Germantown, Valley Forge, and finally at Savannah, where he gave his life for the most important cause in the world—freedom.

For his courage, his dedication, and his adherence to principle against all odds, America shall never forget General Pulaski, nor the significant contribution he made toward our struggle for democracy.

Treatment of Prisoners of War in North Vietnam

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. RIVERS. Mr. Speaker, recent releases of news concerning American military personnel held captive in North Vietnam starkly point out some facts which should be spread before the American public and the peoples of the entire world.

The conditions under which our young men exist as prisoners appear to be adequate by North Vietnamese standards and on that basis Hanoi claims that it is giving the prisoners humane treatment.

Humane treatment covers more than getting barely enough to eat and having a leaky roof over one's head. These men have families and they are naturally concerned for their families' welfare.

Hanoi has consistently refused to announce the names of the prisoners it is holding. Out of the more than 200 American prisoners the Department of Defense

believes to be held in North Vietnam, Hanoi has released the identity of less than 100. By no stretch of the imagination can this be called humane treatment.

Some of the correspondents who have visited North Vietnam have been told that the prisoners are free to write to their families. This is a gross misstatement. I am informed that less than 75 prisoners have been permitted to send letters and post cards to their families, and these only very infrequently.

It is certainly not a very humane captor who will keep from the families of the prisoners knowledge of their fate and condition, especially since this knowledge can have no conceivable effect on the course of the fighting.

Those who oppose the U.S. presence in Vietnam and who are apologists for Hanoi should ponder whether their support of and sympathy for the North Vietnamese position is really merited in view of this kind of treatment being meted out to those of our men who have fallen into the hands of these Communist sadists.

FMC Corp. Contributes Another Advance for Our Military Forces

EXTENSION OF REMARKS

OF

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. GUBSER. Mr. Speaker, as a member of the Armed Services Committee, I am especially interested in new developments of equipment and materiel to be used by the Armed Forces of the United States. I am pleased to say that a firm in my district, the Ordnance Division of FMC Corp., has earned the reputation for producing tracked vehicles which have constantly improved in efficiency and which have been produced at lower proportionate costs to the Department of Defense.

A ceremony is being held today in San Jose, Calif., commemorating acceptance of the first prototype of a new assault amphibian for the Marine Corps. This new tracked vehicle is designated LVTPX-12. Designed to be launched from offshore ships, it travels through rough seas and plunging surf, and continues over-the-beach and inland, carrying 25 combat-ready troops or 10,000 pounds of cargo, at speeds in excess of 8 miles per hour on water and 40 miles per hour on land.

The amphibian is the result of coordinated effort by the Marine Corps, the Naval Ship Systems Command, and FMC Corp., to develop a family of landing vehicles to replace the current LVTP5 family of amphibians developed during the early 1950's.

Acceptance of the initial prototype marks a major milestone in the development program. This prototype is the first of 15 being built for testing and evaluation in order to demonstrate the ability of the design to meet the stringent requirements of the Marine Corps in all extremes of climate, terrain, and operational service.

The FMC Corp. of San Jose, Calif., was awarded the development contract, on the basis of competitive bidding, by the Naval Ship Systems Command.

Water jet propulsion is a new feature in the LVTPX-12. Tests show an impressive improvement in water speed and maneuverability. Tests to date indicate the LVTPX-12 will have the reliability and low maintenance requirements so essential in combat and will have the lowest operational cost of any vehicle for its size and weight.

FMC has extensive experience in the military amphibian field. The Marine Corps first landing vehicle was developed by FMC in 1941. This was followed by a construction program in which the company built over 11,000 LVT's in several different models during World War II. Since then, FMC has made many significant contributions which have provided effective, low-cost military vehicles for our Armed Forces.

The M-113 vehicle family used so extensively by the U.S. Army in Vietnam was developed and is being produced by FMC at a cost lower than any previous personnel carrier. Deadline time on the M-113 in Vietnam has proven to be lower than any other wheeled or tracked vehicle being used in that war.

If past experience is repeated we have reason to hope that the LVTPX-12 will soon be furnishing the same low cost service to the Marine Corps that is now provided by the M-113 family of vehicles.

The engineers, executives, and all personnel of FMC are to be congratulated for providing the Nation's fighting forces with another significant step forward.

Bernard Marson: A Brilliant Architect

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. BRASCO. Mr. Speaker, our Nation is undergoing a major transformation as block after block of new construction—new buildings of all types rise to provide a far better environment for all of our people.

This reshaping of our urban areas is a vital part of the lives of each and every one of us. If the city planning is done intelligently and with imagination, we can all point to far better lives.

One of the young architects who is certainly making a striking impression in this field is Bernard Marson. A brilliant designer with great imagination, Mr. Marson has designed industrial, residential, commercial, and medical buildings.

He has the courage of his convictions; namely, that architects have a major responsibility to society. They must not only plan structures that are economically feasible and practical, but must strive to improve the esthetics of the community. They must plan with vision and with a sense of creation. They must attempt to bring beauty into the lives of the community, while not losing the essential functional aspect of their structure.

Mr. Marson, whose work has been singled out repeatedly by the New York Times, is typical of the young, capable architects who our Nation must encourage. For in their hands rests much of the future of our country and its growth.

Pulaski: The American Freedom Fighter

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. PHILBIN. Mr. Speaker, I am honored to join in hailing the 188th anniversary of the passing of the great Polish leader and patriot, Casimir Pulaski, who gave his life for this country in our early battle for independence and freedom.

This great fighter for personal liberty was born in Poland in the year 1748. At a very early age, under the leadership of his father, he fought in the Polish uprising against Russian control of his own country after the partition had been decreed by Germany, Russia, and Austria.

Fighting against organized tyranny at great odds, Pulaski and his noble compatriots were defeated and crushed by the Russians but this misfortune did not dim his resolution to fight for human freedom.

His father and brother had been lost in the battle for Poland but Pulaski was resolute. Visiting the great Benjamin Franklin in Paris and learning of the urgent need for trained leaders and soldiers in the American Revolutionary War, this great lover of freedom traveled to the United States and contacted General Washington and immediately took up the fight for American independence.

He fought gallantly in the Battle of Brandywine, was commissioned a brigadier general by Congress and given command of the entire American cavalry.

For 2 years this intrepid Polish hero and freedom fighter furnished superb leadership to the cavalry and struggled and fought gallantly against the enemy.

Finally, during the siege of Savannah, he was seriously wounded and within a few days he died, a martyr for the cause of freedom, while still in the bloom of youth at the age of 31.

He was hailed by all the leaders of the American Revolution who regarded him truly as one of their own and throughout the years he was paid high tributes of gratitude, honor and affection, by the American Government and people.

Hailed and saluted as a hero who gave his life for his country, many memorials and monuments were constructed throughout the Nation in his honor and his name is inscribed in the rolls of the martyred dead who gave up their lives

in the bloody struggle to institute American liberty, human rights and freedom, under God, in this country.

It is a curious irony that the homeland of the great Pulaski is still crushed and held in the iron grip of tyranny and oppression against which he struggled in his early years.

After all these years, gallant Poland and its noble people have been in the vanguard of almost every struggle for freedom, yet they are still unliberated and held in bondage by Russian imperialist oppressors.

Even now, during our bitter struggles in Vietnam, Russian imperialism is giving comfort and aid to the aggressive designs and activities of Communist governments that are opposing the liberation of oppressed peoples in Asia.

The Communists profess peace but give it only lipservice. If they would stop sending Mig aircraft, large guns of all kinds, and even missile systems of various kinds and military materiel, supplies, and equipment of almost every kind in support of the North Vietnamese, the present conflict could not be carried on for 2 weeks and would collapse of its own weight.

Let there be no misunderstanding on the part of the American people or anyone else that it is only because of the support of Russia that this bloody war is being continued and I hope and pray that the Russian Government will accede to the pleas of this Nation and all humanity for peace, based on collective security in the world.

The great Pulaski will always be gratefully remembered by the American people of every generation. His spirit still lives and always will live because it is the spirit of freedom and dignity of man, the spirit breathed into the soul of every human being when he or she comes into this world, implanted in the breast not only of Americans but of all peoples, the spirit that does not recognize the oppression and exploitation of others, the spirit that seeks freedom and justice for all.

This was the spirit of Casimir Pulaski who gave his life for American independence and freedom for all.

As we again turn our thoughts with gratitude and deep appreciation to recollections of this great Polish hero's supreme sacrifice for this Nation and for freedom, let us resolve that his sacrifice and that of so many millions of boys throughout the world who died to defend and to enthrone freedom for all, shall not be in vain.

As we honor the great Pulaski, let us renew our determination to hold firm to the ideals and truths for which he gave his life, to preserve our own freedoms and to help other nations to preserve theirs and to stand resolutely with those who seek liberation for them and peace in the world in the name of Pulaski and let us all be reinspired by Pulaski's supreme sacrifice for our country to continue to hold out the hand of encouragement and assistance to his homeland of Poland that the time may come and not be too far distant, when this great nation may be freed from servitude and bondage and take its place once again in the ranks of the free independent nations of the earth.

Columbus Day

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 19, 1967

Mr. BRASCO. Mr. Speaker, 475 years have passed since the prosperous "land of opportunity" we now inhabit was discovered.

The courage and gallantry of the young man who made this discovery have been recorded in history books for centuries, but we, as a Nation, have yet to pay tribute befitting the magnitude of Christopher Columbus' accomplishment.

As Americans, we can boast of wealth, strength, and freedom, and for the pride with which we cherish America, Columbus is one to whom we owe a national debt of gratitude. This, in my opinion, can best be expressed by declaring October 12 a national holiday.

SENATE

FRIDAY, OCTOBER 20, 1967

The Senate met at 12 noon, and was called to order by Hon. ROBERT C. BYRD, a Senator from the State of West Virginia.

Rev. Tally Hanna, pastor, Oak Hill Methodist Church, Oak Hill, W. Va., offered the following prayer:

Eternal God in Whom we live, and on Whom our hopes are built, we turn to Thee before acting upon the business of this day asking not for an easy time or an easy way out. We know that the good things of life are only won by hard work and cooperation.

Help us, Father, to love one another and when our minds clash against each other in opposition, grant us the wisdom of disagreeing without getting mad. Help us to realize that he that is slow to anger is better than the mighty and he that ruleth his spirit is better than he that taketh a city. Keep us calm and our minds open to Thy ways. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 20, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ROBERT C. BYRD, a Senator from the State of West Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. BYRD of West Virginia thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, October 19, 1967, be dispensed with.

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

ORDER FOR RECOGNITION OF SENATOR BENNETT ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday next, at the conclusion of the transaction of morning business, the distinguished senior Senator from Utah [Mr. BENNETT] be recognized for up to 45 minutes.

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

U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

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

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

NOMINATIONS PLACED ON THE SECRETARY'S DESK—ARMY, NAVY, AND MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Army, Navy, and Marine Corps, which had been placed on the Secretary's desk.

The ACTING PRESIDENT pro tempore. Without objection, the nomina-