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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, NOVEMBER 22, 1967

(Legislative day of Tuesday, November 21, 1967)

The Senate met at 10 a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. John E. Huss, minister, Charleston Heights Baptist Church, Charleston, S.C., offered the following prayer:

Our Father in Heaven, we have reason to express profound gratitude to Thee every day of our lives. Whenever we think, there is a desire to thank. During this 1967 Thanksgiving season we wish to express special gratitude. May our thanks be as fervent for mercies received, as our petitions for blessings we seek.

Help us to exalt Thee as did the Psalmist who burst into praise and was constrained to say: "O Lord, our Lord, how excellent is Thy name in all the earth."

We are thankful for America, a nation born in revolution and now engaged in an agonizing struggle to guarantee freedom and prevent the enslavement of a people on the other side of the world. Father, console and comfort those whose minds are filled with precious memories of those who have given their lives for our country.

We pray for the President of these United States and for all the men and women who share the burden of responsibility in high office. Bestow upon this leadership divine guidance in the decisions they constantly make. Give to them a strength equal to the task. Provide for them relaxation that renews. Inspire their thinking so that a trail may be blazed to bring a just and honorable peace that will end the dilemma in Vietnam.

With love for Thee and loyalty to our country we humbly offer this petition in the name of Jesus Christ.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, November 21, 1967, be approved.

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

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, and that statements therein be limited to 3 minutes.

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that in the minute preceding the vote on the pending business at 11 a.m., the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] be recognized to propound questions concerning the schedule for the remainder of the day and next week.

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

EXECUTIVE SESSION

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

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

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The legislative clerk read the nomination of Arthur Christopher, Jr., of the District of Columbia, to be associate judge of the District of Columbia court of general sessions.

The PRESIDING OFFICER (Mr. FANNIN in the chair). Without objection, the nomination is considered and confirmed.

DISTRICT OF COLUMBIA LAND AGENCY

The legislative clerk read the nomination of Alfred P. Love to be a member of the District of Columbia Redevelopment Land Agency.

The PRESIDING OFFICER. 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 these nominations.

The PRESIDING OFFICER. 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.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 779 and 780.

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

LIMITATIONS UPON ATTORNEYS' FEES BEFORE U.S. ADMINISTRATIVE AGENCY PROCEEDINGS

The bill (S. 1073) to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the United States, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1073

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) to the extent that any provision of law heretofore enacted or any rule or regulation heretofore adopted by any administrative agency (1) imposes upon any attorneys' fees any limitation to a prescribed amount or to a prescribed maximum percentage of any award made in any administrative proceeding, or (2) authorizes an agency in its discretion to determine attorneys' fees or to approve attorneys' fees charged for the rendition of such services in any administrative proceeding; or (3) imposes any penalty or sanction upon any attorney who charges, contracts for, or receives any fee in excess of any such limitation for the rendition of services in connection with any administrative proceedings, such provision of law, rule, or regulation shall have no force or effect after the effective date of this Act.

(b) In any proceedings heretofore subject to any provision of law or rule or regulation referred to in (a) above, an administrative agency may hereafter provide, by published rule or regulation, than an attorney shall, at the conclusion of such proceedings, file with the agency the amount of fee charged in connection with his services rendered in such proceedings.

(c) After the fee information is filed by an attorney under (b) above, an agency may determine, in accordance with such published rules or regulations as it may provide, that such fee charged is excessive. If, after notice to the attorney of this determination, the agency and the attorney fail to agree upon a fee, the agency may, within ninety days after receipt of the information required by (b) above, petition the United States district court in the district in which the attorney maintains an office, and the court shall determine a reasonable fee for the services rendered by the attorney.

(d) As used in this Act—

(1) The term "administrative agency" means any executive department or any agency or instrumentality thereof, any independent administration, board, or commission of the Government, and any wholly owned Government corporation.

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(2) The term "administrative proceeding" means any application made to, and any formal or informal proceeding, conference, or meeting conducted by, any administrative agency or any officer or employee thereof for or in connection with the submission, consideration, determination, adjudication, or review of any claim against the United States or any demand or request for any monetary or other benefit or privilege under any statute of the United States.

SEC. 2. This Act shall take effect on the first day of the third month beginning after the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 795), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

This bill was first introduced by Senator McClellan, of Arkansas, on March 15, 1965 (S. 1522) for the purpose of removing arbitrary limitations which are now placed upon attorneys' fees for services rendered before certain administrative agencies of the United States. In a statement on behalf of his bill, Senator McClellan said:

"I introduced this bill (S. 1522) to correct what I consider to be inequities in the allowance of attorneys' fees in proceedings before certain administrative agencies. Many of the existing limitations * * * are a direct outgrowth of the depression years. The maximum amount now allowable reflects the general attitude of that time."

Senator McClellan's bill as amended, passed the Senate on June 13, 1966. (See S. Rept. 1233, 89th Cong., second sess.) In the 90th Congress, on February 26, 1967, Senator McClellan reintroduced his bill (S. 1073) in the identical form as had previously passed the Senate. The bill would repeal all existing statutory and agency limitations on attorneys' fees. It would permit attorneys to enter into fee contracts with their client, subject only to subsequent review by an administrative agency of the United States to determine if the fee charged is excessive.

LEGISLATIVE HISTORY

The general rule followed by American courts is that attorneys' fees "are not ordinarily recoverable in the absence of a statute or enforceable contract providing therefor" (*Arcambel* v. *Wiseman*, 3 Dall. 306 (1796); *Fleischmann Distilling Corporation* v. *Maier Brewing Co.*, 386 U.S. 714 (1967)).

There are today many statutes and agency rules and regulations which now impose limitations on attorneys' fees charged clients for services rendered in connection with administrative proceedings. (See p. 6 for list compiled by the American Bar Foundation.) These limitations can be grouped into three general types:

(1) Fixed dollar limitations—such as a $10 fee for handling certain Veterans' Administration cases;

(2) Fixed percentage limitations—such as the 10-percent limitation for handling claims before the Foreign Claims Settlement Commission; and

(3) Administrative discretion limitations—such as exercised by the Social Security Administration.

The origin of these statutory fee limitations is rooted in the desire of the Congress to protect individual members of the public from unconscionable representatives or agents, whether lawyers or not, and to insure that particular funds made available for special legislative purposes, such as veterans' benefits, social security, or restitution to Indians, are directed toward those purposes with absolute minimum diversion on account of claims of lawyers, agents, or other representatives. Furthermore, the Congress was interested in discouraging champerty. According to Justice Brandeis, "Congress has sought both to prevent the stirring up of unjust claims against the Government and to reduce the temptation to adopt improper methods of prosecution which contracts for large fees contingent upon success have sometimes been supposed to encourage." (*Calhoun* v. *Massie*, 253 U.S. 170, at 173–174, 1920. The Court in this case, and in a series of such cases, held these fee limitation clauses constitutional. It was the opinion of the Court that the Congress has power to attach conditions to the pensions it chooses to award, and thus lawyers were not deprived of due process of law.)

Thus, when Congress enacted a new pension bill early in the Civil War, it included a $5 fee limitation for presentation of a claim. The rationalization for this limitation was on grounds of the rapacity of attorneys and agents, the naivete of the average pensioner, and the simplicity of the administrative procedure involved. Two years later, in 1864, this fee cause was repealed in favor of a provision allowing a maximum fee of $10 for all services rendered in securing a pension.

The legislative history of the various fee limitations which S. 1073 would remove is significant only by the almost total absence of attention given to the problem in congressional hearings and reports. No doubt, many fee limitation clauses were added as an ad hoc response to evils, or imagined evils, which may not necessarily have existed in the bulk of cases to which the clauses apply. The committee is of the opinion that, in too many instances, the fee rider has been automatically added without debate in Congress and with little, if any, protest from the bar.

Hearings on S. 1522 were held on February 28, 1966, before the Subcommittee on Administrative Practice and Procedure. One dominant theme raised by representatives of the bar was that the existing system of arbitrary limitations on attorneys' fees not only is a breach of normal attorney-client relationships, but also is against the best interests of the claimant himself. Indeed, as representatives of the American Bar Association informed the subcommittee, "the right or privilege of being represented by counsel in a Federal administrative proceeding becomes hollow * * * if the private party is prohibited from paying his attorney other than a subnormal fee. Retaining one's own counsel is a private right which deserves safeguarding in fact as well as in theory."

The committee is of the opinion that, in many instances, the existing limitations on attorneys' fees deprive a claimant of counsel of his own choosing. Abraham Lincoln has said that a lawyer's time and advice are his stock in trade. And representatives of the bar were frank to admit that—except for motives of charity—a lawyer cannot afford to take a case where he may not even be reimbursed for his actual, out-of-pocket expenses.

During the course of the hearing, the Veterans' Administration suggested that the bill "presents the basic question as to whether an individual claiming veterans' benefits should be encouraged to obtain an attorney to present his claim, with the resultant expense, or whether he should be encouraged to utilize the representation alternatives now available to him, which involve no cost on his part."

Meritorious as this statement may appear, S. 1073 is not intended to present a claimant with a choice of alternate remedies. The committee is most cognizant of the excellent representation which the many veterans' organizations provide, and S. 1073 would not be interpreted so as to deprive these organizations of any of their activities. In this connection, S. 1073 is intended merely to remove any existing arbitrary limitations on attorneys' fees so that if legal assistance becomes necessary—and if the claimant so desires—competent counsel can be obtained.

It must also be noted that, whereas in the area of veterans' affairs there are many professional veterans' organizations offering claims assistance, no such similar organizations exist in the many other areas to which S. 1073 will apply.

During the course of the subcommittee hearings, representatives of the Social Security Administration and the Department of the Interior opposed enactment of such an attorney fee bill. The committee believes that most objections were met by the addition of the amendments to S. 1522, which are now incorporated into S. 1073. Additionally, the Department of Justice, in a letter dated February 28, 1966, informed the committee that it, "agrees with the general approach of S. 1522, in its abolition of across-the-board limitations on attorneys' fees and services rendered in proceedings before Federal administrative agencies."

The committee accordingly is of the opinion that S. 1073 effects a balancing of the interests of all parties concerned; namely, the individual claimant under a Federal statute, his private lawyer, and the Government itself.

WHAT S. 1073 WOULD DO

S. 1073 would—

1. Abolish fixed dollar amount, maximum percentage of award, and administrative discretion types of limitation on attorneys' fees in administrative proceedings.

2. Allow attorneys' fees for services rendered in administrative proceedings to be set initially in the course of normal attorney-client relationships.

3. Allow agencies in their discretion to establish procedures for the disclosure of attorneys' fees in those cases where existing arbitrary limitations will be abolished.

4. Enable agencies in such cases to challenge any attorney's fee on grounds of its excessiveness and to petition an appropriate Federal district court if agreement on a proper fee within a reasonable time is not reached.

5. Leave unchanged the fee situation in administrative proceedings unaffected by the abolition of arbitrary limitations on attorneys' fees.

PROHIBITING COERCION IN SOLICITATION OF CONTRIBUTIONS

The bill (S. 1036) to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It shall be unlawful for any commissioned officer, as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority to coerce, or attempt to coerce, any member of the Armed Forces to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit any commissioned officer or any member of the Armed Forces acting or purporting to act under his authority from calling meetings or taking any action appropriate to afford to any member of the Armed Forces of the

United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies or voluntarily to make donations to any institution or cause of any kind.

SEC. 2. Any commissioned officer as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority who willfully violates any of the provisions of this Act, shall be punished as a court-martial may direct.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 796), explaining the purposes of the bill.

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

PURPOSE

This bill is intended to prohibit coercive practices that have some times occurred in the Armed Forces during campaigns to sell savings bonds and to solicit charitable donations.

LEGISLATIVE HISTORY

During the past five Congresses the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary has conducted extensive investigations into various types of governmental activity involving invasions of privacy of civilian and military employees of the U.S. Government.

Of the violations of individual rights found by the subcommittee, some of the worst occurred in connection with techniques employed to secure participation in the periodic campaigns to sell Government savings bonds and to solicit contributions to charity drives.

As a result of the abuses discovered during these studies, legislation was introduced in the 89th Congress and again in the 90th Congress to protect Government employees in their basic rights to privacy. S. 1035, which was intended to prevent coercive practices against civilian employees of the Government, was approved by the Senate on September 13 by a vote of 79 to 4. Section 1(h) of that bill is similar to S. 1036, which is a companion bill designed to protect members of the Armed Forces against coercion to participate in bond sales or to donate to charity.

NEED FOR LEGISLATION

The files of the Subcommittee on Constitutional Rights are replete with correspondence from members of the Armed Forces complaining about the pressures used against them to participate in purchasing bonds or in contributing to various causes.

Among the threats, reprisals, and punishment are these: denials of leave to servicemen departing for Vietnam, refusal of weekend passes, detrimental reports that mar a serviceman's record and often impede his advancement, official threats of denial of promotion, and assignment of unpleasant duties or undesirable working hours. The extent of reprisals varies with the ingenuity and imagination of the persons responsible for filling the quotas.

Coercion and pressure tactics are forbidden officially by policies of the Department of Defense. But it is impractical by administrative action to police the violations of the principle of voluntary participation. It is extremely difficult to investigate and correct instances of coercion because most of the pressures are applied orally and thus are impossible to verify conclusively and because most of the complainants ask that their names not be used to avoid punishment by the superiors in the chain of command whose actions were the subject of the complaint.

The committee does not wish to discourage thrift or charitable contributions, and the bill makes clear that there is no prohibition against action to give members of the Armed Forces an opportunity to invest their earnings in bonds voluntarily or to make voluntary contributions. But the committee is convinced that much of the activity in this area is excessive to the point of intimidation. The committee expects that not many members of the Armed Forces will be prosecuted under the authority of this bill, but the bill should act as a deterrent against the kinds of abuses that have been established.

TRIBUTE TO SENATOR LONG OF LOUISIANA

Mr. MANSFIELD. Mr. President, I wish to take this occasion, before the vote on the unfinished business, the social security bill, is concluded, to express my admiration and gratification to the distinguished Senator from Louisiana [Mr. LONG], the deputy majority leader and the chairman of the Committee on Finance. The outstanding skill he has shown in managing this most comprehensive, difficult, and technical bill, for the past week will remain as a lasting impression on the minds of all Senators.

He has conducted himself with great dignity, decorum, understanding, and tolerance. He has been able to answer the questions raised with clarity and skill. He is to be commended for conducting, in the highest traditions of the Senate, the type of management which we all admire and appreciate, especially when a bill of this magnitude is before us. Its carefully drawn provisions represent a major achievement for the countless number of Americans who will benefit. But the real achievement today is the one about to occur when the Senate votes to pass H.R. 12080. This will be Senator LONG's achievement; one he can add to his already abundant record in the service of the Nation.

I should also like to extend my commendation to the distinguished senior Senator from Delaware [Mr. WILLIAMS], the ranking minority member of the Committee on Finance, who, although he had some very strong differences of opinion, did not in any way delay the work of the Senate. He expressed his views with clarity and decisiveness, with deep sincerity and conviction. He made a distinct and enriching contribution. His deep understanding of the many facets of our social security system, his knowledge of the many provisions of this bill were of immense assistance.

There are others who are to be commended. The Senator from Florida [Mr. SMATHERS], the Senator from New Mexico [Mr. ANDERSON] and the others on the committee deserve praise for their strong efforts both in committee and here in the Chamber.

The distinguished Senator from Nebraska [Mr. CURTIS] is to be singled out for his outstanding contribution. He urged his views with great conviction and sincerity though they differed in many respects from those of a majority of the Senate. The Senator from Vermont [Mr. PROUTY] similarly deserves the praise of the Senate for again manifesting his deep and abiding devotion to our elderly citizens.

I particularly wish to note the contribution of the Senator from South Dakota [Mr. MCGOVERN] whose profound interest in and strong support for this vitally important measure has served immensely to assure what I am certain will be an overwhelming success. His cooperation throughout the consideration of the measure was splendid.

The Senator from Oklahoma [Mr. HARRIS] shares the gratitude of the Senate for his diligence and efforts in behalf of this measure, as do the Senators from Indiana [Mr. HARTKE and Mr. BAYH], the Senators from New York [Mr. JAVITS and Mr. KENNEDY] and the Senator from Iowa [Mr. MILLER]. They, along with the Senator from New Mexico [Mr. MONTOYA] and others, urged their views clearly and articulately, offered amendments which often met the approval of the Senate and generally helped to make the discussion and debate on this bill of the highest caliber and in the best traditions of the Senate.

So again, to Senator RUSSELL B. LONG, to the committee which he so ably chairs and to the Senate goes the heartfelt thanks of the leadership, and the thanks of a grateful nation for cooperating so magnificently to ready the sweeping improvements of the social security program and the other benefits proposed in H.R. 12080 for final disposition—a disposition, I am confident, that will be highly, highly favorable. It will be a lasting credit to this body.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, under the provisions of Public Law 81-754, appoints the following Senator to the National Historical Publications Commission: Senator PELL.

The Chair, on behalf of the Vice President, under the provisions of Public Law 170 of the 74th Congress, appoints the following Senator to attend the Interparliamentary Union meeting, to be held at Rome, Italy, on December 3-9, 1967: Senator LAUSCHE.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1031) to amend further the Peace Corps Act (75 Stat. 612), as amended.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 910. An act for the relief of the estate of Patrick E. Eagan;

S. 1367. An act to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by

operation of law for failure to pay rental timely; and

S. 2514. An act to grant the consent of Congress to the Wheeling Creek Watershed Protection and Flood Prevention District compact.

The message further announced that the House had passed the following bills and joint resolution in which it requested the concurrence of the Senate:

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 3528. An act for the relief of Isaac Chervony, M.D.;

H.R. 4818. An act for the relief of O. P. Becken;

H.R. 4819. An act for the relief of Ralph W. Heneman;

H.R. 4820. An act for the relief of Sylvan H. Miller;

H.R. 4821. An act for the relief of Arnold E. Remmen;

H.R. 6305. An act for the relief of Claud Ferguson;

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein;

H.R. 8476. An act to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski;

H.R. 8481. An act for the relief of Richard Belk;

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes;

H.R. 10864. An act to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes;

H.R. 12019. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; and

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 2760. An act for the relief of Sondra D. Shaw;

H.R. 3528. An act for the relief of Isaac Chervony, M.D.;

H.R. 4818. An act for the relief of O. P. Becken;

H.R. 4819. An act for the relief of Ralph W. Heneman;

H.R. 4820. An act for the relief of Sylvan H. Miller;

H.R. 4821. An act for the relief of Arnold E. Remmen;

H.R. 6305. An act for the relief of Claud Ferguson;

H.R. 6890. An act for the relief of Lester W. Hein and Sadie Hein;

H.R. 8476. An act to confer U.S. citizenship posthumously upon Pfc. Alfred Sevenski; and

H.R. 8481. An act for the relief of Richard Belk; to the Committee on the Judiciary.

H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes; to the Committee on Foreign Relations.

H.R. 10864. An act to authorize the Secretary of Agriculture to convey certain lands in Saline County, Ark., to the Dierks Forests, Inc., and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 12019. An act to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation in the District of Columbia; to the Committee on the District of Columbia.

PROPOSED CONCESSION CONTRACT FOR PUBLIC SERVICES IN LASSEN VOLCANIC NATIONAL PARK, CALIF.

The PRESIDING OFFICER laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract for public services in Lassen Volcanic National Park, Calif., which, with the accompanying papers, was referred to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

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

By the PRESIDING OFFICER:

A resolution adopted by the Legislature of the Trust Territory of the Pacific Islands, endorsing the proposed plan to reestablish military installations in Rota, Tinian, Saipan, and the Northern Islands; to the Committee on Armed Services.

A resolution adopted by the City Council of the City of Cambridge, Mass., praying for the enactment of legislation to eliminate poverty; to the Committee on Labor and Public Welfare.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes (Rept. No. 802).

By Mr. TYDINGS, from the Committee on the District of Columbia, without amendment:

H.R. 2529. An act to amend the act of September 8, 1960, relating to the Washington Channel waterfront (Rept. No. 803).

By Mr. TYDINGS, from the Committee on the District of Columbia, with an amendment:

S. 1629. A bill to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for other political divisions and subdivisions in the National Capital region (Rept. No. 804).

By Mr. TYDINGS, from the Committee on the District of Columbia, with amendments:

S. 1532. A bill to require that contracts for construction, alteration, or repair of any public building or public work of the District of Columbia be accompanied by a performance bond protecting the District of Columbia and by an additional bond for the protection of persons furnishing material and labor, and for other purposes (Rept. No. 805).

BILLS INTRODUCED

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

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 2686. A bill to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation; to the Committee on Labor and Public Welfare.

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

By Mr. LAUSCHE (by request):

S. 2687. A bill to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes; to the Committee on Commerce.

By Mr. WILLIAMS of New Jersey (for himself, Mr. CASE, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. MORSE, Mr. YARBOROUGH, Mr. CLARK, Mr. PELL, and Mr. JAVITS):

S. 2688. A bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services; to the Committee on Labor and Public Welfare.

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

By Mr. ALLOTT:

S. 2689. A bill for the relief of Aldo Ferretti; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2690. A bill to settle the land claims of the Indians, Aleuts, and Eskimos of Alaska against the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

RESOLUTION

CONTINUATION OF SPECIAL COMMITTEE OF THE ORGANIZATION OF THE CONGRESS THROUGH JANUARY 31, 1968

Mr. MONRONEY (for himself, Mr. BOGGS, Mr. CASE, Mr. METCALF, Mr. MUNDT, and Mr. SPARKMAN) submitted a resolution (S. Res. 188) continuing the Special Committee on the Organization of the Congress through January 31, 1968, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. MONRONEY, which appears under a separate heading.)

RELIEF OF URANIUM MINERS

Mr. ALLOTT. Mr. President, earlier this year the Nation's attention was directed to a tragic situation regarding the incidence of lung cancer among uranium miners. The news media carried several stories concerning the deaths of uranium miners attributable to lung cancer. Certain members of the medical profession have expressed the opinion that there is a connection between exposure to radon gas and the incidence of lung cancer. Dr. Victor Archer of the Occupational Health Field Station, U.S. Public Health Service, Salt Lake City, Utah, in testifying before the Joint Committee on Atomic Energy on July 26, 1967, made this observation:

> I was pleased to note that in earlier testimony at these hearings, no one challenged the concept that radiation exposure in uranium mines can cause lung cancer among miners. That represents progress; 10, or even 5 years ago, I am sure that that concept would have been challenged.

Despite Dr. Archer's note of "progress," it would appear that the medical panel of the Utah Industrial Commission does not share his opinion. In an August 24, 1967, decision of the Utah Su-

preme Court, such a finding was apparently sustained.

Mr. President, I ask unanimous consent that the Garner decision of the Utah Supreme Court be inserted in the RECORD at this point.

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

[In the Supreme Court of the State of Utah, No. 10667, filed August 24, 1967, L. M. Cummings, clerk]

EOLA MARGARET GARNER, WIDOW, AND JAMES DOUGLAS GARNER AND PAMELA GARNER, MINOR CHILDREN OF DOUGLAS GARNER, DECEASED, PLAINTIFFS, *v.* HECLA MINING COMPANY AND THE INDUSTRIAL COMMISSION OF UTAH, DEFENDANTS

Crockett, Chief Justice:

Plaintiffs, the widow and children of Douglas Garner, attack the findings and order of the Industrial Commission denying benefits for his death which they contend resulted from an occupational disease caused from working as a uranium miner for the defendant Hecla Mining Company.

Mr. Garner had worked in and around uranium mines since 1940; 15 years of it underground. The last eight years had been in Utah, four years of that for the defendant Hecla Mining Company. He became ill and was hospitalized on July 14, 1963. Tests were taken which revealed extensive carcinomatosis (a form of cancer), involving the lungs, bronchus, preaortic nodes, liver, spleen, and adrenal glands. After his death, September 15, 1963, the autopsy report showed that he had severe aortic artherosclerosis and coronary atherosclerosis.

Our occupational disease statutes were enacted as an adjunct to the compensation previously provided for accidental injuries to further implement one of the main policy considerations which underlies workmen's compensation: that industry should bear the burdens of the human casualty it causes.[1] Due largely to the difficulty in ascertaining causal relationships it has proceeded into that field with caution, limiting coverage to certain named diseases and adding: such other diseases or injuries to health which "directly arise as a natural incident of the exposure occasioned by the employment" and only where it is shown there is a "direct and proximate causal connection between the conditions of the work and the occupational disease," and which does not result from a hazard to which the workman would have been equally exposed outside of the employment.[2]

Plaintiffs urge the persuasiveness of statistical data, scientific evidence and medical opinion that there is a much higher than average incidence of lung cancer in uranium miners. The hazardous agent is radon gas. When a man breathes it, it changes in several chemical steps to the end product, known as lead-210. This accumulates in the kidneys, liver, spleen and especially the bones. By autopsy it can be determined to some degree the exposure a person had to the radon gas. Correlating with this, it was shown that Mr. Garner had 34 times as much lead-210 in his bones as the average for a nonminer; and that the Hecla Mine had about 2½ times as much of the radon gas as the "recommended working level" approved by the Federal Government and some states which have regulations on the subject.

The foregoing evidence came from competent sources, including Dr. Victor E. Archer, an apparently well qualified expert who had had large experience and had done investigation and research in this field. He was not the attending physician but upon the basis of the foregoing information was of the opinion that there was a very high possibility that the death of Mr. Garner resulted from lung cancer caused by the radon gas present in uranium mines. This is the foundation of plaintiffs' argument that the Commission was capricious and arbitrary in its refusal to find that the cause of Mr. Garner's death was an occupational disease as defined in our statutes referred to above.

We have no doubt about the propriety of receiving and considering the evidence above referred to, and of scientific data and expert opinions based thereon concerning the high incidence of lung cancer in uranium miners, because they are relevant to the critical problem here. This evidence is indeed somewhat impressive and may well be regarded as calling attention to the question whether lung cancer of uranium miners should be included in the occupational diseases specified by statute as compensable. However, that is a legislative, not a judicial problem.

Under our statutes and long established decisional law there are insuperable obstacles to the granting of the relief sought by plaintiffs on this appeal: it was their burden to show affirmatively and to so persuade the Commission that Mr. Garner's death resulted from a disease caused by his occupation. It is the prerogative of the Commission, and not of any individual witness, or even of the medical panel, to judge the credibility of the evidence, and upon the basis of the whole evidence to determine the facts. The plaintiffs having failed to so persuade the Commission, it is the duty of this court to survey the evidence in the light most favorable to the findings and order; and we cannot reverse and compel an award unless there is credible evidence without substantial contradiction which points so clearly and persuasively in plaintiffs' favor that failure to so find must be regarded as capricious and arbitrary. Conversely, if there is any reasonable basis in the evidence, or from the lack of evidence, which will justify the refusal to so find, we must affirm.[3]

While it seems logical that the unusually high incidence of lung cancer in uranium miners would indicate in the same ratio the higher probability than otherwise that such was the cause of the disease, it nevertheless falls short of compelling a finding that such was the cause in any individual case. For illustration, in a more commonly known field: the fact that the incidence of lung cancer in heavy cigarette smokers is 30% to 50% higher than in nonsmokers does not necessarily compel that conclusion that any individual smoker's case of lung cancer resulted from cigarette smoking. The disease also arises quite independently of and therefore apparently from other causes than cigarette smoking. Incidentally on the subject of cigarettes, it was shown that Mr. Garner himself had smoked a package a day for about 20 years.

The insuperable difficulty in plaintiffs' attack on the Commission's finding is that they improperly attempt to focus consideration of the issues exclusively upon their own view of the evidence and theories of the case. While some aspects of the statistical data and medical theories harmonize with their contention, others failed to do so. For instance, Dr. Saccomanno, the pathologist called by them, acknowledged the well known but unfortunate uncertainty as to the cause of cancer. He readily admitted that, in any given individual, "there are a great many unknown factors as to what might cause cancer" and that ". . . it could be concluded that the radon gas alone didn't cause the problem incident to the death, but it's merely based on a statistical study of a given number of cases."

Consistent with the foregoing and corroborating the existence of unknown factors and uncertainty as to causation, is the report of the medical panel to which this case was referred for examination: "We cannot confirm that the lung carcinoma was caused by exposure to uranium mining occupation." There is thus a reasonable basis in the evidence for the refusal of the Commission to find in accordance with the plaintiffs' contention. Upon the principles stated above it is our duty to affirm the decision.[4] No costs awarded.

We concur:

E. R. CALLISTER, Jr., *Justice.*

F. HENRI HENRIOD, *Justice.*

A. H. ELLETT, *Justice.*

Tuckett, Justice (Dissenting):

I dissent. It appears from the record that that the Commission based its findings in this matter upon the findings of the medical panel. The Commission in its order stated as follows:

"The Commission concurs that 'Mr. Garner's death was not caused by exposure to uranium or its byproducts.' Further, that the lung carcinoma of Mr. Garner was not caused by the exposure occasioned by his working in the occupation of a uranium miner."

The medical panel to which this matter was referred by the Commission received evidence and medical data from various sources and thereafter concluded that the evidence was insufficient to establish that the cancer from which Mr. Garner died resulted from his exposure to radon gas or other byproducts of uranium ore. There was some evidence before the panel from which it might have concluded that the decedent's cancerous condition resulted from his overexposure to radiation while working in the mines. After objections were filed by the plaintiffs to the report of the medical panel, further proceedings were had before the Commission at which time Dr. Elmer L. Kilpatrick, chairman of the panel, was examined by counsel for the respective parties. In response to questions by counsel for the plaintiffs, Dr. Kilpatrick testified in part as follows:

"Q. (By counsel) I think we have discussed this once. Assuming that it was there, with the exposure to hazards which you have enumerated here, then would you say—assuming that the cancer was there—would you say that probably this exposure lighted it up, or caused it to go ahead and cause his death in a shorter time than it would have if he hadn't worked in the mines?

"A. No, I wouldn't use the word 'probable'. I would use the word 'possible'. And we consider the term 'beyond a reasonable doubt' is a pretty good phrase to use.

"Q. You mean in Utah, in order to recover, you doctors have to say that it is beyond a reasonable doubt? Is this your understanding?

"A. Yes.

"Q. I see. And you are not willing to say that beyond a reasonable doubt Mr. Garner died of lung cancer as a result of overexposure to radiation; is this correct?

"A. Yes.

"Q. And the panel applied that rule in this case; is that right?

"A. Among all the other considerations, of course."

It would appear from the foregoing that

[1] U.C.A. 1953, 35-2-26, 27, first enacted in 1941 as Ch. 41, Sec. 27, 28.

[2] U.C.A. 1953, 35-2-27(28). This subsection sets out the requirements for other diseases to be included with the diseases enumerated in 35-2-27. They duplicate the requisites for proximate causation of occupational diseases in 35-2-26.

[3] See Kent v. Industrial Commission, 89 Utah 389, 57 P. 2d 724; Kavalinakis v. Industrial Commission, 67 Utah 174, 246 Pac. 698; and for a recent case quite analogous see Vause v. Industrial Commission, 17 Utah 2d 217, 407 P. 2d 1006.

[4] Ibid.: and see also **Edlund v. Industrial** Commission, et al., 122 Utah 238, 248 P. 2d 365.

the medical panel assumed that the plaintiffs had the burden of proving beyond a reasonable doubt the causal connection between the decedent's exposure to radon gas while working in the mines and his cancerous condition from which he died. The Commission by adopting the report of the medical panel and its findings in respect to the claims of the plaintiffs adopted the same standard of proof. Neither the statutes nor the decisions of this court require that a claimant has the burden of proving his claim beyond a reasonable doubt.

I am of the opinion that it was prejudicial error on the part of the Commission to require that the claims of the plaintiffs be established beyond a reasonable doubt. I am in favor of returning the case to the Commission for further proceedings.

Mr. ALLOTT. Mr. President, I am informed that the State of Colorado is the only State which recognizes the inhalation of radon gas as an industrial hazard. For several years Colorado's industrial commission has granted compensation benefits for lung cancer victims who were employed in uranium mining. The first of these cases goes back to October 1958.

Mr. President, I ask unanimous consent that a digest of the lung cancer cases before the Colorado Industrial Commission be inserted in the RECORD at this point.

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

DIGEST OF LUNG CANCER CASES FILED WITH THE STATE COMPENSATION INSURANCE FUND

I.C. NO. 1-385-656, S.F. NO. 102554: ROBERT D. JOHNSON *v.* ROBERT D. JOHNSON MINING CO.

This was the first case which was tried formally at a hearing relating to the problem of lung cancer allegedly the result of uranium mining. The claimant, the deceased, filed a claim in October of 1958 alleging that he was suffering from lung cancer due to uranium mining. His disablement began August 22, 1958 and he died November 15, 1958 before the case was determined. Thereafter, his widow filed a claim and the case was heard on the basis of her claim for death benefits. Hearings were had in Denver and in Grand Junction. In Denver, the medical testimony of Dr. Allan Hurst, specialist in chest diseases, was taken, as well as the testimony of Mr. P. W. Jacoe of the State Department of Health and Dr. David Berman, who testified on behalf of the widow that in his opinion exposure to radon gas was the cause of the development of lung cancer; Dr. Allan Hurst, called by the respondents, testified that the exposure to radon gas as a cause of lung cancer should be definitely ruled in in this case.

Following this hearing, the case was continued to Grand Junction and the testimony of Mr. Duncan Holaday and Dr. Victor E. Archer of the U.S. Public Health Laboratory in Salt Lake City was taken. Both of these men testified that in their opinion lung cancer is caused by exposure to radon gas. In this case, the pathologist, Doctor Saccomanno, reported that the type of cell was squamous cell carcinoma. The case was compensated. Total compensation benefits, $11,466; funeral benefits, $500; medical expense paid, $1,553.51.

I.C. NO. 1-309-961, S.F. NO. 96236: THOMAS VAN ARSDALE *v.* THOMAS VAN ARSDALE

In this case, the widow of the deceased filed a claim on August 6, 1957, alleging that her husband became disabled due to occupational disease (lung cancer) September 2, 1956 and died November 19, 1956. The claim was filed August 6, 1957, or more than six months from the date of death. The defense of the statute of limitations was interposed and, without going into detail, the proceedings were long and drawn out and resulted in a final award of the Commission on May 4, 1966 holding that the claim was barred by the statute of limitations. As far as the merits are concerned, there was little doubt but that Van Arsdale died as the result of lung cancer caused by uranium mining. However, his exposure and death occurred long before the 1961 amendment to the Workmen's Compensation Act and there is but little question but that the case was barred by the statute of limitations. This was one of three cases in connection with which a special trip was made by a Referee of the Industrial Commission to take the testimony of Dr. Victor Archer and Mr. Duncan Holaday in Salt Lake City.

I.C. NO. 1-512-811, S.F. NO. 113751: VIRGIL S. NIDIFFER *v.* VIRGIL S. NIDIFFER

In this case, the deceased, both as employer and employee, filed a first report of accident reciting that on August 12, 1960 he was made aware that he had lung cancer. He left work on August 22, 1960. He died February 15, 1961. A claim was filed by the widow in February 1962. The respondents filed a denial of liability, including the question of limitations. However, in the Spring of 1961, the legislature amended the law extending the time of the statute and this was done before the widow's rights expired. It was ruled that the statute of limitations, therefore, did not apply. Many hearings were had in this case and finally a hearing was held in Salt Lake City. Further testimony of Doctor Archer and Duncan Holaday were taken. Doctor Archer was positive in his opinion that the exposure to radon gas caused the lung cancer which resulted in the death of the deceased. The case was compensated. Total compensation, $12,598; funeral benefits, $500; total medical, $1,912.16.

I.C. NO. 1-662-437, S.F. NO. 127307: KERMIT BURBRIDGE *v.* CLIMAX URANIUM CO.

In this case, the employer filed a report reciting that the deceased left work on September 20, 1962 on account of carcinoma, bronchogenic, undifferentiated. Burbridge filed a claim October 19, 1962 with the Industrial Commission alleging in substance the same thing. Before the case could be heard, Burbridge died on October 20, 1962 and his widow proceeded with the claim. The death certificate stated oat cell carcinoma. Autopsy diagnosis by Doctor Saunders was carcinoma undifferentiated. This was another case in which the hearing was had in Salt Lake City, in addition to the two cases just preceding.

Mr. Holaday testified that the man worked 36 months from 1936 to 1939 in the Long Park area in Colorado and then worked at various times up to the date of his final collapse in the Uravan area. He had exposures running from 25 to 15 times the recommended working levels. This man was a member of Doctor Archer's so-called study group. The original study group consisted of 3000 or 4000 men who were examined periodically to determine whether or not they would acquire lung cancer while engaged in uranium mining. He gave it as his opinion that Burbridge's death was due to exposure to radon gas. The case was compensated. Total compensation, $12,598.25; funeral benefits, $500; total medical, $470.48.

(NOTE.—The immediately proceding three cases are of a special interest because at the hearings held in Salt Lake City in conjunction with all three cases a great deal of highly technical testimony was developed which would be of value in other cases. Transcripts of the testimony taken are in the Commission file, and also the Fund has a copy of the transcript of the testimony taken at the hearings.)

I.C. NO. 1-725-994, S.F. NO. 133131; I.C. NO. 1-726-902, S.F. NO. 133607: OSCAR E. JONSON *v.* JONSON MINING CO. AND CLIMAX URANIUM CORP.

These two cases involve the same name. The first case, I.C. No. 1-725-994, S.F. No. 133131, was filed on the basis of injury to the right lung because of the siphoning of gasoline, and fumes. A diagnosis, however, was of metastatic anaplastic carcinoma. Then the second case was opened, which is apparently a duplicate, i.e., I.C. No. 1-726-902, S.F. No. 133607, giving the date of accident as 7-30-63. It also recited damage to the man's lungs from siphoning gasoline. Jonson left work August 6, 1963 and died December 23, 1963. His widow filed a claim alleging lung cancer due to radioactive material. Liability was contested and when the case finally went to hearing on July 22, 1964, the claimant's attorney appeared and stated that he had not been able to get in touch with his client as she had remarried sometime in April of 1964, and that she was the only dependent. Because there was less than a year's compensation due her, apparently she did not desire to proceed with the case. Consequently, the Referee entered an order on July 28, 1964 continuing the case to be redocketed within four months. On March 3, 1965, an order of dismissal, which is apparently applicable to both cases, was entered. Nothing further was heard between the date of the hearing of July 1964 and the dismissal order from the claimant or her attorney.

I.C. NO. 1-633-172, S.F. NO. 124732: GEORGE JEFFERSON MALICK *v.* VANADIUM CORP. OF AMERICA

This case was initiated by the filing of a claim by the widow of the deceased May 23, 1962, wherein she alleged that Malick died as the result of lung cancer on January 13, 1961. Notice of contest was entered raising the statute of limitations. The issue was raised that no claim was filed within one year from the date of the deceased's death. At the time of his death, the limitation for filing a claim was six months from the date of death. In April 1961, however, the law was amended allowing three years from the date of death. Following the filing of briefs, the Referee entered an order denying the claim on the ground that no claim was filed within one year from the date of her husband's death and no reasonable excuse for her failure was provided which could perhaps bring her within the two-year statute.

In retrospect, it may be said that an injustice was done to the widow of the deceased on the question of the statute of limitations for the reason that she was probably allowed three years in which to file a claim from the date of death. The 1961 amendment was passed before the six months period from the date of death had expired, thereby possibly extending the time in which the widow had a right to file. Regrettably, no appeal was taken so that the legal questions could be determined and the file was closed. Since this is an occupational disease case, unfortunately the case cannot be reopened.

I.C. NO. 1-766-175, S.F. NO. 136767: RAY W. HASKILL *v.* UNION CARBIDE CORP.

In this case, the claimant filed a claim in February 1964 alleging that he became disabled on account of lung cancer in his right lung December 17, 1963 as the result of exposure to radon gas in uranium mining. The attending physician filed a report stating that he was suffering from lung cancer due to a combination of radiation and smoking. He died April 12, 1964. The report from the employer showed exposure to radon gas varying from 1.7 to 4.1 times the working level. The company advised that they felt there had not been sufficient exposure in their mine to cause or affect the growth of the lung cancer. Before the Fund could begin an exhaustive

investigation, including the attending medical reports, the claimant, through her attorney, elected to withdraw the claim for the reason that they were unable to find any evidence which would support proof of a causal connection between the deceased's employment and his death from cancer. Accordingly, the claim was denied by the Referee on August 12, 1964.

I.C. NO. 1-792-942, S.F. NO. 139240: SHELDON R. HOULE *v.* PINNACLE EXPLORATION, INC.

This case was initiated by the filing of a claim by the deceased's widow on July 2, 1964, alleging that her husband died on November 19, 1963 as the result of lung cancer caused by exposure to radioactive materials and substances. The employer reported that the deceased had worked in the Pitch Mine located ten miles south of Sargents, Colorado in Saguache County, and that to their knowledge this was the only mine in which Mr. Houle had been employed where there was uranium mining. Readings of the working levels of exposure in the mine taken by the State Metal Mining Inspector's office from June 1961 to August 1962 showed working level exposures varying from very small exposure of .45 to exposures as high as 170.0 times the recommended working level. Autopsy was done and tissue was sent to Dr. Geno Saccomanno in Grand Junction who examined the tissue and found that the carcinoma was undifferentiated cells. Doctor Archer reported that tests on the tissue showed 136.02 picocuries per kilogram of fresh bone; the liver showed 33.21; the kidneys showed 173.68.

Examination of the tissue showed the presence of lead-210 in a sample of the rib amounting to 509.54 picocuries per kilogram; 61.18 of the liver; 14.96 in the kidney. We also received a report that the Pitch Mine was one of the hottest mines in the State insofar as radiation is concerned.

Consequently, after full consideration and discussion by the Office Board, it was decided we would admit liability in this case. Total compensation benefit, $13,693.75; funeral, $500; total medical, $2,790.80.

I.C. NO. 1-785-648, S.F. NO. 138467: MATTHEW P. ROWE *v.* LA SALLE MINING CO.

This claim was initially instituted by a report from the company, in which the deceased was a partner, alleging that he left work because of lung cancer acquired in uranium mining on April 1, 1964. It appeared in the file that this man also had done some work in Utah and, with our encouragement, he filed a claim in Utah. Also, there is a question as to where he sustained the last injurious exposure. He died February 22, 1965. His widow continued with the claim. Following his death, the autopsy disclosed, according to Dr. Geno Saccomanno, undifferentiated squamous cell carcinoma. A report from Dr. Oscar Auerbach, Senior Medical Investigator, VA Hospital, East Orange, New Jersey, was to the effect that in his opinion this was carcinoma, oat cell-2A, undifferentiated. There seems to be but little question concerning the type of cancer, as Doctor Saccomanno has used the term "squamous cell, undifferentiated" to describe oat cell carcinoma. Tissue taken from the man's body showed, in most instances, at least twice the amount of lead-210 in his body as compared to that found in a normal body. The claim in Utah was denied by the Utah Industrial Commission on the ground that the disability of the deceased was not due to occupational hazard of uranium mining.

The claimant elected to cross-examine and put on further testimony, and finally, on October 21, 1965, the Utah Commission entered an order denying the claim on the ground that the exposure to radon while employed in Utah was negligible and that the Colorado exposure was exceedingly high. The last part of this order, of course, was correct because he did have exceedingly high exposure in Colorado. In view of this situation, therefore, we decided to accept liability and an admission of liability was filed. Total compensation benefits, $14,789.25; funeral, $500; total medical, $635.12.

I.C. NO. 1-787-693, S.F. NO. 138775: CLYDE ANDRESS *v.* VANADIUM CORP. OF AMERICA

In this case, the employer filed a report stating the above-named claimant became disabled April 3, 1964, and that the company had been requested to report the disease although they had no knowledge of it. In the first report, the employer stated that the man was suffering from silicosis. The deceased died May 18, 1964. The diagnosis was lung cancer and silicosis. A claim was filed by his widow. Autopsy was done by Dr. Geno Saccomanno, Grand Junction, who made a diagnosis, among other things, of small cell carcinoma. Radioanalysis of tissue was done by the laboratory in Salt Lake City, and Doctor Archer reported as follows:

Lead Pb-210 at death as pc/Kg of formalin fixed tissue

Bone (rib)	1,846
Heart muscle	10
Kidney	210
Spleen	26

Doctor Archer stated that one physician reported the type of cell as squamous, and another as undifferentiated carcinoma having the characteristics of an oat cell carcinoma. The work history showed he spent some years in various uranium mines, and reports on the mines in which he worked showed in many instances exposures considerably in excess of one working level. Some of them ranging as high as 32 to 51 working levels.

There were two or three hearings in this case during which lay testimony was chiefly taken to develop the history and the type of exposure. The Fund finally notified the Commission that it did not care to have further hearings or put on any medical evidence. The case was compensated. Total compensation, $14,867.50; funeral, $500; total medical paid, $858.50.

I.C. NO. 1-820-401, S.F. NO. 142886: CAREY N. ATHEY *v.* MERRY WIDOW MINE

This case was initiated by the report from the employer reciting that the deceased became disabled October 22, 1964 when he started spitting blood and he went to the doctor. He filed a claim December 16, 1964, alleging lung tumor due to exposure to radon gas. Reports from the Colorado Bureau of Mines showed that exposure from January 1962 to December 1964 varied from zero working levels to as high as 12.5 working levels. One of the mines in which the deceased worked prior to going to work for the Merry Widow, i.e., the Aztec Mine in the Joe Dandy Group, the tests showed exposures ranging from 90 to 260 working levels. Tests in still another mine varied from 16 to 82 working levels. Dr. J. G. Merrill reported that sputum tests on this claimant showed oat cell carcinoma.

Hearing was had in Grand Junction, Colorado, February 18, 1965, and following the hearing the Referee entered an order granting compensation benefits. This is one of the few cases which was compensated during the employee's lifetime. He died July 5, 1965. Since the case had already been adjudicated, we then filed an admission of liability for death benefits. Total compensation, $16,041.25; funeral, $500; total medical paid, $2,603.36.

I.C. NO. 1-853-347, S.F. NO. 145029: CHARLES EDWARD TRASK *v.* DENVER GOLDEN CORP.-APEX METALS CORP.

This case was initiated by the filing of a claim by the widow of the deceased which alleged that the deceased died March 21, 1965 as the result of lung cancer caused by radiation. Autopsy was done by Dr. R. E. Herrmann, pathologist, Denver, and gave as the cause of death, among other terminal causes, carcinoma undifferentiated (oat cell type).

Doctor Archer reported that the amount of lead-210 in the lungs of Mr. Trask was at least 30 times normal and possibly as much as 70 times normal. The work history showed that he worked from 1956 to 1964 mining uranium in the Schwartzwalder Mine, which is near Golden, Colorado, and was a very "hot" mine. Apparently this was the only uranium mine where the deceased worked.

After completing our investigation and getting in medical reports from various doctors, the Fund admitted liability in this case. Total compensation, $13,693.75; funeral, $500; total medical, $1,712.96.

I.C. NO. 1-856-054, S.F. NO. 145609: DOUGLAS GARNER *v.* VANADIUM CORP. OF AMERICA

The claim in this case was initiated by the filing of a claim on behalf of the widow which recited that the deceased's last injurious exposure was in June 1956, and that he died September 15, 1963. The radioanalysis of the tissues of his body showed as follows with respect to lead-210:

Lead-210 (pc/Kg of formalin fixed tissue)

Bone (rib)	1,852.50
Kidney	224.80
Heart	57.56
Liver	167.90
Spleen	77.04
Pancreas	71.06

This man was likewise a member of Doctor Archer's so-called class. His work history indicated that he worked in the U.S. Vanadium Mill at Uravan from 1940 to 1948 as a roaster and precipitator operator; 1948-1949, for the VCA at Naturita in the mill, mining and leasing; 1949-1953, uranium mining in the Sitton-Dulaney mines (Radium Group near Slick Rock, Colorado) March 1953-June 1954, Grant Mine, Colorado; June to November, 1954, various mines in the Slick Rock area; November 1954-1955, King Incline No. 2, Slick Rock area; 1955-1956, White Mining Company, in the Hideout Saddle, and "W.N." uranium mines in Utah; 1956-1959, Big Buck Uranium Mine in Utah; 1959-1963, Radon Uranium Mine in Utah.

A claim was also filed in Utah, and we interposed a notice of contest in the case in Colorado alleging that the statute of limitations applied because his last exposure here was before the amendment of the Act; also, that his last injurious exposure was in Utah rather than in Colorado. A hearing was had in Utah and compensation was denied after reference by the Industrial Commission of Utah to their medical panel. It has been reported to us that during the cross-examination of the chairman of the medical panel, the chairman made a statement that it had not been proved to him *beyond a reasonable doubt* that there was any connection between uranium mining and lung cancer. The case had been appealed to the Supreme Court in Utah, and Mr. Traylor, the attorney for the widow will seek a reversal inasmuch as in all civil cases, including compensation cases, it is not necessary to prove anything "beyond a reasonable doubt."

It is our feeling that the widow likewise has no remedy in Colorado because very patently the last injurious exposure was in Utah. The case in Colorado is still pending, however, pending the final outcome of the proceedings in Utah.

I.C. NO. 1-858-324, S.F. NO. 145874: LLOYD REED *v.* CLIMAX URANIUM CO.

A claim was initiated in this case by the filing of a claim by the claimant alleging that he left work May 3, 1965 on account of exposure to radioactive materials and silicon dust. Because the man was seriously ill, his deposition was taken. Before the case could be decided, however, he died on June 29, 1965. The claim was originally filed against

Sam Richards who operated in the Monogram Mesa area and for whom the claimant worked from 1959 to May 1965. It developed, however, that Sam Richards was a lessee of Climax Uranium and did not have his own policy but was carried on the Climax policy.

The diagnosis was squamous cell carcinoma, oat cell type, as cause of death. While the bulk of his exposure occurred between 1948 and 1960, he was exposed to levels exceeding the recommended working level while working for the Mineral Joe No. 2 operated by Sam Richards.

The radioanalysis of a rib from the deceased's body showed an average of 3.94 picocuries of lead-210 per gram of formalin of fixed tissue. Five samples from the vertebrae contained an average of 1.92 picocuries of lead-210 per gram of formalin fixed tissue. The average of all eight samples taken was 2.68. Commenting further, Doctor Archer said:

"This value for lead-210 confirms that his occupational exposure was relatively large, and suggests that it may have been considerably more than the 2864 Working Level Months which I had previously estimated."

After receiving the medical information and reviewing the file, the Fund admitted liability. Total compensation, $13,343.75; funeral, $500; total medical paid. $1,365.65.

I.C. NO. 1-879-036, S.F. NO. 149176: MASSIE D. RICE *v.* DENVER-GOLDEN CORP. (SCHWARTZWALDER MINE)

This case was initiated by a claim filed by the claimant alleging that he left work in the mines on December 25, 1964 because the mine was shut down, but that he had lung cancer due to uranium mining. He died before the case could be heard on December 5, 1965. Autopsy was performed and samples from his body were sent to the laboratory in Salt Lake City for analysis. The result was as follows:

Lead-210 in Picocuries/Kg of formalin fixed tissue

Bone (vertebrae)	1,721
Bone (vertebrae)	1,804
Bone (rib)	1,932
Bone (rib)	1,721
Lung	182
Lung	101

We have a detailed report on the Schwartzwalder Mine where this man worked a good part of the time of his uranium mining showing exposures in excess of the recommended working level.

After receiving all the medical reports and the report of Doctor Archer, the Fund admitted liability. This is the second fatal case on the Schwartzwalder Mine. Total compensation, $15,337; funeral, $500; medical paid, $2,759.05.

I.C. NO. 1-874-854, S.F. NO. 148587: MARVIN MARSHALL *v.* WILLIAMS MINING PARTNERSHIP

A claim was filed by this claimant alleging that he left work on August 6, 1965 on account of lung cancer incurred in uranium mining. An autopsy was done and showed oat cell carcinoma. Samples were sent to Doctor Archer, U.S. Public Health Laboratory, Salt Lake City, and showed the following results with respect to lead-210:

Pb-210 at death in pCi/Kg. of formalin fixed tissue

Bone (rib)	5,135
Bone (rib)	4,227
Blood	72
Blood	73
Hair	8,331

On the basis of this information, the Fund admitted liability. Compensation, $15,337; funeral, $500; medical expense paid, $1,139.96.

I.C. NO. 1-840-002, S.F. NO. 142681: GLENDON W. TAYLOR *v.* ATLAS MILLING AND MINING CO.

This case was initiated by a claim filed by the claimant alleging that he left work September 30, 1964 on account of air containing uncombined silicon dust. Then an amended claim was later filed alleging exposure to radon gas and radioactive materials. This man was not a member of Doctor Archer's so-called class as far as we know.

The claimant was referred to Dr. Allan Hurst for examination who found no evidence of either silicosis or any other pulmonary disease, and no evidence of a developing lung cancer or other chronic radiation poisoning. Information has been received that this man is fearful that he does have, or will get, lung cancer due to uranium mining. However, insofar as our file discloses, there is no evidence of it yet. The case has been kept open and on the docket of the Industrial Commission and has not yet been decided. Our information was that the claimant was seeking further medical examinations and study before he desired to present his case before the Commission.

I.C. NO. 1-753-757, S.F. NO. 135902: ROBERT C. WILLIAMS *v.* UNION CARBIDE NUCLEAR CO. AND/OR R. C. WILLIAMS, C/O ROBERT L. PARENT, EMPLOYER

The deceased, Robert C. Williams, had filed a claim against Union Carbide Nuclear Company alleging that he left work on July 26, 1963 because of lung cancer caused by exposure to radon gas. Williams died January 17, 1964, and his widow filed a claim for dependency benefits. Autopsy revealed oat cell carcinoma of the lungs. Tissue from the deceased's body was sent to Doctor Archer in Salt Lake City for radioanalysis and the results showed the following:

Pb-210 at death (in picocuries/Kg. of formalin fixed tissue)

Bone (rib)	275.34
Bone (vertebrae)	205.06
Kidney	8.96
Liver	18.00

The case developed that Williams had his own policy as a lessee and, consequently, Union Carbide Nuclear Company was dropped as a party to the proceedings. Autopsy was done and revealed oat cell carcinoma of the right lung. Reports from the State Bureau of Mines showed exposure to radon gas considerably in excess in many instances of the one working level recommended as being safe in the mines.

After receiving full medical and other information, the Fund admitted liability. Total compensation, $14,867.50; funeral, $500; total medical paid, $2,502.

I.C. NO. 1-895-497, S.F. NO. 152050-FREDERICK R. GRAHAM *v.* CHARLES V. WOODARD & CO.

This case was initiated by the report from the employer alleging that the deceased left work September 17, 1965 and shortly thereafter entered the hospital. Nothing further was done with the case until a claim was filed on behalf of his widow, alleging that he died January 13, 1966 of oat cell carcinoma at the VA Hospital in Denver, Colorado. Autopsy was done at the Veterans Administration Hospital and the diagnosis of oat cell carcinoma was made.

He worked in various uranium mines beginning about 1942. Apparently there were intermittent periods when he was not engaged in that type of work. Reports from the Colorado Bureau of Mines showed exposures considerably in excess of the recommended working levels, some of the tests ran as high as 20 in the Gilbert, Rimrock Blue and Thornton Tunnel mines in areas where Mr. Graham worked.

Doctor Archer reported that on the sample submitted for analysis the result was:

218Pb (pCi/Kg.)

Bone (rib)	1690 ± 37
Liver (healthy tissue)	399 ± 11
Lung	1380 ± 23
Tumor from liver	321 ± 5

Doctor Archer estimated that Graham had had a cumulative radiation exposure in uranium mines of approximately 2130 working level months, and gave it as his opinion that his oat cell carcinoma was the result of his exposure to radon gas.

Upon receipt of complete medical and other information, the Fund admitted liability. Total compensation, $15,337; funeral, $500; total medical, $180.86.

I.C. NO. 1-891-465, S.F. NO. 151496: JOE JAVERNICK *v.* JAVERNICK AND JAVERNICK

This case was initiated by a report from the employer which recited that the deceased left work September 20, 1965 as the result of lung cancer caused by exposure to radon gas. Javernick died February 20, 1966 before the merits of his case could be determined. His widow filed a claim. Cause of death was oat cell carcinoma. Dr. Victor Archer sent in a work history of this man as he was a member of his study group, and reported that his exposures were on an annual average between 20 and 44 times the recommended working level.

Doctor Saccomanno reported the man had a epidermoid carcinoma slightly differentiated, but also stated that if one searches enough in an autopsy one can invariably find undifferentiated squamous cell carcinoma in most oat cell tumors.

After final examination of the medical reports and other data, we filed an admission of liability. Total compensation, $15,337; funeral, $500. With respect to medical, there is still a question pending inasmuch as the medical far exceeded the $3,500 limit. We have agreed to assume liability for our statutory liability, but have been unable to obtain an agreement from the widow and her attorney to whom the money should be paid.

I.C. NO. 1-905-297, S.F. NO. 153654: SHIRDEN G. BLOOD *v.* UNION CARBIDE CORP.

This case was initiated by the deceased who had filed a claim alleging that he left work on January 30, 1966 and stating he was disabled by silicon and uranium exposure and had lung cancer. The man had exposure in uranium mining apparently in both Colorado and possibly in Utah, at least he was working in mines in Utah although he later worked in Colorado. The record shows that he had an average exposure of 2.86 working levels over one period of time. The last employment was apparently with Union Carbide Nuclear Company where he worked in the Paradox 5 and 6 uranium mines on Monogram Mesa from 1961 to 1966. He was likewise a member of Doctor Archer's "study class." Tissue taken at the time of a thoracotomy done by Dr. S. P. Christensen showed the presence of oat cell carcinoma.

We had considerable correspondence and also personal conferences in this case with various people, and the case was one of those we discussed while we were in Salt Lake City on October 27, 1966.

In view of the information obtained, it was decided to admit liability. In the meantime, we received word that the deceased died on October 31, 1966. Claim blanks have been sent to the widow, and an appropriate admission of liability will be filed when the same has been received by us and the Commission.

(NOTE.—Claim has since been received and admission filed. Total compensation, $18,858.25; funeral, $500; medical not to exceed $3,500.)

I.C. NO. 1-965-316, S.F. NO. 154453: ROY ANDRESS *v.* UNION CARBIDE CORP.

This case was opened by the filing of a claim by the claimant in which it was stated that he was forced to leave work July 15, 1965 because of lung cancer. Doctor Archer reported that the estimate of his organization was that Andress had received 2850 working level months of exposure during his employment as a uranium miner. However, he only worked for a period of about five or six months for Union Carbide. He did have a long period of employment with the Vanadium Corporation of America.

He died June 30, 1966. An autopsy has been done and the tissue was sent to Doctor Blanchard, In Charge Physics and Bioassay, Radiological Health Research Activities, D.R.H., 4676 Columbia Parkway, Cincinnati, Ohio. Doctor Blanchard is now doing the radioanalysis that used to be performed in the laboratory in Salt Lake City. The results of these tests have not yet been received.

It would appear in this case that one of the difficult problems to decide is what employer will be charged with the loss as it appears that the man had a long period of exposure while working for the Vanadium Corporation of America and a relatively minor one while employed by Union Carbide against whom the claim was filed. These issues will have to be later determined at a hearing.

I.C. NO. 1-898-126, S.F. NO. 152429: GLENN D. NEESHAM *v.* VANADIUM CORP. OF AMERICA

This case was initiated by the filing of a claim for dependency benefits alleging that the deceased died May 22, 1966 as the result of lung cancer caused by uranium mining. The case is still pending. Tissues taken from his body were analyzed by Doctor Archer's laboratory and showed the following:

Pb-210 at death (in picocuries per kilogram of formalin fixed tissue)

Bone (rib)	2,982
Bone (vertebra)	1,282
Liver	220
Kidney	29
Heart Muscle	4
Skeletal Muscle	4

It also appears from information received from Doctor Archer that this man had a total exposure of about 4000 working level months. We also received information that in 1963 he was operated for an epidermoid type of cancer, apparently not related to radon exposure, in one of his lungs and this cancer was removed. Then, two years later he became afflicted with oat cell carcinoma. There are various legal problems involved in the determination of this case, and it may be that other employers will have to be made parties to the proceedings. This case is still pending.

I.C. NO. 1-843-017, S.F. NO. 143291; I.C. NO. 1-886-982, S.F. NO. 150647: JOSEPH G. FRANK *v.* UNION CARBIDE NUCLEAR CORP.

These two cases involve two distinct problems. See file I.C. No. 1-843-017, S.F. No. 143291, which involved a claim for silicosis filed by Mr. Frank, and file I.C. No. 1-886-982, S.F. No. 150647, which involved a claim also filed by him for lung cancer due to uranium mining. The silicosis case was adjudicated on a permanent partial basis and he was awarded $5,000 for permanent partial disability. The lung cancer case was held in abeyance so that further information could be obtained concerning his exposure, the type of cancer from which he was suffering, and certain other data needed before the question of compensability could be decided. He died August 26, 1966. We are informed that specimens taken from his body had been forwarded to Doctor Blanchard in Cincinnati for radioanalysis. We are also informed that there may be a claim for dependency filed by Mr. John W. Overholser who is apparently representing the dependents or relatives of the deceased. Pending the results of the radioanalysis, the final adjudication of the lung cancer aspects of the case will have to be held in abeyance.

If it is ultimately determined that this man did die of oat cell carcinoma due to his contact with radon daughters in uranium mining, there will still be the remaining question of dependency. If it is held that he left dependents within the meaning of the Workmen's Compensation Act, they will be entitled to the benefits prescribed in the Act. On the other hand, if it is held that there are no dependents, there will be a liability to the Subsequent Injury Fund in the sum of $6,250.

GENERAL COMMENTS

Thinking that some general comments will be of value concerning the order of proof and other matters of interest in these cases, I should like to add the following data:

Radon (Rn) gas is a decay product of radium (Ra). The atomic weight of radium is 226.05 and it is No. 88 in the Periodic Table. Radon, the decay product, has an atomic weight of 222 and is No. 86 in the Periodic Table. It is the heaviest known gas. It is very unstable and breaks down into what is better known as daughters of radon. The daughters of radon can be listed as follows:

1. Ra A, which is Po (polonium) with an atomic weight of 218.
2. Ra B, which is Pb (lead) with an atomic weight of 214.
3. Ra C is Po (polonium) with an atomic weight of 214.

The so-called radon daughters are produced by radon transforming itself successively through this chain of elements. Radon has a relatively short half life, about four days. In other words, in about four days half the radon is spontaneously changed to radium A. Radium A has a very short half life of about three minutes. Radium B has a half life of twenty-seven minutes; Radium C has a half life of 19.7 minutes. Consequently, there is a constant changing situation in the mine atmosphere. Radon gas is produced from the ore, from the radium in the ore, and diffuses into any open space and then proceeds to change into this succession of short half life daughters.

The final product of this process of decay is lead-210, which has a half life of 22 years and is, as stated in one of the cases, "the sink." In other words, all these elements are concentrated into the 22 year lead and this is the product which is revealed in the bodies of the deceased miners when radiochemical analysis is made of various sections and specimens taken from their bodies. The concentration of radon gas in the mine is dependent upon several factors: the amount of ore body exposed, area or body exposed, the porosity of the rock, i.e., the ease at which the radon gas can diffuse out of the rock, the amount of uranium and hence the radium in the rock and the rate of removal of radon by ventilation from the mine.

It was further stated at one of the hearings that the so-called 22 year radio lead, which is the common name for lead-210, will behave chemically and biologically exactly the same as normal lead. Consequently, it would tend to concentrate in the bones and to store in the bones. It is also found in soft tissue such as the kidney, liver, spleen and in varying amounts throughout the soft tissues of the body. The large storehouse would probably be in the bones. Furthermore, it was also stated at one of the hearings that the only source of radiolead is from the decay of radon, so that a person can get it into his body only by breathing in radon or radon daughters or the minute quantities of radio lead which are present everywhere, which is in tobacco smoke, dust in the air, etc. (See pages 11 to 15 of the transcript of testimony of Mr. Duncan A. Holaday taken at Salt Lake City May 20, 1964.)

As previously indicated, Dr. Victor Archer and Mr. Duncan Holaday of the Occupational Health Laboratory of the U.S. Public Health Service at Salt Lake City, for some years have been engaged in a research and examination of miners in the five states of Wyoming, Colorado, Utah, New Mexico and Arizona where uranium mining operations are carried on to determine the possibility of the appearance of lung cancer. Inasmuch as lung cancer is not confined entirely to uranium miners by any means, when a claim is filed alleging lung cancer due to exposure to radon gas and radon daughters in uranium mining, various procedures are necessary to determine which claims are valid and which ones are due to natural causes unrelated to the occupation. The matters which have to be determined are:

1. The complete work history of the claimant with particular reference to any periods of time that he worked in uranium mines must be obtained in detail.

2. We should then obtain reports concerning the working level of exposure in the mines where he worked and, if possible, in the places in the mines where he worked. Records of this kind are available in many places. The State Bureau of Mines has many records on the various mines in Colorado. Dr. Victor Archer likewise has records which show the result of tests taken, apparently, by the Occupational Health Section with which he is affiliated.

3. The Colorado State Department of Health has some records inasmuch as the Occupational Health Section made a survey of the mines some years ago and the results of this survey are included in a book issued by the State Legislative Council. In this book there is a listing of the exposure levels in a great many mines throughout Colorado. Also, the employer may have records; in fact, the larger operators do maintain records of the exposure in view of the developments which come in connection with the filing of claims for lung cancer.

4. It is necessary to know as soon as possible what type of lung cancer afflicts the claimant. Sometimes this can be determined prior to death, either by biopsy or sputum tests. If it is not determined, when the man dies an autopsy should be had and samples of his body tissue should be sent to the appropriate Federal Laboratory for radioanalysis. This work used to be done in the laboratory at Salt Lake City, but it is now being done by Doctor Blanchard, whose address is given herein above.

As previously indicated, the amount of lead-210 found in the body of a normal individual is usually between 15 to 54 picocuries per kilogram of bone. When tests come back with a showing of several hundred or several thousand picocuries, then the fact the man was exposed to harmful quantities of radioactive material is pretty well established, and then we have to determine where the man had his last injurious exposure, under the present provisions of the Occupational Disease Disability Act.

Early in the development of uranium mining little, if anything, was known generally about the hazards to be encountered in contact with radon gas. Due to the fact that scientists had received information concerning a high death rate among uranium miners in Europe, studies were commenced in this State. It has been found that adequate ventilation will reduce the hazard in some instances to nothing, but in mines without ventilation there is a very serious hazard. In many instances, the damage has already been done. Most of the miners, according to Doctor Archer, reached a peak of exposure between 1958 and 1959, although, after that date, there are cases, as the above digest will show, where the employee was exposed to more than the recommended standard of one working level.

Diagnosis of the type of lung cancer made is important. We must know whether or not it is oat cell carcinoma. This particular type of cell is ascribed to exposure to radon gas and radon daughters by the doctors and scientists who have been studying the problem. Various doctors use different terms as the above digest will show, some of them use the term "squamous cell undifferentiated" instead of "oat cell undifferentiated." We have been told by the doctors involved that this is a distinction without a difference and they are talking about essentially the same thing. However, when there is a wide difference between many doctors concerning the type of cancer cell found, then naturally further investigation and possibly

a hearing and cross-examination of the doctors involved is indicated.

It has also been found, according to the reports in some of these cases above listed, that very often it is not necessary to await the death of the employee to determine the question of compensability. It has been determined, according to Doctor Archer, that radiochemical analysis can be made upon the blood of the employee and also upon his hair. Of course, these two items can be obtained during his lifetime. Also, if sputum tests reveal the presence of oat cell carcinoma and then later a diagnosis of carcinoma is made, this is a pretty good indication that the type of cell is one which supports the view that the condition is the result of exposure to radon gas, particularly if other items in the case, work history, working level tests, etc. do, in fact, show that he was so exposed.

The foregoing is a brief synopsis of information we have thus far received concerning the disease of lung cancer as related to uranium mining. Future developments and research may give us further information which will suggest new procedures or new tests in determining the compensability of individual cases.

HAROLD CLARK THOMPSON,
Counsel.

Mr. ALLOTT. Mr. President, I believe that the information in this digest will be helpful to an understanding of the problem. It should be pointed out that the Douglas Garner, deceased, who filed a claim in Colorado under I. C. docket No. 1–856–054 is the same Douglas Garner whose claim was denied in the Utah Supreme Court decision inserted earlier.

The Garner case is particularly significant for several reasons. First, considering the other Colorado cases enumerated in the digest in which Colorado has granted compensation, one can properly speculate that a different result would have been reached had Mr. Garner remained in Colorado during the last 8 years of his life.

Second, while the causal connection between inhalation of radon gas in uranium mines has been established in the eyes of the Colorado Industrial Commission, it, apparently, is the only State granting disability and death benefits on this basis.

Third, if Colorado is correct in its assumption of liability, and the bulk of the testimony before the Joint Committee on Atomic Energy would seem to support Colorado's position, then Colorado is not only a pioneer in this field, but also has assumed a heavy financial burden.

Fourth, if Colorado is correct, then uranium miners similarly situated in other States are being denied benefits only because they happen not to live and work in Colorado.

And, fifth, if Colorado is correct, then Colorado has assumed this heavy burden with only minimal technical advice and assistance from Federal agencies who were in a position or should have been in a position to render substantial technical advice.

Mr. Garner, according to the Utah Supreme Court decision inserted earlier, had "worked in and around uranium mines since 1940." In this connection, Senators will recall that prior to and during World War II atomic energy and uranium were veiled with the highest degree of secrecy. Many of the mine operators were selling ore to certain mills based upon its vanadium content and were unaware of the fact that uranium was being extracted from the ore. It is likely that many of the mine operators were unaware of the existence of uranium in the ore they were selling. Many years later some payments were made to these vanadium mine operators for uranium in the ores they had previously sold.

This, I believe, adequately demonstrates the point that miners and mine operators in the early days were unaware of any danger from this source. In fact, studies of Radon 222 were only commenced in 1958 at the Argonne National Laboratory and the University of Illinois through a Public Health Research grant. But more specifically, it was the December 1960 Governors' Conference on Health Hazards in Uranium Mines which first focused attention to potential dangers of uranium mining. The State's objectives were reportedly as follows:

(a) Follow up the miners reported to date with cytologically positive sputa tests for more definitive diagnosis and any necessary treatment.

(b) Examine all uranium miners who have not yet received a physical examination.

(c) Increase inspections of mines, in both frequency and intensity. All areas in each mine should be surveyed, and inspections should be made more frequently to compensate for seasonable variations in ventilation and changes in concentration levels caused by mining activity.

(d) Check compliance with control recommendations.

(e) Carry out additional research to evaluate mining exposures and their health effects.

(f) Provide more consultative and educational services to mine personnel directed toward the establishment of effective control measures and self-monitoring programs.

(g) Enforce existing laws and standards and determine if new laws are needed.

(h) Accelerate state training programs and participate in those offered by other agencies.

Colorado has moved ahead aggressively in its efforts to reduce radiation hazards connected with uranium mining. Right after the December 1960 Governors' Conference a supplemental appropriation was granted to Colorado's Bureau of Mines in the later part of fiscal year 1960–61 to launch its program to reduce the concentration of radon daughter products in the atmosphere of Colorado's uranium mines. That program has been continually expanded and refined ever since. I believe I can safely say, without fear of contradiction, that Colorado has been the leader in this field. Commissioner Ramey of the Atomic Energy Commission gives corroboration of this statement in the following exchange with Representative HOLIFIELD on May 23, 1967, during the Joint Committee on Atomic Energy hearing.

Representative HOLIFIELD. Would it be fair to say that Colorado has been in the forefront of the uranium-bearing states in its approach to these problems?

Mr. RAMEY. I would say, Mr. Holifield, that practically they have been.

Representative HOLIFIELD. They have been the leader?

Mr. RAMEY. Yes, sir.

Further substantiation of Colorado's progress is found in a comparison table on the status of uranium mines in Colorado.

Mr. President, I ask unanimous consent that a comparison table prepared by the Colorado Bureau of Mines be inserted in the RECORD at this point.

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

COMPARISON OF STATUS OF MINES

[Percent of operating mines]

Range	Dec. 31, 1961	Dec. 31, 1962	Dec. 31, 1963	Dec. 31, 1964	Dec. 31, 1965	Dec. 31, 1966
−1.0 WL or less	45	52	40½	43	52	60
+1.0 WL through 3.0 WL	27½	38	47	41	40½	34½
+3.0 WL through 5.0 WL	----------	----------	----------	----------	6	5
+5.0 WL through 10.0 WL	----------	----------	----------	----------	¾	
+3.0 WL through 10.0 WL	23	10	12½	16	----------	----------
+10.0 WL and Over	4½	----------	----------	----------	¾	----------
Total	100	100	100	100	100	100

CORRECTIVE ORDERS ISSUED FOR VENTILATION

[District 4—Uranium mines]

	Number
General	229
Removal of men from area	48
Compliance by specified date	4
Total	281

Mr. ALLOTT. Mr. President, it is apparent that Colorado has been the leader in the two aspects of the problem: One, in providing compensation to the widows or estates of the injured; and two, in an aggressive program directed at control and elimination of hazard. With respect to radon gas reduction, Colorado's progress has been necessarily dependent upon technological progress. But, the States have had to look to the AEC and other Federal agencies for guidance in these matters. Under the Atomic Energy Act of 1954, the AEC is "authorized and directed to cooperate with the States in the formulation of standards for protection against hazards of radiation." And, in order to carry out these responsibilities the Atomic Energy Act established the Federal Radiation Council, consisting of the Secretary of Health, Education, and Welfare, the Chairman of the AEC, the Secretary of Defense, the Secretary of Commerce, the Secretary of Labor, and such other members as may be designated by the President. Under the provisions of the section establishing the Council, it was mandated to "advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States."

The AEC and the Federal Government were the primary beneficiaries of uranium mining activity, particularly during the period when most of the injuries occurred that are now being compensated by the Colorado Industrial Commission. There is, in my view, a Federal responsibility stemming both from its proprietary function and from the fact that it was the primary repository of all necessary technical information required to set up an appropriate safety program. Commissioner Ramey supported this contention in testimony before the Joint Committee on Atomic Energy on May 23, 1967:

Mr. RAMEY. We do feel in this case the Federal Government does have some responsibility. The period these miners were exposed was the period when all the uranium was being bought by the Federal Government. So we acknowledge and recognize that there should be some Federal responsibility.

So, from a proprietary standpoint, the AEC recognizes "some Federal responsibility." In my opinion, there is also Federal responsibility stemming from the Government's almost exclusive control over research and the acquisition and accumulation of technical information needed to guard against the hazard. The following exchange between Representative HOLIFIELD and Commissioner Ramey during the Joint Committee hearings underscores this:

Representative HOLIFIELD. In other words, there has been expertise in the field applied to the problem over these years by the Public Health Service?

Mr. RAMEY. Yes, sir; in that context. I think, also, on the mining side as such, the AEC, again does not have all of the expertise certainly on mining and mine ventilation, and so on. That is why we cooperated with the Bureau of Mines and, of course, with the State people in regard to leased mines. We did and do consider ourselves to have some expertise on the radiation aspects of it.

Representative HOLIFIELD. At least in the interpretation of radiation levels.

Mr. RAMEY. Yes.

Of course, no one expects the AEC to have special expertise in general mine safety. It is, after all, the State bureaus and the Federal Bureau of Mines who have had years of experience in this field. But, in this case the hazard is not one of general mining safety. It was an invisible, tasteless, and odorless gas whose recognizable deleterious effects might not manifest themselves for two decades. The type of expertise necessary to establish protective measures was the kind for which, logically, the States would look to the AEC, the Federal Radiation Council, and/or the Public Health Service to supply.

The question, then, is "did the Federal agencies provide the necessary technical guidance in a timely fashion?" I refer, again, to colloquy between Commissioner Ramey and Representative HOLIFIELD during the Joint Committee hearings.

Representative HOLIFIELD. But we were accumulating knowledge in this field. I mean, the AEC, as well as the Committee, has been accumulating knowledge in this field, and some of the latest knowledge that has come to us has been in the form of conclusions that have been long in the making.

Mr. RAMEY. Yes, sir. The Joint Committee hearings in 1959, in which Mr. Holaday testified, brought up the uranium miner problem. At that time, though, there had only been, as I recall, four deaths. It was not clear from the HEW, Public Health Service epidemiological studies exactly how that trend was going to go. It began to become clearer, I think, in 1962 and 1963, as I recall, that the trend was going to follow the same way that it had done in Europe in the Silesian mines and so on. It was in this period in the mid-1960's where we could have probably moved a little faster. As you know, there were various other problems and factors involved that were being given priority attention; namely, fallout and related criteria.

It is not my purpose to engage in recriminations. Hindsight is always better than foresight. The AEC had its priorities and I have no quarrel with these priorities. In a sense, this is an example of one of the dangers of concentrating control in one office. In this particular case, however, concentration of control is perhaps more justified than in any other. But this does not alter the fact that the States had a right to look to the AEC and other Federal agencies for the necessary technical information. To put it another way, who else would be expected to have the necessary technical information if the AEC, the Federal Radiation Council and the Public Health Service did not? These are the agencies which have the statutory responsibility of acquiring the needed expertise. It is difficult for me to imagine anyone attempting to place that responsibility on the States.

On the other hand, the States do have a responsibility to administer mine safety programs. I cannot speak for the other States, but the evidence clearly indicates that Colorado has discharged this responsibility aggressively within the limits of the technical information available to it.

Colorado has gone even farther and as the industrial commission digest of lung cancer cases shows, Colorado has been providing medical and death benefits to victims of lung cancer in the uranium mining industry. However, in my opinion, this is not a burden that the States should be required to shoulder—at least as far as past injuries are concerned. The Nation as a whole should carry the load. Actuarial studies indicate that in Colorado alone, the potential liability of the State compensation insurance fund may be $8.5 million. Mr. James M. Shaffer, chairman of the Industrial Commission of Colorado makes this point very vividly in his February 10, 1967, memorandum to Gov. John Love. I shall read the salient parts of that memorandum:

Figures have recently been developed by a Dr. Archer of the United States Public Health Service in the area of radiation-induced lung cancer which have begun to cause us some concern because of their impact on the uranium industry in Colorado and its workmen's compensation insurer, the State Compensation Insurance Fund. As a result of Dr. Archer's projections, the industry has recently had an actuarial study made of the problem as it relates to Colorado. This study indicates that within the next twenty years there is the likelihood of 450 radiation-induced lung cancer deaths in this state, with a potential liability of $8,500,000.00.

This has been a rather sudden presentation of a problem and a volume of risk which had not been foreseen by anyone. This situation, if borne out, would present a reserving problem to the State Compensation Insurance Fund of almost fatal proportions—that is, if we have to set up reserves of that magnitude, our financial statement would immediately indicate that the State Fund was close to insolvency.

Further, this problem has the additional complication that establishing rates for the workmen's compensation insurance of Colorado corporations in the uranium industry to cover this kind of cost is impossible on a retroactive basis because their contracts with the AEC probably are not subject to renegotiation.

In addition to this, the problem is not confined to the boundaries of Colorado, nor are the corporations involved. There is, as you know, uranium activity in Utah, Wyoming, Arizona and New Mexico. It is our feeling that, because of the interstate nature of the situation and because the chief beneficiary of uranium production has been the Atomic Energy Commission, that it should properly bear the costs of these injuries and fatalities as an unforeseen part of the cost of ore production.

Mr. Shaffer makes mention of an actuarial study which was performed by the New York firm of Woodward & Fondiller, Inc., at the instance of the Colorado Mining Industrial Development Board. The full text of that actuarial study may be found in the hearings of the Joint Committee on Atomic Energy on Radiation Exposure of Uranium Miners, May 9 through August 10, 1967, as appendix 7. I shall quote two significant paragraphs from that study dealing with this specific matter:

Obviously, the economic cost of uranium mined to date includes a large element not considered in the setting of prices charged to the U.S. Atomic Energy Commission for the product. That element, of course, is the subject of calculations made herein.

Its possible magnitude obviously far exceeds the ability of the Colorado State Compensation Insurance Fund to pay out of existing surplus. Hence, if we assume that these claims will be paid, it is evident that the money must be found elsewhere. We think that since the mining of uranium until now has been conducted, almost exclusively for purposes of national defense, the full cost of such mining should be borne by the country as a whole. It follows that we believe the Federal government should assume these costs as they arise. This might be accomplished, for example, through the enactment of special legislation authorizing the reimbursement of state insurance funds (perhaps indirectly through their respective state governments) for payments made on lung cancer cases involving uranium miners. We are not attempting, of course, to recommend this or any other particular procedure but merely urge Federal assumption of these costs in principle.

Mr. President, it would seem that the AEC concurs in the belief that the Federal Government should participate in a program of compensation and medical treatment for uranium miners injured by radiation and the inhalation of radon gas. In response to the rhetorical questions, "What can the Federal Government do?" Commissioner Ramey, in his prepared statement to the Joint Committee, proposed among other things, that—

A stated objective of assuring that no uranium miner developing lung cancer from exposure to radiation shall go without adequate medical care or compensation. This

program should develop recommendations, including proposed legislation, for the Federal government to participate in achieving this objective.

Mr. President, I agree with the concept that the Federal Government should participate in a compensation, medical treatment, and rehabilitation program for uranium miners injured by radiation. I have consulted with State officials, Federal officials, and officials of some of the producing companies, and I wish to acknowledge the advice and assistance I have received from them in drafting the bill I introduced today. I wish to particularly thank Mr. Donald Ream of the Labor Department, Mr. James Shaffer, chairman of the Industrial Commission of Colorado, Mr. Charles Eason of the AEC, and Mr. Richard Eckles, coordinator of the Colorado Department of Natural Resources, for their many suggestions, as well as Charles Cook of my own staff.

A TEMPORARY FEDERAL PROGRAM

Colorado State officials have expressed to me the willingness of the State industrial commission to assume the liability for radiation hazards in the future; however, during the period prior to the establishment of standards by the Federal Radiation Council, it is unreasonable for the States to be required to assume liability for a hazard that they were unaware of, particularly when the Federal Government was the primary and almost exclusive beneficiary of uranium mining and when the Federal Government was in almost exclusive control of the necessary technical information needed to devise protective measures.

With this in mind, I have drawn a bill which would cut off the liability of the United States for injuries occurring after December 31, 1970, the effect of which would be to return the liability to the States. This date is, of course, somewhat arbitrary; it was selected as being a date which would permit a reasonable time for realistic standards to be established and made operative. Additionally, this date coincides with the termination of the AEC uranium purchase contracts.

Subsequent to 1970, uranium mining will be primarily for the benefit of private industry, and the logic which supports the assumption of liability by the Federal Government during the early period loses much of its persuasiveness after that date. Under present circumstances, the States do not wish the Federal Government to permanently invade this field of workmen's compensation, and I can see no logical reason for the Federal Government to permanently assume this obligation. It is hoped that during the interim period between the effective date of this act, if it becomes law, and the cutoff date, actuarial data can be developed sufficiently to enable State compensation insurance funds, private carriers, and self-insurors to establish appropriate premiums and reserves to defray future potential liabilities.

On the other hand, I wish to make it clear that it is not the intention of section 4 to relieve the United States from liability for a lung cancer case which may have had its origin due to radiation exposure in a uranium mine during the period prior to the December 31, 1970, cutoff date. Testimony has shown that the effects of this kind of injury may not manifest itself for 10, 20, or 25 years after exposure. It is, therefore, my intention that lung cancer cases which have their origin in uranium mining as a result of radiation exposure as defined in section 2 of the bill, should be compensable under the terms of the bill.

STATE ADMINISTRATION

I have received comments to the effect that States which already have machinery established should be permitted to administer the provisions of the bill. This is certainly a reasonable suggestion, and would also effect savings to the Federal Government. It was with this purpose in mind that subsection 3(b) was included in the bill. It was not logical to make the language mandatory since there is such a variance in the workmen's compensation setups in the affected States; hence, the language is permissive. However, it is the intent of the subsection that the Secretary, in exercising his discretion, utilize established State machinery wherever possible.

LEVEL OF BENEFITS

Using the existing precedent of the Longshoremen's and Harbor Workers' Compensation Act, compensation benefits under my bill, except medical benefits, are geared to the established formula of that act. Medical services and rehabilitation will be furnished under the applicable provision of subchapter I, chapter 81 of title 5 of the United States Code.

DOUBLE COMPENSATION PREVENTED

There are included, of course, the usual provisions prohibiting the injured workman, his heirs or estate from receiving compensation from more than one source for the same injury. The right of recovery of any double compensation is provided to the Secretary.

FRAUD; PENALTIES

Provision is made for fraudulent applications for benefits under the bill, and as a misdemeanor, the maximum penalties are set at 1 year imprisonment or $1,000 fine or both.

LEGAL SERVICES

No claim for legal or other services shall be allowed unless approved by the Secretary, and anyone who solicits such employment and receives a fee therefor, shall, upon conviction, be subject to a fine of $1,000 or imprisonment for 1 year or both. While it is the purpose of this section to insure that the benefits provided under this bill would get to the injured workman or his heirs, nevertheless, there are many occasions when the services of legal counsel will be highly beneficial in the interest of making a just award. The Secretary is, therefore, authorized to approve and pay for such services out of the fund without diminishing the benefits to the claimant.

ASSIGNMENT, EXECUTION AND LEVY

Again, in order to insure that the claimant receives these benefits unencumbered, there can be no assignment of rights under this bill. Further, all of the moneys payable under the provisions of the bill shall be exempt from execution, levy, attachments, and garnishment.

REIMBURSEMENT TO STATES

As I pointed out earlier, Colorado has been the leader both in the field of compensation and in the field of preventative controls. The fact that Colorado has been the leader should not be allowed to work against her; if anything, she should be rewarded for her leadership. There has been considerable talk in the Halls of Congress during the past few years concerning incentive payments to States "in order to encourage States to do what they ought to be doing." In this case a State has assumed a liability more properly belonging to the Federal Government. Surely, the least the Federal Government can do is to reimburse a State which has been doing something the United States should have been doing.

Earlier in this introductory speech I quoted from documents which indicated that as a result of recently released information an actuarial study was performed which indicates that Colorado's liability could equal or exceed $8.5 million over the next 15 years or so. The magnitude of that liability is such as to render Colorado's compensation insurance fund insolvent. Section 12 provides for reimbursement to those States which have paid benefits to persons for radiation injuries as defined in the bill prior to the effective date of the bill, January 1, 1968.

EFFECTIVE DATE

If enacted as drawn, the bill would be effective as of January 1, 1968. This date was selected back in the latter part of May of this year when I first drafted the bill. At that time, I had the impression that things would move a little faster than they have. While I have received many comments from interested agencies, organizations, and individuals, many more have deferred comment until after the Joint Committee on Atomic Energy had completed its hearings and deliberations and until after the Federal Radiation Council had held its meetings relating to radiation standards. Therefore, I wish to call to the attention of the committee to which this bill will be referred, the need to review the effective date during executive markup. It may be that the dates in sections 6, 12, and 14 will need to be revised.

Mr. President, the bill I introduce today is the product of many conferences with many people. I have tried to incorporate as many of the desirable features that have been suggested as possible. I do not pretend that this bill is the final and complete answer which cannot be improved upon, but I do believe that it is a good beginning.

It is a beginning upon which the Congress can work its legislative will, and in its wisdom produce a legislative product which will do equity to those who have been injured by radiation, while at the same time reimbursing States which have led the way. It is for this reason that I shall forward to the committee of reference the many letters and memorandums I have received commenting upon the various provisions of the bill, so

that the committee may have the benefit of those analyses during deliberation.

I had hoped that we could move toward a resolution of this problem with much more alacrity than has so far been the case. Consequently, while I have not received all of the comments I would have liked to have received, and this is particularly true of labor and industry, I have decided to introduce the bill at this time in order to get things moving in a positive vein.

Mr. President, on behalf of Senator DOMINICK and myself, I send to the desk for appropriate reference a bill to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

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

The bill (S. 2686) to provide workmen's compensation protection to certain individuals who, while employed in, or in connection with, the mining of radioactive material, suffer injury or death from the effects of radiation introduced by Mr. ALLOTT (for himself and Mr. DOMINICK), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2686

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Radiation Hazards Compensation Act".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) the term "radioactive material" means any by-product material or any material, solid, liquid, or gas that emits gamma rays or X-rays, alpha or beta particles, high-speed electrons, neutrons, protons, or other nuclear particles or electomagnetic radiation capable of producing ions directly or indirectly in their passage through matter;

(b) the term "United States" when used in a geographic sense means the fifty States and the District of Columbia;

(c) the term "State" includes the District of Columbia;

(d) the term "contractor with the United States" includes any subcontractor or subordinate subcontractor with respect to the contract of such contractor;

(e) the term "Secretary", unless the context indicates otherwise, means the Secretary of Labor.

ADMINISTRATION

SEC. 3. (a) The provisions of this Act shall be administered by the Secretary of Labor, and the Secretary is authorized to make rules and regulations for the administration thereof and to contract with insurance carriers for the use of the service facilities of such carriers for the purpose of facilitating administration of such provisions.

(b) In administering the provisions of this Act the Secretary may enter into agreements or cooperative working arrangements with other agencies of the United States or of any State or political subdivision thereof, and with other public agencies and private persons, agencies, or institutions, to utilize their services and facilities and to compensate them for such use. The Secretary may delegate to any officer or employee, or to any agency, of the United States or of any State, or any political subdivision thereof, such of his powers and duties as he finds necessary for carrying out the purposes of this Act.

(c) The Secretary, in his discretion, may waive the limitation provisions of subchapter I of chapter 81 (relating to compensation for work injuries generally) of title 5, United States Code, with respect to notice of injury and filing of claims under this Act, whenever the Secretary shall find that, because of circumstances beyond the control of an injured person or his beneficiary, compliance with such provisions could not have been accomplished within the time therein specified.

INJURY OR DEATH

SEC. 4. (a) In the case of injury or death resulting from injury—

(1) which occurs within the period which begins January 1, 1941 and ends with the close of December 31, 1970,

(2) which is attributable (wholly or in part) to exposure to radioactive material,

(3) to any individual who, during the period referred to in clause (1) and before such injury occurred, was employed in, or in connection with, the mining (within the United States) of radioactive material,

the provisions of subchapter I of chapter 81 of title 5, United States Code, shall (except as is otherwise provided in this Act) apply with respect thereto in the same manner and to the same extent as if the individual suffering such injury had, at the time such injury was suffered by him, been a civil employee of the United States and were injured while in the performance of his duty, and any compensation found to be due shall be paid from the compensation fund established pursuant to section 8147 of such title 5. This subsection shall not be construed to include any individual who would otherwise come within the purview of subchapter I of chapter 81 of such title 5.

(b) For purposes of subsection (a)(2), any injury which could be attributable to exposure from radioactive material shall be deemed to be attributable to such exposure if the injury arises after the individual suffering the same was employed in, or in connection with, the mining (within the United States) of radioactive material.

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

SEC. 5. (a) In the administration of the provisions of subchapter I of chapter 81 of title 5, United States Code, with respect to cases coming within the purview of section 4(a), the scale of compensation benefits and the provisions for determining the amount of compensation and the payment thereof as provided in sections 8 and 9 of the Longshoremen's and Harbor Workers' Compensation Act (908 and 909 of title 33, U.S.C.), so far as the provisions of such sections can be applied under the terms and conditions set forth therein, shall be payable in lieu of the benefits, except medical benefits, provided under such subchapter I; except that the total compensation payable under this Act shall in no event exceed the limitations upon compensation as fixed in section 14(m) of the Longshoremen's and Harbor Workers' Compensation Act (sec. 914(m) of title 33, U.S.C.).

(b) For purposes of computing compensation with respect to cases coming within the purview of section 4(a), the provisions of sections 6 and 10 of the Longshoremen's and Harbor Workers' Compensation Act (906 and 910 of title 33, U.S.C.) shall be applicable, except that the minimum limit on weekly compensation for disability, established by section 6(b) of such Act, and the minimum limit on the average weekly wages on which death benefits are to be computed, established by section 9(e) of such Act, shall not apply in computing compensation under this Act.

DEEMED DATE OF OCCURRENCE OF INJURY OR DEATH

SEC. 6. Any injury or death within the purview of this Act which occurred prior to January 1, 1968, shall, for purposes of any requirements with respect to the report of such injury or death or with respect to the time for making claim for compensation on account thereof, be deemed to have occurred on January 1, 1968.

RECEIPT OF WORKMEN'S COMPENSATION BENEFITS

SEC. 7. (a) No benefits shall be paid or furnished under the provisions of this Act for any injury or death to any person who recovers or receives workmen's compensation benefits for the same injury or death under any other law of the United States, or under the law of any State, or benefits in the nature of workmen's compensation benefits payable under an agreement approved or authorized by the United States pursuant to which a contractor with the United States has undertaken to provide such benefits.

(b) The Secretary of Labor shall have a lien and a right of recovery, to the extent of any payments made to any person under this Act on account of injury or death, against any compensation payable under any other workmen's compensation law on account of the same injury or death; and any amount recovered under this subsection shall be covered into the fund established under section 8147 of title 5, United States Code.

(c) Where any individual specified in section 4(a), or the dependent, beneficiary, or allottee of such individual, receives or claims wages, payment in lieu of wages, or insurance benefits for disability or loss of life (other than workmen's compensation benefits), and the cost of such wages, payments, or benefits is provided in whole or in part by the United States, the amount of such wages, payments, or benefits shall be credited, in such manner as the Secretary of Labor shall determine, against any payments to which any such individual is entitled under this Act.

(d) Where any individual specified in section 4(a), or any dependent, beneficiary, or allottee of such person, or the legal representative or estate of any such individual (his dependent, beneficiary, or allottee), after having obtained benefits under this Act, seeks through any proceeding, claim, or otherwise, brought or maintained against the employer of such individual, the United States, or any other person, to recover wages, payments in lieu of wages, or any sum claimed for services rendered, or for failure to furnish transportation, or for liquidated or unliquidated damages under the employment contract, or any other benefit, and the right in respect thereto is alleged to have accrued during or as to any period of time in respect to which payments under this Act in such case have been made, and in like cases where a recovery is made or allowed, the Secretary of Labor shall have the right of intervention and a lien and right of recovery to the extent of any payments paid and payable under this Act in such case, provided the cost of such wages, payments in lieu of wages, or other such right, may be directly or indirectly paid by the United States; and any amounts recovered under this subsection shall be covered into the fund established under section 8147 of title 5, United States Code.

(e) If at the time an individual sustains an injury coming within the purview of this Act such individual is receiving workmen's compensation benefits on account of a prior accident or disease, such person shall not be entitled to any benefits under this Act during the period covered by such workmen's compensation benefits unless the injury com-

ing within the purview of this Act increases his disability, and then only to the extent such disability has been so increased.

FRAUD; PENALTIES

SEC. 8. Whoever, for the purpose of causing an increase in any payment authorized to be made under this Act, or for the purpose of causing any payment to be made where no payment is authorized hereunder, shall knowingly make or cause to be made, or aid or abet in the making of any false statement or representation of a material fact in any application for any payment under this Act, or knowingly make or cause to be made, or aid or abet in the making of any false statement, representation, affidavit, or document in connection with such an application, or claim, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

LEGAL SERVICES

SEC. 9. No claim for legal services or for any other services rendered in respect of a claim or award for compensation under this Act to or on account of any person shall be valid unless approved by the Secretary; and any claim so approved shall, in the manner and to the extent fixed by the Secretary, be paid out of the compensation payable to the claimant; and any person who receives any fee, other consideration, or any gratuity on account of services so rendered, unless such consideration or gratuity is so approved, or who solicits employment for another person or for himself in respect of any claim or award for compensation under this Act shall be guilty of a misdemeanor and upon conviction thereof shall, for each offense, be fined not more than $1,000 or imprisoned not more than one year, or both.

FINALITY OF SECRETARY'S DECISIONS

SEC. 10. The action of the Secretary in allowing or denying any payment under this Act shall be final and conclusive on all questions of law and fact and not subject to review by any other official of the United States or by any court by mandamus or otherwise, and the Comptroller General is authorized and directed to allow credit in the accounts of any certifying or disbursing officer for payments in accordance with such action.

ASSIGNMENT OF BENEFITS; EXECUTION, LEVY, ETC., AGAINST BENEFITS

SEC. 11. The right of any person to any benefit under this Act shall not be transferable or assignable at law or in equity except to the United States, and none of the moneys paid or payable (except money paid hereunder as reimbursement for funeral expenses or as reimbursement with respect to payments of workmen's compensation or in the nature of workmen's compensation benefits), or rights existing under this Act, shall be subject to execution, levy, attachment, garnishment, or other legal process or to the operation of any bankruptcy or insolvency law.

REIMBURSEMENT TO STATES

SEC. 12. Where any State or any workmen's compensation fund of any State has prior to January 1, 1968, paid benefits to any person by reason of an injury or death which comes within the purview of section 4 (a), such State, or fund (as the case may be) shall be entitled to reimbursement for all the benefits so paid, including funeral and burial expenses, medical, hospital, or other similar costs for treatment and care, and reasonable and necessary claims expense in connection therewith. Claim for such reimbursement shall be filed with the Secretary under regulations promulgated by him, and such claims, or such part thereof as may be allowed by the Secretary, shall be paid from the compensation fund established pursuant to section 8147 of title 5, United States Code.

AUTHORIZATION OF APPROPRIATION

SEC. 13. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this Act. From amounts so appropriated, such funds as may be necessary to make the payments provided by this Act from the compensation fund established pursuant to section 8147 of title 5, United States Code, shall be deposited in such fund.

EFFECTIVE DATE PROVISIONS

SEC. 14. No payments of benefits under this Act and no payments under this Act to States or State workmen's compensation funds shall be made prior to January 1, 1968.

EXTENSION AND AMENDMENT OF CERTAIN PROVISIONS OF THE PUBLIC HEALTH SERVICE ACT FOR MIGRANT HEALTH SERVICES

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference today, a bill to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services. Joining me in sponsoring this measure are Senator CASE, Senator CLARK, Senator JAVITS, Senator KENNEDY of Massachusetts, Senator KENNEDY of New York, Senator MORSE, Senator PELL, and Senator YARBOROUGH.

Mr. President, millions of Americans—migrant farmworkers and their families—traditionally have been excluded from community health services—excluded by distance, cost, their own lack of knowledge, their transiency, and community rejection. Migrants have less access to health care than other members of our population, although they generally have a greater need for health care. The migrant family's transient way of life aggravates the many basic health problems which are associated with their poverty, and poor living and working conditions. They live on the fringes of society, far removed from such fundamental community health services as immunizations and obstetrical care.

The Migrant Health Act, enacted in 1962 as Public Law 89-692 with an appropriation ceiling of $3 million annually for a 3-year period, has started to change this picture. Because of its widely recognized success in upgrading the health of the migrant farm family, the act was extended by Public Law 89-109 for an additional 3 years with increasing appropriations. This extension carries the program through June 30, 1968.

We are far from providing each migrant the minimum standard of health most of us have; they need more than a get-well card. Extending the appropriation of the Migrant Health Act as I am proposing today will bring the Public Health Service programs to a more realistic level.

The Migrant Health Act which amends title III of the Public Health Service Act to authorize grants for improving domestic agricultural migratory workers' health services and conditions helps States and communities to muster the resources needed to extend their services to migrants.

Grants by the Public Health Service pay part of the cost of family clinics held in large labor camps at times when migrant workers and their families can use the service without loss of time from work. Local physicians provide medical treatment for illness or injury at the family clinics. They also provide immunizations, screening for hidden disease, family planning services, and pre- and post-natal care. In addition, they supplement family clinic services by providing care in their own offices between clinic sessions.

Nurses assist the physicians in the clinics, and visit camps on a regular schedule to advise on health matters, identify health problems that require treatment, arrange for the patients to see project physicians, and see that patients understand and follow the doctor's instructions.

Migrant health grants also help to pay for dental care, health education, sanitation services, and other types of health services.

Programs under the act stress flexibility in the scheduling of services so as to make them available at times and places where migrants can effectively be reached. Night clinics are frequently held at points where migrant workers are concentrated and health aides work in migrant labor camps in order to bring service to people ill-accustomed to seeking and using medical care. Through these projects we are making progress in the health status, the personal health practices, and the environment of migrant workers and their families.

During the 1967 fiscal year, one-fourth of the Nation's migrants had access to project services for at least a brief period. Migrant workers and family members made more than 239,000 visits for medical or dental treatment. In addition, nurses made 125,000 visits to migrant families, for casefinding, followup, and health counseling; and sanitarians made 125,000 camp inspections.

However, the demand for migrant health services far exceeds the existing program's resources. Grant funds available for fiscal year 1968 were limited to $7.2 million, about $2 million less than the small authorization. Yet the needs for growth of existing projects—without adding a single new project anywhere in the country—came to more than $13 million. In other words, current needs already exceed available funds by approximately $6 million. New projects will increase the need beyond $6 million. In view of the lack of funds, the Public Health Service has had to notify new applicants that their projects cannot even be considered until additional funding is available.

For the first time in migrants' long history of neglect, the migrant health program provides a mechanism to bring this needy group higher on the priority list of States and communities. The program has demonstrated that the special incentive of project grants stimulates community planning and acceptance of responsibility. Many of the communities where migrants live and work temporarily are themselves below the national average in income. These communities desperately need the financial help which we have already generated.

The program is well started. Loss of the planning and organizational effort to deliver services to migrants would be unfortunate. Loss of services to the people would be tragic. Loss of momentum would be regrettable. To maintain the program's momentum and to realize its potential, it should now be extended. Moreover, the appropriation ceilings should be set at realistic levels that will enable the Public Health Service to increase the geographic coverage of project services; to strengthen and expand medical, dental, health education, and other project services; and to make grant assistance available for full reimbursement of hospital costs.

The Public Health Service has awarded grants to 31 projects serving migrants in 114 counties in 20 States by the end of the program's first operating year. Today, 115 projects provide migrants personal health care in 300 counties in 36 States and Puerto Rico.

Mr. President, I ask unanimous consent that the computation of migrant health projects, the services which they provide, and their directors listed by State be printed in the RECORD at this point in my remarks.

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

APPENDIX B

[From the Department of Health, Education, and Welfare, January 1, 1967]

PROJECTS RECEIVING MIGRANT HEALTH PROJECT GRANT ASSISTANCE

NOTE.—A. *Personal health services* usually include medical, nursing, health education and, in many cases, at least limited dental or other services; B. *Sanitation services* include housing, camp and field inspection and follow-up; plus work with owners and occupants of housing to improve maintenance of the general environment; C. *Statewide consultation* includes general assistance in program planning, development, and coordination.

ARIZONA

A, B—Catherine C. Le Seney, M.D., Director, Pinal County Migrant Health Protect (MG-94), Pinal County Health Department, Post Office Box 807, Florence, Arizona.

C—Statewide consultation; personal health and sanitation services in counties without county-level projects: Robert C. Martens, Director, Arizona State Migrant Health Program (MG-111), State Department of Health, 1624 West Adams Street, Phoenix, Arizona 85007.

A, B—S. F. Farnsworth, M.D., Director, Maricopa County Migrant Family Health Clinic Project (MG-29), Maricopa County Health Department, 1825 East Roosevelt, Phoenix, Arizona 85006.

A, B—Frederick J. Brady, M.D., Director, Assistance to Pima County Migrants (MG-49), Pima County Health Department, 161 West Alameda Street, Tucson, Arizona.

A, B—Joseph Pinto, M.D., Director, Yuma County Migrant Family Health Clinic (MG-66), Yuma County Health Department, 145 Third Avenue, Yuma, Arizona.

ARKANSAS

A, B—Richard J. Brightwell, M.D., Director, Northwest Arkansas Migrant Committee Project, Washington County Public Health Center (MG-50), 34 West North Street, Fayetteville, Arkansas.

CALIFORNIA

Statewide consultation: personal health and sanitation services through county-level subprojects in cooperating counties: Robert Day, M.D., Director, Health Program for Farm Workers' Families, State Department of Publis Health, 2151 Berkeley Way, Berkeley, California.

COLORADO

Statewide consultation and services to supplement those at county-level; personal health services through county-level subprojects in cooperating counties: Dr. Robert A. Downs, D.D.S., Director, State Migrant Plan for Public Health Service (MG-09), Colorado Department of Public Health, 4210 East 11th Avenue, Denver, Colorado 80220.

CONNECTICUT

B—Marvin L. Smith, Director, Improved Migrant Farm Labor Sanitation Program (MG-82), State Department of Health, Hartford, Connecticut 06115.

DELAWARE

A—Rev. Samuel A. Snyder, Jr., Director, Delaware Migrant Health Project (MG-83), Delaware State Council of Churches, 217 North Bradford Street, Dover, Delaware.

FLORIDA

Statewide consultation; personal health and sanitation services through county-level subprojects in cooperating counties: James E. Fulghum, M.D., Acting Director, Statewide Program of Health Services for (MG-18) Migrant Farm Workers and their Dependents, Florida State Board of Health, Post Office Box 210, Jacksonville, Florida 32201.

A, B—T. E. Cato, M.D., Director, Comprehensive Health Care Project for Migrant Farm Workers (MG-34), Dade County Health Department, 1350 Northwest 14th Street, Miami, Florida.

A, B—Donald N. Logsdon, M.D., Director, Improvement of Personal Health and Environmental Sanitation (MG-11), Palm Beach County Health Department, 826 Evernia Street, West Palm Beach, Florida.

IDAHO

B (primary focus)—F. O. Graeber, M.D., Director, Idaho's Migrant Health Services (MG-124), Idaho Department of Health, Statehouse, Boise, Idaho 83701.

ILLINOIS

Statewide consultation; personal health services in process of development in 3 counties: Donaldson F. Rawlings, M.D., Director, An Action Program for Agricultural Migrant Workers and their Families (MG-105), Illinois Department of Public Health, Division of Preventive Medicine, Springfield, Illinois.

INDIANA

Statewide consultation; personal health and sanitation services in cooperating counties. Verne K. Harvey, Jr., M.D., Director, Health Services for Agricultural Migrant Workers and Families (MG-20), Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana.

IOWA

A—Mrs. Richard E. Sandage, Director, Health Services for Migrant Families in the North Iowa Area (MG-116), Migrant Action Program, Inc., Box 717, Mason City, Iowa 50401.

A, B—Mr. Jerry Lange, Director, Muscatine Area Migrant Families Health Service (MG-23), Muscatine Migrant Committee, Post Office Box 683, Muscatine, Iowa 52761.

KANSAS

A, B—N. G. Walker, M.D., M.P.H., Director, Plan to Provide Health Services to Migrants, Kansas City-Wyandotte County Health Department (MG-74), 619 Ann Avenue, Kansas City, Kansas.

A, B—Patricia Schloesser, M.D., Director, Public Health Services to Kansas Migrants (MG-64), Kansas State Department of Health, Topeka, Kansas.

KENTUCKY

A, B—Jorge Deju, M.D., Director, Migrant Worker Health Project (MG-77), Kentucky State Department of Health, 275 East Main Street, Frankfort, Kentucky 40601.

LOUISIANA

A—Mr. Milburn Fletcher, Director, New and Improved Medical, Dental and Nursing Services to Migratory Workers and Families (MG-54), Health Subcommittee, Tangipahoa Migrant Committee, Box 257—Route 2, Ponchatoula, Louisiana.

MARYLAND

A—The Reverend Carroll L. Boyer, Director, Frederick County Migrant Health Project (MG-80), Frederick County Migrant Health Council, Inc., 1415 W. Seventh Street, Frederick, Maryland 21701.

MASSACHUSETTS

A—Leon Sternfeld, M.D., Director, Massachusetts Migrant Health Project (MG-68), Massachusetts Health Research Institute, Inc., 8 Ashburton Place, Boston, Massachusetts 02108.

MICHIGAN

B—Robert L. Maddex, Director, Improving Seasonal Labor Facilities to Benefit Migrant Health and Welfare (MG-76), Agricultural Engineering Department, Michigan State University, East Lansing, Michigan.

A (see MG-91)—Ralph Ten Have, M.D., Director, Cooperative Migrant Project (MG-31), Ottawa County Health Department, Grand Haven, Michigan.

B—Serves all counties in State housing migrants but lacking local sanitation project services: John E. Vogt, Director, Environmental Health Camp Sanitation Project for Migrant Worker and his Family (MG-91), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.

Statewide consultation: Douglas H. Fryer, M.D., Director, Improvement and Expansion of Health Services to Migrant Agricultural Workers, and their Families (MG-30), Michigan Department of Health, 3500 North Logan, Lansing, Michigan.

A, B—Gladys J. Kleinschmidt, M.D., Director, Migrant Family Health Clinic and Hospital Program (MG-131), Manistee-Mason District Health Department, 401 East Ludington Avenue, Ludington, Michigan 49431.

A, B—C. D. Barrett, Sr., M.D., M.P.H., Director, Migrant Family Health Services, Nursing, Sanitation and Dental (MG-79), Monroe County Health Department, Monroe, Michigan 48161.

A, B—Robert P. Locey, M.D., Director, Migrant Health Program (MG-107), Tri-County Associated Health Departments, 505 Pleasant Street, St. Joseph, Michigan.

MINNESOTA

A, B (in cooperating counties)—Statewide consultation: D. S. Fleming, M.D., Director, Migrant Labor Environmental Health, and Nursing Service and Health Education Project (MG-67), Minnesota Department of Health, University Campus Minneapolis, Minnesota 55440.

MISSOURI

A (limited)—David Ragan, Director, Family Health Education Services for Home Based Migrants (MG-104), Delmo Housing Corporation, Lilbourn, Missouri.

NEBRASKA

A, B (in one area of State)—T. R. Dappen, Director, Plan to Provide Health Education and Other Public Health Services for Migrant Families (MG-88), Nebraska State Department of Health, Capital Building, Post Office Box 94757, Lincoln, Nebraska 68509.

NEW JERSEY

A, B (in cooperating counties)—Statewide consultation: Thomas Gilbert, M.P.H., Director, Health Services for Migrant Agricultural Workers (MG-08), New Jersey State Department of Health, 129 East Hanover Street, Trenton, New Jersey 08625.

A, B—William P. Doherty, Director, Migrant

Health Services, Cumberland County (MG-118), Board of Chosen Freeholders of Cumberland County, Cumberland County Court House, Bridgeton, New Jersey.

NEW MEXICO

A, B—Paul C. Cox, Director, Las Cruces Migrant Health Project (MG-15), Las Cruces Committee on Migrant Ministry, 1904 Idaho Avenue, Las Cruces, New Mexico.

A, B—Marion Hotopp, M.D., and Marion S. Morse, M.D., Codirectors, Migrant Health Project-Health Districts 1 and 5 (MG-134), New Mexico Department of Public Health, 408 Galisteo Street, Sante Fe, New Mexico 87501.

NEW YORK

A, B—G. Harold Warnock, M.D., M.P.H., Director, Cayuga County Migrant Health Services Program, Cayuga County Health Department (MG-106), 5 James Street, Box 219, Auburn, New York.

A, B—Bernard S. Bernstein, Director, Orange County Migrant Health Project (MG-135), Orange County Council of Community Services, Box 178, Goshen, New York.

A, B—Vernon B. Link, M.D., Director, New Platz Migrant Health Project (MG-125), Ulster County Department of Health, 244 Fair Street, Kingston, New York 12401.

A, B—Michael D. Buscemi, M.D., Director, Suffolk County Migrant Health Project (MG-60), Suffolk County Department of Health, Suffolk County Center, Riverhead, Long Island, New York.

A—John A. Radebaugh, M.D., Director, Monroe County Migrant Project (MG-103), University of Rochester, River Campus Station, Rochester, New York 14627.

A, B—Evelyn F. H. Rogers, M.D., M.P.H., Director, Family Service Clinics (MG-38), Utica County Department of Health, Utica District Office, 1512 Genessee Street, Utica, New York 13502.

NEVADA

A—Otto Ravenholt, M.D., Director, Moapa Valley Migrant Health Program (MG-133), Clark County District Health Department, 625 Shadow Lane, Las Vegas, Nevada 89106.

NORTH CAROLINA

A—Caroline H. Callison, M.D., Director, Sampson Migrant Health Service Project (MG-122), Community Action Council, Inc., Clinton, North Carolina.

A, B—Isa C. Grant, M.D., Director, Albermarle Migrant Health Service Project (MG-57), District Health Service Project (MG-57), District Health Department, Elizabeth City, North Carolina.

A, B—Mrs. Frank R. Burson, Director, Henderson County Migrant Family Health Service (MG-28), Henderson County Migrant Council, Inc., 218 Fairground Avenue, Hendersonville, North Carolina.

A—Reverend Mr. Charles L. Kirby, Director, Carteret County Mobile Migrant Clinic (MG-27), Carteret County Migrant Committee, c/o First Presbyterian Church, Morehead City, North Carolina.

Statewide consultation; sanitation services in counties without sanitation services through local projects: W. Burns Jones, M.D., Director, Migrant Health Project (MG-56), North Carolina State Board of Health, Post Office Box 2091, Raleigh, North Carolina.

OHIO

A—Mrs. Ralph McFadden, Director, Migrant Health Study Project and Dental Care Program (MG—263), Hartville Migrant Council, 1812 Frazier Avenue Northwest, Canton, Ohio 44709.

B—(Statewide to supplement services of county-level projects): Ray B. Watts, Director, Enviromental Health Project (Migrants), Ohio Department of Health, 450 East Town Street, Post Office Box 118, Columbus, Ohio.

Statewide consultation; direct services to supplement those through county-level projects: Miss Helen Massengale, Director, Health Aide, Nursing and Nutrition Consultation Project (MG-36), Ohio Department of Health, 450 East Town Street, Post Office Box, 118 Columbus, Ohio.

A—(through cooperating county-level projects): William L. Babeaux, D.D.S., Director, A Program for Provision of Dental Services to Migrants (MG-86), Ohio Department of Health, 65 South Front Street, Columbus 15, Ohio.

A, B—William J. Boswell, M.D., Director, Migrant Health Clinics, Nursing and Sanitation Service Program (MG-21), Sandusky County-Fremont City General Health District, Fremont, Ohio.

A, B—Giles Wolverton, M.D., Director Migrant Health Clinic and Nursing Services Project (MG-78), Darke County General Health District, Courthouse, Greenville, Ohio.

A—Rev. Robert Lamantia, Director Ottawa County Migrant Family Health Service Clinic, Ottawa County Ministry to Migrants, 159 North Church Street, Oak Harbor, Ohio.

A—Milo B. Rice, M.D., Project Director, Migrant Labor Family Care Program (MG-61), Putnam County General Health District, Courthouse, Ottawa, Ohio.

A, B—Dorothy M. Van Ausdal, M.D., Director, Family Health Education Project for Migrants (MG-35), Lucas County Health Department, 416 North Erie Street, Toledo, Ohio 43624.

OKLAHOMA

A, B—Joan M. Levitt, M.D., Director, Project To Improve Health Conditions and Health Services to the Domestic Agricultural Migrants (MG-59), State Department of Health, 3400 North Eastern, Oklahoma City, Oklahoma.

OREGON

A, B—H. Grant Skinner, M.D., Director, Yamhill County Migrant Health Project (MG-63), Yamhill County Health Department, Courthouse, McMinnville, Oregon.

Statewide consultation; direct personal health and sanitation services and services through contacts in cooperating counties. Ralph R. Sullivan, M.D., Director, Clinic Care, Public Health Nursing and Sanitation Services to Migrant Farm Labor (MG-05), Oregon State Board of Health, 1400 Southwest Fifth Avenue, Portland, Oregon 97201.

PENNSYLVANIA

Statewide consultation; direct personal health and sanitation services in cooperating counties. A. L. Chapman, M.D., Director, Health and Medical Services for Migrants (MG-33), Pennsylvania Department of Health, Post Office Box 90, Harrisburg, Pennsylvania.

PUERTO RICO

A, B—Ruben Nazario, M.D., Director, Health Needs of Migrant Workers Project (MG-58), University of Puerto Rico, School of Medicine, San Juan, Puerto Rico 00905.

SOUTH CAROLINA

A, B—H. Parker Jones, M.D., Director, Comprehensive Health Program for Agricultural Migrants—Beaufort County (MG-121), Post Office Box 408,[1] Beaufort, South Carolina 29903.

A, B—E. Kenneth Aycock, M.D., Director, Health Services for Migratory Agricultural Workers and Their Families—Charleston County (MG-26), 334 Calhoun Street,[1] Charleston, South Carolina 29401.

TEXAS

A, B—Gonzalo V. Trevino, Director, Jim Wells County Migrant Health Project (MG-99), Jim Wells County Commissioners Court, Jim Wells County Court House, 200 North Almond Street, Alice, Texas 78332.

Statewide consultation provision of technical and professional assistance to special local projects in establishing and maintaining their migrant programs.

A, B—Carl F. Moore, Jr., M.D., Director, Technical Assistance in Approaches to Health Problems Associated with Migratory Labor (MG-03), Texas State Department of Health, 1100 West 49th Street, Austin, Texas.

A, B—Jack F. Fox, M.D., and Harold R. Stevenson, M.D., Co-Directors, Greenbelt Medical Society Migrant Health Project (Childress and Hall Counties) (MG-109), Greenbelt Medical Society, 306 Third Northeast, Childress, Texas.

A, B—J. M. Barton, M.D., Director, La Salle County Migrant Health Project (MG-120), La Salle Court House, Center at Stewart Street, Cotulla, Texas 78014.

A, B—T. J. Taylor, Director, Crosby County Migrant Health Service Project (MG-108), Crosbyton Clinic Hospital, Post Office Box 248, Crosbyton, Texas.

A, B—B. Oliver Lewis, M.D., Director, Del Rio-Val Verde County Health Department Migrant Health Project (MG-128), Municipal Building, Del Rio, Texas.

A, B—R. D. Newman, Director, Castro County Migratory Health Project (MG-143), Castro County Commissioner's Court, Courthouse, Dimmitt, Texas.

A, B—Dr. John R. Copenhaver, M.D., Director, Hidalgo County Migrant Health Project (MG-117), Hidalgo County Health Department, Room 427, Courthouse, Edinburg, Texas.

A, B—L. W. Chilton, Jr., M.D., Director, Goliad County (Texas) Migrant Health Project (MG-114), Goliad Project for Handicapped Children, Box 53, Goliad, Texas 77963.

A, B—D. M. Shelby, M.D., Director, Gonzales County Migrant Health Project (MG-115), Gonzales County Medical Society, Gonzales, Texas 78629.

A, B—Jose L. Gonzalez, Director, Laredo-Webb County Migrant Family Health Project (MG-42), Laredo-Webb County Health Department, 400 Arkansas Avenue, Laredo, Texas.

A, B—David M. Cowgill, M.D., Director, Technical Assistance in Developing Techniques and Approaches to Health Problems Associated with Seasonal Farm Labor in Public Health Education, Sanitation, and Public Health Nursing, Countywide (MG-46), Lubbock City-County Health Department, 1202 Jarvis, Lubbock, Texas.

A, B—Carl P. Weidenbach, M.D., Director, Hale County Migrant Health Service (MG-37), Plainview-Hale County Health Department, 10th and Ash Streets, Plainview, Texas.

A—Mrs. Helen V. McMahan, Director, Yoakum County Migrant Health Service Project (MG-113), Yoakum County Commissioners, Yoakum County Courthouse, Box 456, Plains, Texas 79355.

A, B—Roy G. Reed, M.D., Director, Calhoun County Migrant Health Services Program (MG-95), Port Lavaca-Calhoun County Health Unit, 131 Hospital Street, Port Lavaca, Texas.

A, B—Dr. John R. Copenhaver, M.D., Director, Cameron County Migrant Health Project (MG-97), Cameron County Health Department, 186 North Sam Houston Boulevard, San Benito, Texas 78586.

A, B—Hon. Tom H. Neely, Director, Hudspeth County-Dell City Migrant, Hudspeth County Commissioners' Court, Hudspeth County Court House, Sierra Blanca, Texas.

A, B—H. A. Rickels, Director, Spur-Dickens County Health Service Project (MG-110), Spur City Aldermen, City, Post Office Box 356, Spur, Texas.

A, B—B. Oliver Lewis, M.D., Director, Southwestern Texas Health Department Migrant Project (MG-44), Southwestern Texas Health Department, Headquarters, Post Office Box 517, Uvalde, Texas.

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[1] Address of the project director is as shown. However, the sponsor in each case is South Carolina State Board of Health, J. Marion Sims Building, Columbia, South Carolina 29201.

A, B—Pedro Remirez, Jr., Director, Zapata County Migrant Health Project (MG-100), Zapata County Commissioners' Court, Post Office Box 272, Zapata, Texas.

UTAH

A, B—Robert W. Sherwood, M.D., Director, Utah Migrant Health Service (MG-98), Utah State Department of Health, 44 Medical Drive, Salt Lake City, Utah 84113.

VIRGINIA

A, B—J. B. Kenley, M.D., Director, Migrant Health Project—Virginia (MG-41), Division of Local Health Services, State Department of Health, Richmond, Virginia.

WASHINGTON

A, B—Dr. Phillip Jones, Director, Whatcom County Migrant Health Program (MG-132), Bellingham-Whatcom County District Health Department, 509 Girard Street, Bellingham, Washington 98225.

A, B—Ernest Kredel, M.D., Director, Health Services for Migrant Workers in Puyallup-Stuck Valley (MG-19), Tacoma-Pierce County Health Department, 649 County-City Building, Tacoma, Washington 98402.

WEST VIRGINIA

A, B—R. C. Hood, M.D., Director, Migrant Health Project (MG-123), Berkeley-Morgan County Health Department, 209 East King Street, Martinsburg, West Virginia.

WISCONSIN

A, B—Mrs. Clayton S. Mills, Director, Migrant Medical Aid Program (MG-75), Catholic Diocese of Madison, Guadalupe House, Elm Acre, Endeavor, Wisconsin 53939.

A—Mrs. Al Lambrecht, Director, St. Joseph Migrant Family Health Clinic (MG-129), St. Joseph Hospital, 707 South University Avenue, Beaver Dam, Wisconsin 53916.

A—Mrs. Mary Ann Minorik, Director, Waushara County (Wisconsin) Migrant Health Clinic (MG-130), Waushara County Committee for Economic Opportunity, Box 310, Wautoma, Wisconsin.

Mr. WILLIAMS of New Jersey. Mr. President, at present only an estimated one-fourth of the total migrant population has access to Migrant Health Act project services. There is, therefore, an urgent need for increased Federal appropriations if we are to provide for the expansion of present project services to provide adequate coverage for the migrant worker and his family. Such expansion will add to the value of diagnostic service now offered and will make possible the funding of new projects where they are needed now. An increased number of health projects, both in home-base areas and in communities along the migrant stream, are needed so that the migrant family will have the opportunity for uninterrupted clinical service.

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

The bill (S. 2688) to extend and otherwise amend certain expiring provisions of the Public Health Service Act for migrant health services, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. BYRD of West Virginia. Mr. President, on behalf of the distinguished Senator from Washington [Mr. MAGNUSON] I ask unanimous consent that, at its next printing, the name of the Senator from Hawaii [Mr. FONG] be added as a cosponsor of the bill (S. 2661) to amend the Public Health Service Act to provide for the establishment of a National Institute of Marine Medicine and Pharmacology in the National Institutes of Health.

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

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Minnesota [Mr. MONDALE], the Senator from Delaware [Mr. BOGGS], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Hawaii [Mr. FONG] be added to my bill (S. 2147) to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes.

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

Mr. MONTOYA. Mr. President, this brings to 25 the number of our colleagues that have joined me in cosponsoring this measure. I ask unanimous consent that the names of all the Senators joining me in sponsoring S. 2147 be inserted at this point in the RECORD.

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

The names of the Senators cosponsoring S. 2147 are as follows:

Senators ANDERSON, BARTLETT, BENNETT, BOGGS, BREWSTER, BROOKE, BYRD of West Virginia, CLARK, COOPER, FONG, HART, KENNEDY of Massachusetts, KENNEDY of New York, LAUSCHE, LONG of Missouri, MCGEE, MONDALE, MONRONEY, MORSE, MOSS, SMITH, TYDINGS, YARBOROUGH, YOUNG of North Dakota, and YOUNG of Ohio.

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Minnesota [Mr. MCCARTHY] I ask unanimous consent that, at its next printing, the name of the Senator from Alabama [Mr. HILL] be added as a cosponsor of the joint resolution (S.J. Res. 54) proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

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

TOWARD A LASTING PEACE IN THE EASTERN MEDITERRANEAN

Mr. KUCHEL. Mr. President, the world cannot allow another outbreak of conflict in the Near East. Three times in the past generation, Israel and the Arab nations have gone to war. Each time the issue has turned on the survival of one people as a nation. Each time the weaponry has been more sophisticated and deadly, the cataclysm more horrendous. Each time we have called on the United Nations to achieve settlement. And each time, so far, we have failed to achieve a lasting peace.

The next time, and God forbid that it should come to pass, the antagonists will probably have missiles, maybe with nuclear warheads. The instruments of war have been improved—if that is the word—to kill more people with greater rapidity, as they have become more easily available and far easier to operate. The pushbutton generation of nuclear missiles is not far away. Any nation, regardless of its technical ability, will be able to train a man to pull a lever, once a helpful technician from some "advanced country" like the Soviet Union, has tuned the guidance system, armed the warhead and aimed the missile toward the enemy nearby or far away.

Next time, Mr. President, it will be too late. The time is approaching when the fate of the entire world will depend on keeping perennial trouble spots like the Near and Far East from coming to the flashpoint. We now have an opportunity to reach a settlement in the Near East. There at last appears some disposition on the part of the nations of the Eastern Mediterranean to recognize the danger and to seek peace. Moreover, the long experience of the United Nations together with the clear interest of the majority of the world powers in avoiding conflict over the holy land are clear and positive factors.

In the past month, in the course of speaking engagements in the State of California, I have attempted to outline what I believe to be the essential guidelines of settlement. Two elements are clearly necessary. First, a series of agreements providing for diplomatic recognition, defensible frontiers, commercial and cultural relations between Arabs and Israelis, as well as free use of international waterways and, hopefully, cooperation toward economic development. Second, a system of guaranteeing through timely use of neutral force, those agreements, once reached.

Mr. President, I ask unanimous consent that two speeches which I recently gave in California outlining these proposals be placed at the conclusion of my remarks in the RECORD.

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

(See exhibit 1.)

Mr. KUCHEL. Let me state briefly what I propose. The settlement between the peoples of Israel and the Arab nations must take full advantage of the historic, geographic and spiritually strategic position of the holy city of Jerusalem. The city must continue to remain united as the capital of Israel, providing through international agreement on administration of the holy places, a center of world harmony for all who honor that hallowed ground. Jerusalem offers today, as it did in the time of Our Savior, a unique meeting place for the commerce and culture of Palestine and of the entire eastern Mediterranean. It could provide, by means of a customs-free access to the sea, an open door for Arab commerce, and a meeting point to exchange ideas of all kinds, technical, political and artistic. Reunited and flourishing, it would draw visitors and revenue from the entire Western World.

Any agreement on territory, whatever it may be, will require for some years to come the guarantee of a neutralizing force to prevent major border clashes to assure one side against attack from the other. Decades of hostility will not pass overnight. There is need for a

friendly policeman. I suggest it is high time for the creation of an international peacekeeping force under the United Nations to meet this need. Using the increasingly powerful observation capabilities of an artificial satellite this force could gain ample warning of large-scale troop movements. With airborne troops provided by acceptable donors, such a force, under U.N. command, could be based at a nearby, neutral point, like the island of Cyprus where their very presence would be an added boon to stability.

These suggestions might seem fanciful to those who continue to do their thinking in yesterday's world. But tomorrow is too soon and too frightening for our great Nation not to dare to contrive the necessary devices of peace among men. The holy land is the place to start.

EXHIBIT 1

THE VISION OF HOPE: A NEW JERUSALEM

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL before the Professions & Finance Group of the City of Hope, Beverly Hilton Hotel, Beverly Hills, Calif., October 22, 1967)

I deem it a great honor to be here this evening. I share your deep concern for the human condition, and I am pleased to have this opportunity to speak briefly with you about the hopes and fears of our world in this era of exploding change and of almost constantly expanding horizons. The persistent advance of the City of Hope, reaching out to increasing numbers of men and women in Southern California, and throughout the world, is testimony of the indomitable good will of its membership and of your determination to put scientific achievement at the service of mankind. Your insistence on the sanctity of the individual, his right to life and freedom, to dignity and to equal treatment, bespeaks the very heart of the American philosophy. The City of Hope has opened its doors to all, regardless of creed, status, origin or pocket book. Your determination to deal equally with rich and poor, the humble and the high, fully expresses the best teachings of our common culture.

The selfless human effort, exemplifies a kind of wisdom that is all too rare in our society today. You dare to hope, when many others, out of fear and cynicism, have despaired.

I have read with deep interest of the achievements of the City of Hope in developing chemical agents which will help in the treatment of epilepsy and other convulsent diseases. These discoveries resulted, in part, from unrelated research connected with protection of workers in our aerospace industry. It is an exciting example of human ingenuity profiting from the increasing interplay among the growing scientific community here in California. It demonstrates in real terms, what we all feel to be true, that, here in our State, the phenomenal growth of human knowledge has put us at the frontier of the modern world. Men and women in California are meeting challenges and finding opportunities which other societies will not experience for years to come. What we do here will have a critical impact on the future of all mankind.

Through its contributions in mass communications, in motion pictures, radio and television, California has changed thought patterns throughout the world. So, too, will its advances in electronics, aero-space, high-energy physics, and medical science. I am proud that the human dimension, as shown in institutions like that which we honor tonight, has been given due emphasis. Never before have men held so much power over nature. This is an awesome force, and we must bring it out of the shadow of fear into the light of human progress. You are not going to stop progress—or change—for that matter. Science is going to continue unlocking doors and making great new discoveries, and the rest of us had better get along with the growing need to improve ourselves and strengthen whatever virtues the human race has been able tenuously to acquire. For all the newly found powers over nature—for good or for evil—are going to be in human hands to utilize.

The work on epilepsy underscores an essential point—advance in the modern world is a product of many minds, many views, and many elements of knowledge all working together in common service to mankind. This joining together of thought in free association is the bedrock of our American system, of our democracy.

Our own traditions of behavior drawn from the teachings of many great religions have helped to build a peculiarly American sense of common values, of individual dignity, human rights, free give and take and fair play. These are a product of our Judeo-Christian culture. They are enshrined in our proudest national documents—in the Declaration of Independence, the Constitution, in the Biblical cadence of Lincoln at Gettysburg. These origins are distant. They reach to the source of what we call Western civilization. They trace back to the stone passages, the Temple walls, the aged olive trees of the still-living, sacred city of Jerusalem.

Last fall, together with my wife and other members of the American delegation to the 1966 session of the Interparliamentary Union in Teheran, I wandered through the teeming, timeless streets of the Old City. I paused, in awe, and for a long time, in the Dome of the Rock, where we are told Abraham brought his son Isaac for sacrifice to the Lord. No American with any sense of history can escape the overwhelming vision of human struggle and aspiration and the inspiring faith in a Supreme Being which remains palpably etched in the ancient stones and holy sites which remain. Our common culture, though drawn from many parts, has a central origin in the teachings of this great mystical, ancient city.

Jerusalem was divided when I visited there. It is not divided today. It must now, I think, remain united—united not merely as the capital of a thriving state of Israel, but as a living joyous center for the celebration of harmony in our Western world. Jerusalem remains the city of hope for Christian, Muslim and Jew. Its division has been, for the past 19 years, a symbol of despair for the establishment of peace on this earth. Its unity now ought to give rise to new possibilities for brotherhood. We all have a stake in that cause.

As a member of the United States Senate and an American, I strongly believe that the continued unification of Jerusalem, both as the capital of Israel and as a world religious center, must be a cardinal objective of the foreign policy of the United States. On June 5, 1967, I was the first member of the Senate in those first anxious hours of this summer's conflict to address the Chamber and call for a settlement recognizing Israel's right to live in peace and freedom. And I pointed out shortly thereafter that any such settlement must recognize the Israeli claim to a unified Jerusalem as its capital.

Reunited, Jerusalem is now, as it was in the time of David, the key to stability in the Holy Land. It lies athwart the rugged Judean hills between the fertile Plain of Sharon and the Valley of the Jordan. Since earliest times, it has stood astride major trade routes to the Arabian hinterland. It has been a meeting ground for the peoples of Palestine. But for the past two decades, it has, alas, represented cleavage and hostility. It is therefore today a proper place to begin to repair the peace of the Near East—to remove that area from conflict between East and West.

For reasons not readily apparent, there has been little definition in America's policy in the Near East. America has, to a large extent, carried water on both shoulders in what Administration leaders have called an "even-handed policy".

The job of a great world power is not to play cat and mouse with the destiny of peoples. The recent conflict has shown that the people of the United States believe overwhelmingly that they have a direct commitment to the safety, integrity and prosperity of the people of Israel. In my opinion, the United States has erred in trying to conceal that point from the Arab nations, friendly or otherwise. We have permitted the so-called Palestine problem to move us, rather than striking the firm position, which the people of the United States insist we take. This has been no service to our diplomacy, to Israel, or even to our few remaining Arab friends. We have, by our unwillingness or our hesitation to proclaim our stand, given unwitting cause to continued Arab emotionalism and hostility.

The time has surely come to make our position unmistakably clear. This is not to imply that America has no role to play among the Arab peoples, nor that they should be abandoned to the socialist camp. In the long run, nothing would be more harmful to the interests of Israel, the United States, and of world peace. Despite the shrill propaganda of some of their leaders, there are some realists in the Arab world. It is to our benefit to encourage them and to bring them to the negotiating table, and most important, to seek assiduously to bring their peoples together with the people of Israel in mutual understanding.

In this cause, the city of Jerusalem will again play a major role. It occupies once again a strategic crossroad. In this Holy City we all have a continuing concern, as communicants and seekers of truth. The Israeli government has announced its interest in working with the Vatican on administration of the Holy Places. It has already signified that it will adhere to its longstanding policy of placing them under international control.

An avowed and accepted international interest in Jerusalem would make it a drawing point for peoples all over the world. The benefits to be derived from this would redound to the whole region. Even before the conflict of last June, the anemic economy of Jordan had learned to profit from the tourist trade, and had done so despite the ridiculous rigamarole associated with the Mandelbaum Gate—now, thankfully, passed into history. With the free movement of people which a real peace would bring to the Near East, that traffic would increase many times. Certainly, there is no question that under the present arrangement more people will be able to visit the Holy Shrines than ever before. An intelligent policy on the part of Jordan, Egypt and Lebanon, if that is not too ephemeral to contemplate, would extend those benefits to the entire Eastern Mediterranean.

But it is not simply a tourist economy that would flourish after a true peace in the Holy Land. Large sections of the Arab world, particularly Jordan and Southern Syria, have been closed off from access to the sea. This folly of Arab intransigence has diverted large quantities of trade through the Port of Beirut which ordinarily would have passed through Haifa, Gaza, and Jaffa. It would be to the advantage of all residents of the Holy Land to establish a free market to Jerusalem for Arab produce, both agricultural products and handicrafts. This would provide immediate advantages of a greater market to both sides. Combined with free access to the sea and a customs zone at one of Israeli's teeming ports, the Arab hinterland would find a strong pull of self-interest toward continued peace and understanding with the people of Israel.

I have long believed that the self-interest

of the peoples of the Near East was the principal force that would bring them together in the peaceful existence which we all devoutly desire. Arab produce has an ample market in the growing industrial economy of Israel. Israeli technology has much to offer the Arabs. Such an exchange, incidentally, would redound to the great advantage of the United States. It would not only reduce the need for aid grants but would put Arab development on a long run, self-sustaining basis. Some years ago it was the claim of Tel Aviv that it had more doctors per capita than any other city on earth. No similar statistics come readily to hand from Amman or Jedda, but is evident that the situation is far from the same. Indeed, the Arab need for modern knowledge can be nowhere better filled than by a people whose homage to human wisdom is second to none.

As a Californian, and ranking Republican member of the Senate Interior and Insular Affairs Committee, I am particularly intrigued by the possibilities of the Eisenhower plan for joint development through nuclear energy of the water resources of the area. Religious, racial, and national conflicts in the Middle East are, themselves, a symptom of the staggering difficulties of life in a harsh, desolate and arid portion of the world.

More than ten years ago, President Eisenhower determined to help alleviate these frightful shortages of food and water. He sent his personal emissary, Eric Johnston, to the area to try to bring the Arabs and the Israelis into agreement on a comprehensive plan for the development and allocation of the waters of the Jordan River. Regrettably, that effort failed, but the idea of cooperative water resource development in the Middle East did not die.

This summer, former President Eisenhower and his Atomic Energy Commission Chairman, Admiral Lewis L. Strauss, proposed a daring new approach to bring water to the Middle East. The Eisenhower-Strauss proposal would locate three massive dual-purpose nuclear powered desalting and electric power generating plants in the Middle East. Two plants would be located on the Mediterranean coast of Israel, the other at the northern end of the Gulf of Aqaba in Jordan or Israel.

Earlier this year, both Houses of the Congress approved, and the President signed into law, my bill to allow the Department of the Interior to participate financially in the construction of a 150 million gallon per day desalting plant off the coast of Orange County in Southern California. The Orange County plant is about fifty times larger than any desalting plant operating in the world today.

The first stage of the bold Eisenhower-Strauss proposal will be a 450 million gallon per day plant; three times larger than the one authorized for Orange County. This first plant would produce electric power far in excess of the present needs, but industry and prosperity would quickly follow the availability of abundant water and power.

Technical problems undoubtedly exist, but they should not bar a serious attempt to implement the Eisenhower-Strauss proposal. The Senate Foreign Relations Committee now has pending before it a resolution, of which I am a co-author, to put this plan into action. The Eisenhower-Strauss plan would provide jobs for refugees, would increase the productivity of desert wastelands, and would give Israel and the Arab governments a common basis for cooperation.

Indeed, the possibilities for future development of what once a wandering people called the Land of Milk and Honey are almost boundless. As we who live in the equable, but semi-arid, climes of Southern California know, the soil can produce unbelievably once water is available. All of this requires cooperation and understanding, trust and comprehension. It cannot be done without establishing a deep conviction that the long run interests of Arabs and Jews in the Near East are joined and not antagonistic.

In the effort to achieve understanding the arrangements for Jerusalem are absolutely crucial. To each religion Holy Places of the other are sacred. In Hebron the tombs of Abraham and Isaac are sealed, in the custom of the Muslim tradition. They are patriarchs to Islam as well as to Jews and Christians. At least four Christian churches claim dominion over the Church of the Holy Sepulcher. The rock where Abraham offered to sacrifice Isaac is part of the Mosque of Omar. There are now differences of opinion over the administration of the Wailing Wall. Any one of these problems would be a political hot potato of the first magnitude in our country. The Government of Israel will need help in meeting each problem, and, probably would seek broad support for the administration of these areas. Certainly, it has given every indication that this will be the case.

The peace and security of Israel must remain a major concern of America and her people. In Jerusalem, and its great treasures of history, lies the Holy Grail of this noble cause. If men of all faiths are able to pray together in Jerusalem again, the city will inevitably become the center of understanding in the Near East. With wisdom, foresight and courage, that understanding may bring the peace men have long been seeking, not merely for Israel, but for all the world.

THE PROGRESS OF HUMAN BROTHERHOOD IN THE LAST HALF CENTURY

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL, before the Israel Bonds Organization, northern California area, Fairmont Hotel, San Francisco, Calif., November 5, 1967)

I am deeply honored to accept this high award bearing the name of a great American humanitarian and statesman. The late Herbert Lehman was my friend and colleague. His wit, intelligence and warmth live on and they occupy a special place in my memory. He will long be honored in the history of our country as a crusading Governor of the Empire State, a guiding spirit in the worldwide effort to rebuild devastated Europe at the close of the Second World War, and an undaunted and outspoken member of the United States Senate.

Herbert Lehman was well ahead of his time. He saw the needs of the human heart and the human spirit as the aftermath of global conflict ushered us into a startling new era. Together we served in the United States Senate and fought side by side in many battles where the rights of people were involved, battles to achieve equality of opportunity for all, battles against disease, battles to bring our national resources to bear on the problems of the aging and the aged. He will long be remembered for his deep interest in eradicating the scourge of infantile paralysis from our society. A dozen years ago, he authored the Senate Resolution providing the means by which the Salk vaccine was made available to the people of our nation. And close to his heart, as an American, he was earnestly devoted to the cause of a free and flourishing state of Israel. His was a concern for people, for justice, and for the right.

My fellow Americans, in the past 50 years the earth on which we live has witnessed vast and unbelievable change. There has been a quantum jump in the problems of the human race, including the very problem of survival. Unfortunately, the countervailing increase in added wisdom or new devices to deal with them has not kept pace. Alas, human virtue does not grow as fast as scientific discovery. But we have learned much from men like Herbert Lehman. Our experience has shown us clearly that free nations need each other, that we progress when we act in concert. Conversely, we fail when we seek to withdraw in isolation. For the days of isolation, of living alone on this globe, are gone.

In my early days in the Senate, Herbert Lehman and I served on the Committee on Interior and Insular Affairs. It was added evidence of his interest in conservation, for he was, indeed, an ardent conservationist. He was keenly devoted to the preservation of the resources of this country and of our great natural and aesthetic treasures. My theme tonight concerns the progress of the past half century. There are many important milestones. Next year California will be celebrating the 50th Anniversary of the Save-the-Redwoods League, which brought forth the concept of preserving our majestic groves through private philanthropy. Herbert Lehman staunchly believed in these labors. Were he alive today, he would count as one of the achievements of this year, 1967, the progress made in the Senate, when, last week it overwhelmingly adopted an excellent piece of legislation, from his Interior Committee, establishing a Redwood National Park in Northern California.

This is one of the hopeful signs. The redwoods share with the ancient olive trees of Jerusalem the unique and moving distinction of continuing their existence through all of the past two thousand years, since the time when leaders of the Roman Empire caused the most cruel dispersion of the peoples of Palestine. Through all of the tempestuous, intervening centuries, the trees in Gethsemane and here in California have stood as living sentinels of hope for better times, and for a deeper aprpeciation of the miracle of Creation and of eternity, and for the resurrection of the good name and good deeds of the children of the Lord.

I recall one more half-century celebration. Fifty years ago, on November 2, 1917, the leaders of another far-flung empire proclaimed in a now historic document that it "viewed with favor the establishment in Palestine of a national home for the Jewish people." The Balfour Declaration bore witness to a growing conviction in the Western world that the return of the peoples of Israel to their home in the Holy Land was an article of deep and abiding faith, and an essential element in human progress.

The American people have wholeheartedly supported this movement. In 1891, President Benjamin Harrison received a memorial calling for the creation of the new Israel. In 1922, the Congress of the United States adopted a resolution introduced by Senator Henry Cabot Lodge, Sr., of Massachusetts favoring "the establishment in Palestine of the national home for the Jewish people." In 1944, my own Republican party and the Democratic party incorporated this goal in their national platforms. This has been a bipartisan cause of all of the people, and shall so remain.

The State of Israel was formed in the aftermath of one of the bitterest conflicts in human history. The world has not yet been able to comprehend the full horror of the sufferings of the Jewish people of Europe. The creation of Israel was an act of atonement by those who would build a new world, hopefully created on the principles of equality, brotherhood and the noble freedoms which are at least designed to set man apart from beast, and to give him the chance to vindicate his creation in the image of the Lord. Our relationship to the people of Israel has a deep meaning in the American spirit. The Psalm states:

> "Except the Lord build the house,
> They labor in vain that built it.
> Except the Lord keep the city,
> The watchman waketh but in vain."

So, too, my fellow citizens, it is with the world. The resolutions of the problems of the human race are far more of the spirit than

of the flesh. The peace of this earth is ultimately dependent on the divine hope of brotherhood and on its extension as a working principle in the behavior of nation states.

The last 50 years have not all been marked by progress in this quest. The vast surface of Eurasia has been the host of a new doctrinaire and materialistic view of life discounting the force of human initiative, mocking the spirit of equality, and destroying brotherhood among peoples who have long sought freedom. This is the 50th year of the creation of the Soviet Union. There is no freedom for the Jews of that nation today—nor has there even been—for those who in past years have given so much for their motherland. Their religious observances are stifled by administrative decree, and their hope to return to the land of their forefathers has been systematically frustrated and betrayed.

I am not here this evening to exercise the spectre of atheistic Communism. But, I must state frankly, that those who live on this side of the world need to look to friends and to allies not only for mutual protection, but for the necessary energies and inspiration to achieve at least a rudimentary system of world security. This must be made not only of firmness and conviction, but of compassion and understanding. At the end of the Second World War, when the human race had been horrified by the ravages of global conflict, there arose like a phoenix from the ashes, a bright new confidence that peoples could join together in reason and, using the processes of debate and deliberation, amicably settle their differences. Here in the City of San Francisco, this hope gave rise to the Charter of the United Nations. But that great "Town Meeting of the World" was not enough. I am a devoted supporter of the United Nations, but the miracles we hoped it might achieve did not come to pass. The need for collective security among free nations soon called forth the North Atlantic Treaty Organization, a military defensive system against potential Soviet aggression. A new chapter in American foreign policy began to unfold. For the first time in our history, we began to agree, in advance, to come to the aid of a friend. Other agreements were later made across the globe. These arrangements were not only military; they sought to find a basis for arms control agreements, and to advance the cause of peace through economic development, in a lasting solution of the age-old ills of pestilence, famine, and forlorn poverty.

This, too, was a bipartisan effort. I recall with great pride one of my illustrious predecessors, Senator Arthur Vandenberg from Michigan, who spoke out two decades ago to bring to our country a clear understanding that there must be an interdependence among free peoples, that the United States could not—cannot—"go it alone." But the great hopes for world-wide security, so bright in the aftermath of the Second World War under men like Winston Churchill, Dwight D. Eisenhower, and John F. Kennedy, have paled into disillusionment. France's De Gaulle, Egypt's Nasser, and other narrow nationalists, refuse to accept the principle that one people's freedom is in pawn to another's safety.

In this nuclear age no one nation can stand alone against all comers. Ours is an interdependent world.

Once we lived in the secure protection of the dividing oceans, two vast moats separating us from any potential foe. Today, any city on earth can be largely obliterated within moments by the flick of a finger. And logic or reason are not necessarily a part of the process. The order for the flick may come from either a reasoning or unreasoning mind.

Militarily, the United States is more powerful today than at any time in her history, but she has less security than ever before. That is the supreme paradox of the nuclear age. The discoveries of science, and the streaking speeds of transportation and communication with 12,000 mile per hour intercontinental ballistic missiles have effectively and permanently eliminated the idea of living alone. Isolation is all gone and nothing can bring it back. Whether we like it or not, we are all, American and Russian, Chinese and French, Israeli and Arab, ultimately in hock to the reasoning process of a relatively small number of people who control the levels of power in the bastions of the expanding memberships in the nuclear club.

All nations who value their independence have a common interest in and a responsibility for the defense of the free world. But, today the concept of collective security, so hopefully unveiled as a sound deterrent to war, is in a sad state of disrepair.

Not only has that interdependent system been weakened, but the United Nations has far to go to fulfill the promise which attended its birth. There is no area of the world in which the United Nations has more experience than in the Near East. It was the midwife at the birth of the nation of Israel. The United Nations has for nearly two decades maintained supervisory activities along the border of Israel and her neighbors. With substantial American assistance, a United Nations relief and works agency has continued to feed thousands of homeless refugees, whom the Arab nations would not absorb. These issues remain unsolved and seemingly insoluble.

The difficulties which beset the United Nations are a reflection of the disunity among world leaders. In my view, the realistic hope for peace in the Near East depends on a firm commitment of the so-called "Great Powers," the United States, the Soviet Union, and the nations of Western Europe as well. Without this commitment to a stable peace in the Near East by all protagonists in the present precarious balance of world power, that region will continue to be a cat's paw for nationalist adventurism. The Near East remains the crossroads of civilization between Europe and Asia. The Suez Canal is as important to the economy of the Soviet Union as it is to Great Britain—and as it ought by international law to be to Israel. No settlement which permits discrimination in the uses of that waterway or fails to open free communication among all the peoples of that area is likely to endure.

As the ten-year history of conflict between Israeli Defense Forces and those of the Arab states surrounding them has shown, there will be no victory for Arab nations bent on the destruction of Israel. Little groups of willful leaders, putting their hopes on shiny new weapons, readily supplied by Communist Eastern Europe, threaten the world with the horror of global war, without so much as a "by your leave" to the rest of us. But the complete rout of the Arab Army in the deserts of Sinai, for the third straight time, ought to provide a severe and instructive lesson. The Arab leaders must learn that peace will not come to the Near East by recourse to war nor by recurrent demands for the destruction of Israel. Israel is a political, economic and geographical fact of life on earth.

The Arab nations must know too that their aims cannot be achieved simply by acquiring modern arms. The Soviet Union has attempted to turn the Near East into a battleground of the Cold War. But the arithmetic must be equally clear to them. It has cost nearly $2 billion in Soviet arms to the Near East and, with recent shipments, that cost is rapidly going up. Both the Arabs and the Soviet Union surely recognize the failure of their last adventure. Certainly, the Arabs and the Soviets must begin to realize that neither they nor the rest of the world can afford a crisis in the Near East every decade.

The world is growing restive under the continued pressure of the division between the Communist and the Free. But that does not alter the hard fact that no agreement on the Near East can be enforced by the United Nations, or by anyone else, unless all interested nations, and surely the super powers, are committed to such an agreement and take responsibility for its enforcement.

That is not going to be easy to achieve. Old alignments are falling away. Our once gallant ally, France, now views the situation with a combination of glacial indifference and commercial opportunism. The Communists too have their problems. Rumania shows an unaccountable independence. She has rightly refused to join in parroting Moscow's condemnation of Israel. Similar grumblings have been heard in other parts of Eastern Europe.

It is now doubly important that we in the West keep together those of our allies who remain steadfast. The United States has a long-standing tie to the State of Israel. Americans acknowledge a direct commitment to the safety, integrity and prosperity of that country. In this, our people have been ahead of our government. In my opinion, the Administration has erred in trying to conceal that fact from the Arab nations, friendly or otherwise. We have allowed the so-called Palestine problem to manipulate us, rather than sticking to our position which the people of the United States insist we hold. This has been no service to our diplomacy, to Israel, or even to our few remaining Arab friends. We have by our unwillingness, or our hesitation to proclaim our stand, given unwitting cause to the Arab emotionalism and hostility.

The long-term solution to the Near East question requires, in my view, deep candor together with reason and frankness on all sides. It is comparatively easy to draw a balance sheet showing the interests of each protagonist and, by a simple mathematical process, to chart the prospective courses of negotiation. Geography does not change. Twenty years hence the peoples of Israel and of the Arab nations will be living, as now, side by side. It will always be in their common interest to live in peace.

The real Near East question, then, is why doesn't this happen? The United Nations has the experience and most of the necessary means of diplomatic communication and intelligence. The so-called "Great Powers" have every reason to avoid conflict. Finally, there are a few simple steps which could be taken to insure the maintenance of a settlement, once it is reached.

The textbooks today are full of commentaries on "neutralization" as a means of stabilizing crisis areas by taking those regions out of the contest between the so-called "Great Powers" and achieving a fair balance of forces between opposing sides. This solution can only be applied, however, when a mutual interest in settlement can be clearly perceived by all—and, most important, when each side recognizes that the other has more to gain by settlement than by chaos and conflict.

There are many who propose neutralization for Southeast Asia. This could, some years from now, be the final answer. But this possibility is far from reality. Neither the necessary scope of understanding, nor even the intent to communicate, now exist between Hanoi and the rest of the world. And some of the powers of the Orient, notably Red China, have yet to show that they have any interest in arranging a settlement. On the contrary, their determination to persevere on the battlefield is increasingly apparent.

There is also a communication problem in the Near East, but it is not so stubborn. Israel seeks peace and security. She needs defensible frontiers and the recognition of her right to use international waterways.

Finally, she will not, and cannot, be expected to part with the now unified City of Jerusalem. The Arab nations also need peace. They must at last overcome their irrational fears and they must acknowledge a crying need to turn swords into ploughshares in a determined effort to overcome centuries of poverty and ignorance among their own people. The more enlightened Arab leaders know this, but they seem to be afraid of their own propagandists and provocateurs, who for years have made their daily bread out of a steady diet of hopeless, vindictive polemics.

It may be too much to hope that peace might proceed without incident. Visible guarantees will be required. The one element long lacking in the arsenal of the United Nations is a permanent international peacekeeping force. Today, there is a need and an opportunity to create such a force in the Near East. The experience of the United Nations Truce Supervisory Organization, whatever its triumphs or its failings, is common to all concerned. Modern technology and the peculiar terrain of the Levant offer unique opportunities to provide instant intelligence affording a U.N. force the earliest possible warning of military movements.

Earlier this year, I proposed an artificial satellite to watch over the Holy Land to provide intelligence on large scale military movements in the area and to give a genuine advantage in guarding against surprise attack. Such a satellite could be built with the equipment used in our civilian lunar orbiter program. It would give a U.N. peace force and other elements on the side of peace an opportunity to take quick and effective action—in any case, it would be better than the hand wringing around the world which accompanied the outbreak of hostilities last June.

I would add to that proposal the possibility that an international force be created from airborne units assembled from forces of acceptable donor nations and given a permanent base in the Near East. Mobility is essential. A peace force must be able to put itself between opposing forces without delay. Airborne troops would be required. The satellite warning system would be on guard. The peace force would have every opportunity to act rapidly.

I propose that serious consideration be given to using such neutral ground as the Island of Cyprus for this purpose. The Island has long been a base for military activity in the Eastern Mediterranean. A U.N. force is already stationed on Cyprus to help reduce ethnic disturbances. A permanent U.N. presence would be a strong weight toward stability. It would act as a further guarantee of the independence of that strategic Island both in terms of tempests of the Near East and of the larger conflicts of the Cold War. It would bring an added measure of stability to the Eastern Mediterranean, and an opportunity for Cyprus to live in a true neutrality.

It is high time that the United Nations proceeds to the issues it was created to solve. A peacekeeping force in the Near East is essential. In my view, the rational nations on earth must recognize its necessity. The United States must play a leading role. It is vital to the Near East, to the United Nations, and to the entire world that we move now, effectively and with imagination, to build the devices that will guard stability and prevent conflict. The Holy Land ought properly to be the first beneficiary of what ingenuity we can offer to the cause of peace among men. If, in the past fifty years, we have failed to keep up with the proliferation of man's problems, it is because we have failed to apply our creative spirit with full vigor. We have delayed too long. Too many costly battles have been fought and refought without hope of achieving an end to bloodshed. The time to act is now, while the opportunity for settlement is at hand.

The American people believe deeply in peace—no matter what our critics abroad may say to the contrary. We, all of us, Americans and Europeans, the Communists and the Free, must find common ground in forging the implements of international settlement, and making them stronger than weapons of war. Israel and the United States are nations which clearly perceive the importance of that cause; they must now act in concert toward this goal.

There is in the City of Jerusalem, which was divided when I visited it a year ago with my family, a new spirit. That city must now remain united—not merely as a capital of the thriving State of Israel, but as a living and joyous center for the celebration of the harmony of our world. It is a city of hope for Christian, Muslim and Jew. Its division for the past 19 years has been a symbol of despair for peace on this earth. And its unity now as the capital of Israel, and a world center of international religious activity should open a wide door to understanding among all peoples who acknowledge a common legacy from that hallowed place.

We seek harmony among nations as we seek brotherhood among men. The experience of the past 50 years has brought a fuller realization of the frightening problems of our time. But I firmly believe that the maturing relationship between the United States and the people of Israel can stand as a hallmark of international commitment which all peoples must give to one another, if man is to endure and thrive.

SOCIAL SECURITY AMENDMENTS—WELFARE PROGRAMS NEED HUMAN TOUCH

Mr. HARRIS. Mr. President, I rise at this time to complete the legislative history of two amendments to H.R. 12080, which were sponsored by me and other Members of the Senate, and which were adopted in the Committee on Finance. The amendments to which I refer are amendments Nos. 400 and 401.

Mr. President, I wish to incorporate at this point, by reference, excerpts from the RECORD of previous sessions which show other statements I have made concerning these amendments. Originally, when the amendments were submitted, I made a statement which is contained in the CONGRESSIONAL RECORD of October 16, statements by me concerning and explaining these amendments are contained in the CONGRESSIONAL RECORD in the pro-1967, beginning at page 28920. Other ceedings of October 20, 1967, October 23, 1967, at page 29674, October 26, 1967, at page 30189, and October 31, 1967, at page 30647.

Mr. President, I believe these two amendments will bring about great improvements in the present welfare systems of our country.

Amendment No. 400, which has the endorsement of the National Association of Social Workers, Inc., and also the National Association of Counties, makes provision for the State plan of each State to provide for the recruitment, training, and effective use of community service aides and social service volunteers in their welfare programs.

It is intended that particular effort would be made to use men, and not just women alone, as community service aides. It is intended also that these community service aides would be recruited primarily from the poor and those who would otherwise, except for their salaries under such programs, be recipients of welfare, to work in the communities in which they live. These people will be far better able to communicate with the welfare recipients, better able to explain public assistance and other community programs to them, and better able to help those who administer State public welfare programs make such programs most effective and most helpful.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

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

Mr. HARRIS. Mr. President, the amendment also provides for the use of social service volunteers on a nonpaid or partially paid basis. It is intended that these volunteers, in addition to coming from the more affluent segments of American society, would come also from among the poor themselves.

This amendment would be effective January 1, 1969, a date which was changed in committee. I wish to point out that the date was changed only because some legislatures will have to meet in 1968 in order to change their basic law under the State welfare system plan.

It is certainly my intent and the intent of the other sponsors of the amendment that we would not have to wait until that date to implement the program, but that the States and the Department of Health, Education, and Welfare would move rapidly ahead to do so as soon as possible.

JOHN BARRETT DAY PROCLAIMED BY GOVERNOR OF VERMONT

Mr. AIKEN. Mr. President, one of the more important international organizations of which the United States is a member is the Organization of American States. The predecessor of that Western Hemisphere organization was the Pan American Union. The prime mover in the Pan American Union was Dr. John Barrett, who was born and raised in the town of Grafton, Vt., which incidentally happens to be the town in which both of my parents were born and raised.

Mr. President, November 28 will be designated tomorrow by Gov. Philip H. Hoff, of Vermont, as John Barrett Day, and there will be an observance in the town of Grafton, Vt.

I ask unanimous consent to have printed in the RECORD a paper prepared by Dr. Vernon Reyman, of Grafton, Vt., who is the chairman of John Barrett Day, which sets forth the life of Dr. John Barrett and the story of the organization of the Pan American Union.

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

A PAPER PREPARED BY DR. VERNON REYMAN, GRAFTON, VT., CHAIRMAN OF JOHN BARRETT DAY

JOHN BARRETT (1866-1938)

November 28 has been designated by Hon. Governor Philip H. Hoff of Vermont as John Barrett Day.

To set aside this day is not only fitting and proper in view of the trip made by President Johnson to Punta Del Este, Uruguay last April, hopefully, to breathe new life into the Alliance For Progress and to promote Latin American economic cooperation, but this day seems even more significant because of the man who had so much to do with the successful beginnings and development of Pan-Americanism.

There stands in Grafton, Vermont opposite the Old Tavern, where the road leads to Townshend and Newfane, a large impressive white house in front of which stands a granite rock on which a plaque silently says:

John Barrett, Diplomat and Builder of the Pan American Union, born here November 28, 1866.

Hon. John Barrett was not only born in Grafton, Vermont but his deep love and affection which "bound him to family and to place" has always been an integral part of his life. He attended the village school, then Vermont Academy, graduated Worcester Academy in 1884 and received his AB from Dartmouth College in 1889 which college among others later bestowed upon him an honorary LLD degree for his "long and distinguished career".

After college he taught in California only to take up newspaper work and for four years on the Pacific Coast he was convinced that the development of trade with the Orient "was a sure means of prosperity."

Before the age of 30 President Cleveland appointed him Minister to Siam from 1894–98 settling American claims worth millions of dollars by arbitration and "to the satisfaction of all involved."

During the Spanish American War he worked for a chain of American newspapers in the Far East as their foreign correspondent and at the close of the war he accepted an appointment as delegate to the Second International Conference of American States in Mexico City in 1901.

This was followed in 1902–3 by a trip around the world to secure most countries representation and participation in the St. Louis Exposition. After this mission was completed his Latin American interests were aroused. He entered the diplomatic service in 1903–4 serving as Minister to Argentina and then first Minister to Panama (1904–5). Theodore Roosevelt transferred him to Colombia to settle our controversy with that country over the Panama Canal. President Roosevelt at first suggested several others to President Rafael Reyes but the latter wanted Dr. Barrett with whom he had "good relations".

Secretary of State Elihu Root met Dr. Barrett in Rio de Janeiro in 1906 at the Third International Conference of American States, recognizing in him an enthusiastic and extremely able personality. This led to the appointment of Director-general of the Bureau of American Republics. John Barrett tackled this job in 1907 with vision and confidence. This set in motion 14 years of assiduous work among the South American republics culminating not only in the name-change at his initiative to the Pan American Union but it was also through his influence that Andrew Carnegie was persuaded to contribute generously to the building of the beautiful marble structure in Washington, D.C., now occupied by the Union and dedicated on April 26, 1910.

It was at that dedication that Andrew Carnegie praised the Director-General Barrett as "a man whose abilities to meet all emergencies has been truly surprising; nothing could shake his devotion to his mission and heart and brain was one in the cause."

It was Dr. Barrett who had entire charge and responsibility for the construction and maintenance of the building—a center for growing cooperation in the Americas advocating increased understanding for the Pan American cause and dedicated to "peace-friendship and commerce."

John Barrett held many distinguished high posts and in 1899 was commercial commissioner in China, Japan, Korea, Formosa, Siam, Cambodia, Java, India, Borneo and the Philippines.

He later presided over the First and Second Pan American Commercial Conference held in Washington, D.C., in 1911 and in 1919.

As a newspaper man in Manila he met and advised Admiral George Dewey of whom he wrote a glowing biography published in 1899.

Other books Dr. Barrett published include: Latin America, Land Of Opportunity (1909); the Pan American Union (1911); and Panama Canal, What is it, What it means (1913).

Hon. John Barrett resigned his post September 1, 1920 because of "material necessities" and devoting himself to speaking and writing on international topics.

In 1934 he married Mrs. Mary E. Cady of Burlington, Vt., who died in 1937. Dr. Barrett himself died October 17, 1938 at Bellows Falls, Vermont but is buried in the family plot in Grafton, Vermont.

United States Supreme Court Justice Field said of him "his (Barrett's) interpretation of the law and facts of the case reflected greatest credit."

Said Dr. L. S. Rowe, Director General of the Pan American Union "the passing of Dr. Barrett means an irreparable loss to the cause of Pan Americanism; for 30 years he labored to promote close relations between the nations of America; during 14 years as Secretary General he enlarged the functions of the organization and strengthened its usefulness to all republics in the Western Hemisphere; his example will be a constant inspiration to renewed effort in fulfillment of the great purpose to which he devoted his long and useful public career."

On November 2, 1938 the Governing Board of the Pan American Union passed a resolution to the above and transmitting a copy thereof to the United States Government and to the family of Dr. Barrett.

As Vermonters we have every reason to be proud of this man and as Graftonites we pay humble tribute to our native son and visionary.

PROGRESS IN VIETNAM

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the struggle going on in Vietnam, which we have been inclined to overlook in the course of debate as intense as the one we had yesterday on a very different matter, and to the remarkable and most informative speech which we heard yesterday from General Westmoreland, commander of the forces of the United States in Vietnam.

There are two things that he said which are of unique significance to the country. He is the man on the job and what he says is what the United States can do and is doing, and not what others over whom we have no control say we can do. When General Westmoreland speaks of what we are doing and what we can do, it is critically important that we listen.

In his address to the National Press Club, General Westmoreland said that we will "use United States and free world forces to destroy North Vietnamese forays while we assist the Vietnamese to reorganize for territorial security."

The other point he made was that we will "turn a major share of frontline DMZ defense over to the Vietnamese Army."

Mr. President, the one thing irritating the American people most about Vietnam is directly involved in these two aspects of U.S. activities there; namely, what are the Vietnamese doing for themselves? What are the Vietnamese people doing? What is the Vietnamese Government doing? What is the Vietnamese Army doing?

We have been bedeviled for much too long with rumors and some statements of fact by authoritative newspapermen that the Vietnamese Army fights a five-and-a-half-day war, that it takes only safe positions, and that there is an enormous amount of incompetence in their army.

I know that some of them are very brave men, because I saw many of their units myself, a year and a half ago. They stand on a level with anyone's army—including our own. But a general feeling pervades this country that there is real weakness there, that they are not carrying their load, that, unlike the Republic of Korea troops, they are not growing and developing with the situation.

Mr. President, more and more the attention of the United States must be focused on that particular aspect of the subject. The people of this country—whether hawks or doves makes no difference—must insist that the U.S. Government, through its President and Commander in Chief, do all that it humanly can to fix the responsibility where it belongs; namely, upon the Vietnamese people, the Vietnamese Government, and the Vietnamese Army.

One of the most compelling reasons for phasing out in Vietnam, will be if that country does not show any inclination to carry its load.

Upon that question, there can be no dispute. We are not there fighting a colonial war. We are supposed to be helping them. We cannot help anyone who will not try to help himself.

Thus, when General Westmoreland says these two things, he is speaking very importantly in terms of the future interests of the United States and what the people all over this country want to see happen in Vietnam.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent to proceed for 2 minutes.

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

Mr. JAVITS. Mr. President, I urge the President of the United States to address the American people in a joint session of Congress and lay out for them in detail exactly what General Westmoreland means. He should spell out to what extent we are going to require performance by the Vietnamese forces themselves, to what extent we are going to condition our continued activities in Vietnam upon that performance. In short, he should tell us what is really meant by the two portentous statements of General Westmoreland which indicate a very material strategic, and perhaps even tactical, realinement of the use of our forces and the use of Vietnamese forces in Vietnam.

No one expects that we can pull out of Vietnam tomorrow, even if all the

things we have urged here were to come to pass, even a cessation of the bombing. That would still be a bilateral situation; it is something the other fellow—the enemy—must take hold of and do, too.

Now, Mr. President, this much is within our control, not anyone else's; namely, the performance of the Vietnamese themselves. If we condition our activities there on this performance it could signal the beginning of the end of the war in Vietnam for the American people.

Mr. President, I urge our President—and I certainly urge Congress—to make this the line of policy for the United States. This is one thing we can get an agreement on, if nothing else. We are too sharply divided otherwise. But on this we can get agreement.

Mr. President, I shall speak to this time and time and time again, for as long as my breath will hold, because this is the key to the Vietnamese situation.

We now have the beginning, at the most authoritative level, in the statement of General Westmoreland himself to the National Press Club.

Mr. President, I ask unanimous consent that the remarks of General Westmoreland to the National Press Club be printed in the RECORD.

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

[From the Washington (D.C.) Post, Nov. 22, 1967]

FINAL PHASE OF WAR IN VIETNAM BLUEPRINTED BY GENERAL

(Excerpts from the text of Gen. William C. Westmoreland's address to the National Press Club)

Let me review with you the enemy's situation and our own, and let me offer my estimate of our relative positions.

Since 1925, when Ho Chi Minh arrived in Canton, China, he had actively sought to gain control of the area known as Indochina. In 1930, the Indochina Communist Party was created with Ho Chi Minh as its chief. However, since that time, the cause and methods have been similar to those of other Asian Communist Parties.

Ho Chi Minh's Party came to power amid the chaotic conditions at the end of World War II. Although the present government of North Vietnam has taken a facade of democracy, it has remained under tight control of the same small, determined group of Communists who served Ho Chi Minh in the Communist Party in the 1930s.

By 1954 it appeared to them that they had overcome the last major obstacle to the original goal. A million people had been displaced from the North, and although they were fleeing communism, they created a burden on the new government of South Vietnam. For the next few years, the Communists believed that South Vietnam would succumb politically. These hopes were dashed by the vigor of the non-Communist government and by U.S. assistance.

REVERTED TO TERROR

In 1957 they reverted to terror, both indiscriminate and selective, with the assassination of teachers and local leaders. This terror rate went up every year. Despite that it did not succeed. So, to guerrilla terror was added the military buildup of Vietcong main force units from 1959. Even this was not enough.

In 1963 and 1964 there started the military invasion from the North, when the first North Vietnamese Regiments entered the South. This almost succeeded. By early 1965, the Vietnamese government found its resolution exhausted by a decade of struggle, and its last resources committed. It was at that point that the intervention of our armed forces restored a future to the long-suffering people of South Vietnam, who grasped the opportunity.

As you know, in the midst of war the South Vietnamese have in the past year held free elections, and have turned out a larger percentage of the vote than we normally do in this country. The Vietcong have tried desperately to stop these elections by terror and intimidation. But the Vietnamese voted despite the Vietcong efforts. This mass disregard of Vietcong initiatives killed the myth that the Vietcong or the National Liberation Front speak for the people.

It is significant that the enemy has not won a major battle in more than a year. In general, he can fight his large forces only at the edges of his sanctuaries, as we have seen recently at Conthien and along the DMZ, at Dakto opposite the Laotian border, at Songbe and Locninh near the Cambodian border. His Vietcong military units can no longer fill their ranks from the South but must depend increasingly on replacements from North Vietnam. His guerrilla force is declining at a steady rate. Morale problems are developing within his ranks.

SEEKS TO PROLONG WAR

Despite this, our enemy seeks to prolong the war, occasionally sallying forth from his sanctuaries, and attempting by his countersweep operations to regain control of the population and to rebuild his guerrilla forces. Of essential importance is his desire to force us politically to stop, unconditionally, the bombing of his support base and his lines of communication. He appears to believe that he can defeat the Vietnamese forces, over 600,000 strong and getting stronger, reinforced by over 50,000 troops from Free World Allies, and our commitment now approaching 500,000 men.

Our common plan with the Vietnamese has involved four distinct phases. In Phase I we came to the aid of South Vietnam, prevented its collapse under the massive Communist thrust, built up our bases and began to deploy our forces. In Phase I we planned and did the following:

Built ports, airfields, and supply and maintenance areas.

Set up a 10,000-mile-long supply pipeline.

Constructed an extensive communication system.

Brought in 400,000 men and several thousand aircraft.

Deployed troops throughout South Vietnam.

Learned to work alongside the Vietnamese army while encouraging development of a representative government.

Equipped and revitalized the Vietnamese armed forces, whose morale was low.

Expanded the armed forces of South Vietnam in quantitative terms.

Defended South Vietnam against defeat and against being cut in half.

Learned to cope with guerrilla tactics.

Set up an intelligence system for this new type of war.

Limited inflation.

Developed our own confidence that we could operate successfully in the environment of Southeast Asia.

BY MIDDLE OF 1966

We did all this by the middle of 1966. It was a tribute to U.S. organization, technology, and concerted diplomatic and military professionalism by many people. At that point, during the summer of 1966, we moved into the second phase of our plan. In Phase II we continued the pattern and did the following:

Drove the enemy divisions back to sanctuary or into hiding.

Trained, expanded and improved the quality of the Vietnamese armed forces.

Assisted Free World forces of the Pacific area to join the battle against Communist aggression.

Entered enemy base areas and destroyed his supplies.

Raised enemy losses beyond his input capability.

Helped train the Vietnamese army as a territorial security force.

Encouraged combined U.S.-Vietnamese operations.

Continued to help the Vietnamese armed forces in professional development.

Completed free elections within South Vietnam.

Saw an elected civilian government installed.

Stabilized prices—opening roads and canals.

Encouraged enemy defection and resettlement.

Discovered and thwarted the enemy's battle plans before they could be executed.

Unified the U.S. pacification assistance effort for better management of widespread resources.

We will complete this second phase by the end of this year. Before leaving my discussion of this phase, there is one other management aspect worthy of mention. Our rapid buildup 10,000 miles away in an undeveloped nation lacking in logistics support facilities has created many problems. Some units brought to Vietnam equipment that has not been needed. Some supplies were shipped automatically based on experience in other wars and have not been consumed in the quantities expected.

At the same time, our magnificent fighting men have received what they needed to do their job. Now, at the end of this second phase, we have been able to intensify logistical management and turn our attention to eliminating any excess items which may have developed. MACV has instituted an efficiency and economy program to which I have given the thrifty sounding name of Project Maconomy.

NOW THE THIRD PHASE

With 1968, a new phase is now starting. We have reached an important point when the end begins to come into view. What is this third phase we are about to enter?

In Phase III, in 1968, we intend to do the following:

Help the Vietnamese armed forces to continue improving their effectiveness.

Decrease our advisers in training centers and other places where the professional competence of Vietnamese officers makes this possible.

Increase our advisory effort with the younger brothers of the Vietnamese army: the Regional Forces and Popular Forces.

Use U.S. and Free World forces to destroy North Vietnamese forays while we assist the Vietnamese to reorganize for territorial security.

Provide the new military equipment to revitalize the Vietnamese army, and prepare it to take on an ever-increasing share of the war.

Continue pressure on North to prevent rebuilding and to make infiltration more costly.

Turn a major share of front-line DMZ defense over to the Vietnamese army.

Increase U.S. support in the rich and populated Delta.

Help the government of Vietnam single out and destroy the Communist Shadow Government.

Continue to isolate the guerrilla from the people.

Help the new Vietnamese government to respond to popular aspirations, and to reduce and eliminate corruption.

Help the Vietnamese strengthen their police forces to enhance law and order.

Open more roads and canals.

Continue to improve the Vietnamese economy and standard of living.

THE FINAL PHASE

Now for Phase IV—the final phase. That period will see the conclusion to our plan to weaken the enemy and strengthen our friends until we become progressively superfluous. The object will be to show the world that guerrilla warfare and invasion do not pay as a new means of Communist aggression.

I see Phase IV happening as follows:

Infiltration will slow.

The Communist infrastructure will be cut up and near collapse.

The Vietnamese government will prove its stability, and the Vietnamese army will show that it can handle Vietcong.

The Regional Forces and Popular Forces will reach a higher level of professional performance.

U.S. units can begin to phase down as the Vietnamese army is modernized and develops its capacity to the fullest.

The military physical assets, bases and ports, will be progressively turned over to the Vietnamese.

The Vietnamese will take charge of the final mopping up of the Vietcong (which will probably last several years). The U.S., at the same time, will continue the developmental help envisaged by the President for the community of Southeast Asia.

You may ask how long Phase III will take, before we reach the final phase. We have already entered parts of Phase III. Looking back on Phases I and II we can conclude that we have come a long way.

I see progress as I travel all over Vietnam.

I see it in the attitudes of the Vietnamese.

I see it in the open roads and canals.

I see it in the new crops and the new purchasing power of the farmer.

I see it in the increased willingness of the Vietnamese Army to fight North Vietnamese units and in the victories they are winning.

Parenthetically, I might say that the U.S. press tends to report U.S. actions; so you may not be as aware as I am of the victories won by South Vietnamese forces.

ENEMY HAS PROBLEMS

The enemy has many problems:

He is losing control of the scattered population under his influence.

He is losing credibility with the population he still controls.

He is alienating the people by his increased demands and taxes where he can impose them.

He sees the strength of his forces steadily declining.

He can no longer recruit in the South to any meaningful extent; he must plug the gap with North Vietnamese.

His monsoon offensives have been failures.

He was dealt a mortal blow by the installation of a freely elected representative government.

And he failed in his desperate effort to take the world's headlines from the inauguration by a military victory.

Lastly, the Vietnamese army is on the road to becoming a competent force. Korean troops in Vietnam provided a good example for the Vietnamese. Fifteen years ago the Koreans themselves had problems now ascribed to the Vietnamese. The Koreans surmounted these problems and so can and will the Vietnamese.

SOME ACCOMPLISHMENTS

The Vietnamese armed forces have accomplished much in a short time. Here are a few examples:

Career management for officers, particularly infantry officers, has been instituted.

Sound promotion procedures have been put into effect.

Discipline and conduct is being stressed.

Increased emphasis is being devoted to small-unit tactics and leadership.

The promotion of enlisted men to the commissioned ranks is now commonplace (2200 in 1966).

Officers candidates must now take basic training and prove that they have the leadership potential to be officers.

An inspector general for the Vietnamese armed forces has been appointed and is now active in detailed inspections.

Corrupt and inefficient officials are being gradually eliminated.

The military school system has been revitalized.

The Military Academy has gone to a four-year curriculum.

A school for battalion commanders has been established.

A ten-month National Defense College has been organized for selected senior officers.

The same personnel management programs which have been installed successfully in the Vietnamese army are being expanded to the Regional Forces and Popular Forces.

We are making progress. We know you want an honorable and early transition to the fourth and last phase.

So do your sons and so do I.

It lies within our grasp—the enemy's hopes are bankrupt. With your support we will give you a success that will impact not only on South Vietnam, but on every emerging nation in the world.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. Mr. President, I ask unanimous consent to proceed for 2 minutes in order to reply to the Senator from Vermont to whom I wish to yield.

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

Mr. AIKEN. Did the Senator from New York notice General Westmoreland's statement to the effect that the Vietcong were winning the war in 1965?

Mr. JAVITS. That is exactly what he said.

Mr. AIKEN. Was not that rather an indictment of the people who were informing the Congress that winning the war was very near in 1965? I think General Westmoreland's statement is true.

Mr. JAVITS. So do I.

Mr. AIKEN. I think his credibility gap is much narrower than that of certain other official spokesmen for our Government.

Mr. JAVITS. I thank the Senator very much, because he states the facts exactly.

What has caused difficulty in this country is that, at the time it was said the North Vietnamese were winning and the South Vietnamese were going under, we were told we would be home in a couple of years and things were going very well.

Mr. AIKEN. I think we were told in August that we would be coming home for Christmas.

Mr. JAVITS. That is right. That hope has been dashed and other hopes will be dashed unles we pursue this line that, progressively, the Vietnamese are willing to fight and they are willing to die for freedom just as we have done there and that they will take it over more and more. We will arm them. We will support them. We will even leave backup troops there. But we cannot run it as our war.

That is what the American people are thinking, and this is in the line our country must follow. It is the only way to unite America, and it is very sharply divided today on everything else about the Vietnam war.

COMMENDATION OF SENATOR LONG OF LOUISIANA

Mr. BYRD of West Virginia. Mr. President, I want to join the distinguished majority leader [Mr. MANSFIELD], in complimenting the very able chairman of the Senate Committee on Finance, Mr. LONG of Louisiana, on the excellent presentation that he has made of the most difficult and complex bill considered by the Senate during the past few days and upon which we will soon vote.

At all times the floor manager of the bill, the distinguished junior Senator from Louisiana [Mr. LONG], has demonstrated a very thorough and impressive grasp of the facts, and such knowledge can only be gained through experience, diligence, hard work, and long hearings.

I compliment Mr. LONG, and I thank him for the patience, cooperation, and equanimity which he has consistently shown throughout the long, very arduous, and difficult debate on this important and complicated bill. I believe that the ranking minority member and all the members of the Committee on Finance, as well as the distinguished chairman, are also to be complimented for a job very well done.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. Mr. President, I wish to supplement the appropriate words just spoken by my colleague, Senator BYRD. Members of this body realize that such a bill is very difficult to understand in its intriciate provisions. I am very frank. I must labor to understand what we are doing. The helpful manner in which the explanations have been made by the distinguished chairman of the Finance Committee has been of vital value to me as we have worked our legislative way through this complicated measure. In a moment, I shall express my approval of the progress made as we came nearer to a vote.

I stress the patience which the Senator from Louisiana [Mr. LONG] has shown day after day during the debate.

Mr. BYRD of West Virginia. And the good humor.

Mr. RANDOLPH. Yes, and good humor.

I think there has been general agreement among practically all Members that this is a truly important measure. The expertise of the chairman of the Finance Committee in handling this legislation has been noteworthy.

I recall, Mr. President, that there are two Members in the Senate now who were here on May 13, 1935, and voted then

for the original Social Security Act. They are Senators HAYDEN and RUSSELL.

There are five other Senators in this body today who were in the House of Representatives on April 19, 1935, and voted for the first Social Security Act. These men are Senators CARLSON, DIRKSEN, HILL, YOUNG of Ohio, and I.

Mr. President, shortly we will vote on final passage of the Social Security Amendments of 1967. This comprehensive measure provides a substantial increase in social security benefits for the more than 23 million people now on the rolls, as well as substantially improved protection for 86 million current workers—and their families—who are the future beneficiaries.

The 15 percent across-the-board increase provided by the bill is a needed increase. About one-half of our social security beneficiaries have, in terms of a regular income, only their social security. For almost all beneficiaries, social security is their main source of support. It is for these reasons that the level of social security benefits is the all-important factor in determining how well our elderly citizens will be able to live.

Social security benefits are too low. The average benefit for retired workers today is about $85 a month; for aged widows, the average is $74 a month. In a country as prosperous as the United States, there is absolutely no reason why these people should not share in at least a part of the expanding prosperity most of us have come to know and enjoy. Under the bill, benefits that now range from $44 to $142 for retired workers will be increased to a range of $70 to $163.30. A worker receiving a benefit equal to the average benefit now payable—about $85 a month—will receive about $98 a month. The average benefit for an aged retired couple will be increased from $145 a month to $171 a month.

Because the social security program is so basic to the future plans of all workers and their families, we must not permit it to become static. That is why I favor the raise in the amount of annual earnings subject to social security contributions and used in computing benefit amounts. This increase in the base will make possible in the future the payment of social security benefits that will be more closely related to the earnings that the family breadwinner had before he retired, became disabled, or died. Moreover, the increase in the contribution and benefit base will help to finance the more liberal benefits provided under the bill.

I am particularly gratified to note that, in order to finance the increases and the other improvements, the pending bill calls for, along with increases in the contribution rate schedule, a three-step increase in contribution and benefit base—the maximum amount of annual earnings subject to tax and counted for benefit purposes. As a result, the base would be increased from its present level of $6,600 to $8,000 in 1968, $8,800 in 1969, and to $10,800 in 1972. Increases in the base, when compared with increases in the contribution rate, have the advantage that the people who contribute more will receive more protection. When the base is increased, new, higher benefits become payable on the basis of the higher average earnings made possible by the increase in the base. Since the matching employer contributions, when combined with the new employee contributions, are more than sufficient to provide for the increased protection, additional income is available to improve benefits throughout the social security system.

This measure improves the social security program for those now receiving benefits—our older citizens, those who are disabled, their dependents and survivors. And it significantly increases the protection against future loss of earnings for all our citizens who now work in jobs covered by the program.

Another vital provision authorizes retirement benefits, for the first time, as early as age 60 for workers and their spouses, and for aged survivors of deceased insured workers. This amendment was sponsored by my distinguished colleague from West Virginia [Mr. BYRD]. I have consistently supported this provision.

The payment of retirement benefits beginning at age 60 would clearly help lessen the hardships faced by the group of workers who because of ill health, technological unemployment, or other reasons, find it impossible to continue working until they reach age 62. Many of our older workers lack the newer technical skills needed to run new machines; they are the people who employers often let go first. Persons who worked and contributed to the social security program have the right to retirement benefits when they become too old to work. They should receive social security benefits if they can no longer work or find jobs because of their age. These people would rather have reduced social security benefits than no regular income at all.

This is a change that is long overdue. It is a change that was voted on favorably by this body earlier this year.

There can be no question that these benefits and improvements to social security are vitally needed. Nor can there be any question that they are needed now. I enthusiastically support the enactment of this bill without further delay.

Mr. BYRD of West Virginia. Mr. President, I thank my senior colleague for his remarks.

Mr. MORSE. Mr. President, I want to join the majority leader, and the Senators from West Virginia [Mr. BYRD and Mr. RANDOLPH] and others who have so deservedly lauded Senator RUSSELL LONG of Louisiana for the remarkable parliamentary leadership he extended to us in bringing about the third reading of the bill and the passage which will follow in the next hour in the Senate. Credit for the bill is due in no small measure to Senator RUSSELL LONG.

The Senate version of the bill is a good one. It is not a perfect bill in my opinion, as my votes for some amendments that were defeated on the floor of the Senate demonstrate. The bill does not go far enough, in my judgment, to give the economic justice to the elderly people of this country that I think they are entitled to, a justice that we must come to just as rapidly as possible.

May I say to them, this is not the last social security bill we are going to pass in the years immediately ahead. The senior Senator from Oregon will continue to do everything he can to secure passage of some amendments that went down to defeat in this debate.

On the other hand, I say to the beneficiaries of social security, the bill advances your interest more than any legislation Congress has considered on this subject at any time in the past since the original act was passed.

The bill deserves the vote of Senators this morning, and it deserves every effort on the part of the Senate conferees to maintain the Senate amendments in conference with the House, for the Senate bill, in my judgment, is a much better bill than the House bill. It is a bill that ought finally to go on to the law books, recognizing, as I have said, that there will have to be some give and take in conference. I hope, however, that the conferees of the House will recognize the temper and the tempo of the times, as the Government of the United States seeks through legislation to do economic justice to the elderly people by having a social security program that really makes it possible for them to live out their old age in health, decency, and self-respect. It seeks to help them enjoy the happiness that we ought, as a matter of moral recognition, see to it that our elderly are able to enjoy.

Some provisions of the bill embody amendments that I have advocated and supported for several years. I was highly gratified when many of the principles of those amendments were adopted, in the first instance, by the Committee on Finance itself. That made it unnecessary to wage a battle for them in the course of the debate on the bill. Other amendments that I have advocated over the years were adopted in principle on the floor of the Senate. They are not in the exact form that I have urged them, but the principle is there. I am grateful, therefore, to the Senator from Louisiana for the cooperation he extended to me. The bill has my support for these principal reasons:

First. The level of benefits will be raised across the board by 15 percent. That falls short of the 20-percent boost provided in the amendment that I sponsored with the Senator from New York [Mr. KENNEDY]. It falls short of the $100 minimum which the Senator from New York and I and other Senators have advocated for some time past. It is a minimum that I will continue to work for in the Senate.

But this 15-percent boost is better than the 12½ percent approved by the House of Representatives.

Second. The adoption yesterday of the Bayh amendment raises the earnings test to $2,400, thus enabling annuitants to earn up to that amount each year without loss of social security benefits.

I was very much interested in the debate yesterday. I thought the Senator

from Oklahoma [Mr. MONRONEY] put it very well.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MORSE. I ask unanimous consent that I may have 3 additional minutes.

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

Mr. MORSE. I thought the Senator from Oklahoma put it very well when he made the plea to let these elderly people work. The privilege of working is, in my judgment, essential to the happiness of many of them. Let us not overlook that intangible value implied by the word "happiness." We need to pay attention to the happiness of our people, and particularly we need to pay attention to the happiness of the aged. Nothing was said on this matter in the debate on yesterday; but when we think about what happens to elderly people when they are able to work and earn up to $2,400 a year, and the effect on their families, their sons and daughters, and the other members of the family, one can begin to grasp the significance of the Bayh amendment.

The Bayh amendment was a great step forward in permitting retired persons to earn up to $2,400, and still not suffer loss of social security benefits.

Third. The Prouty amendment was adopted, to exclude from the income test for veterans' pensions the increase in social security benefits carried in this bill.

Fourth. The Finance Committee bill enables employees to choose retirement at age 60 with a reduced annuity.

Fifth. The committee bill further provides coverage of charges for certain of the services of optometrists, podiatrists, chiropractors, and clinical psychologists under the supplementary insurance program.

Sixth. The committee eased the most stringent and punitive sections of the House bill relating to public assistance and aid to dependent children. The adoption on the floor of the Harris amendment, making mandatory aid to the children of unemployed fathers, and the Kennedy amendment, which provides that mothers of dependent children do not have to work outside of the home when the children need their care at home, are great steps forward in our social security program.

I was at a loss to understand the insistence in the House that mothers with small children work and accept training for work in order for those children to receive assistance. The mother of three or four or five children ought to stay in the home, at least when their children come home from school. They are needed to assure at least some parental supervision as well as doing the cleaning, the sewing, the preparations in the home that make it possible for those children to enjoy their home life.

It goes without saying, and we can take judicial notice of the fact, that a mother with children who has to go outside of the home and work every day is not able to give those children a precious heritage we ought to try to provide for all American boys and girls, a happy home life.

Again I thank the Senator from Louisiana for the splendid job he has done in guiding this bill through the Senate, and I hope that the changes this Senate has made will be sustained in conference with the House.

Mr. WILLIAMS of Delaware. Mr. President, it is with regret that I cannot support this bill. I feel that there is a need for a reasonable increase in social security benefits and would gladly have supported a bill in line with the one passed by the House, which provided a 12½-percent increase in such benefits.

Such an increase could have been financed without a prohibitive increase in the taxes on the wage earners, and the many small businessmen who are today struggling to keep their operations going.

But the bill before us has gone far beyond what I think our country can afford, and the wage tax increases provided in the Senate bill represent a staggering increase in wage taxes that will be placed upon the many young workers of America, who today in view of the high cost of living are already having to struggle to support their growing families and provide for their children's education.

The fact that the Senate has delayed these wage tax increases until after the 1968 election does not make them any less regressive or painful.

When H.R. 12080 passed the House its cost was projected as being $3.2 billion in 1968, with this cost rising in 1972 to $3.8 billion. This cost covered an increase in social security benefits of 12½ percent; the House bill raised the minimum benefits for all and raised the earning test limitation to $1,680. To finance these benefits the earning base subject to wage tax was raised from the present $6,600 to $7,600. The House bill likewise made many increases in the medicaid program, bringing its cost into a more realistic range.

But the Senate Finance Committee went on a spending spree and practically doubled both the cost and the tax rates as compared to the House bill.

The bill reported by the Senate Finance Committee added over $3 billion to the cost of the House bill, which brought the full year's cost of the bill to $6.3 billion. In 1972 these costs will be even higher.

To finance these extra benefits in the Senate bill the wage taxes will be raised as much as 100 percent for the middle income wage earners. Under the Senate bill the cost to the $10,000 wage earners will jump from $290.40 to $580 per year. This increased wage tax must be matched by his employer, which means rising costs of the products being manufactured. The $5,000 worker will have a wage tax increase from the present $220 per year to $290. Other comparable increases are placed upon these young workers who today are already having a hard time to meet the expenses of a growing family.

But even this $3 billion increase by the Senate Finance Committee did not seem to be enough, and the Senate yesterday further added another $1½ billion to the cost of this bill by adopting a series of amendments offered on the floor.

The net result is that we have before us today a bill which in its present form will cost over $7.5 billion and a bill which places upon the wage earners of America the largest wage tax increase in our history.

This $7½ billion bill is being advanced at a time when both the administration and the Congress have been shedding a lot of crocodile tears over the dangers of uncontrolled inflation. Both the administration and the Congress have been promising that before any tax increase is considered, a bona fide effort must be made to reduce expenditures.

How can either the administration or the Senate reconcile their remarks of the past 4 days with their support of a bill which adds over $4 billion to a $3 billion bill as passed by the House just a few weeks ago?

If these Senate additions of over $4 billion are just being passed with an understanding that the House will reject the increases and send back a bill from conference more nearly in line with the projected cost of the House bill, then this action represents the height of political hypocracy, and I will have no part of such tactics.

In my opinion our country faces a crisis in that we have reached the point where we cannot continue down this road of ever-expanding deficits.

These mounting deficits and the resulting inflation have destroyed the purchasing power of the pensions upon which these retired people have been depending. Merely to raise social security payments and then do nothing to check the inflationary threat will be of but a short-term benefit, and within 2 years they will be in a worse condition than today.

The value of the savings bonds, the life insurance policies, the private pensions has been destroyed as the result of this uncontrolled inflation.

Eight years ago a small investor bought a series E Government bond for $75, and today he receives $100 as payment of his principal and interest; but through the erosion of the purchasing power of the dollar he cannot buy with $100 what he could have bought with the $75 7 years ago.

Through uncontrolled inflation we have destroyed the security of millions of our retired citizens. The value of their life savings, their insurance policies, their pensions, social security, and savings accounts is getting to be worth less every day as the result of this uncontrolled inflation.

Mr. President, these trust funds represent the security not only of those already on retirement but of the present-day wage earners, who upon reaching retirement age will be expecting their benefits to be paid. It is therefore essential that the integrity of this fund be preserved.

To illustrate just how the present inflationary situation with its accompanying high interest rates, which means

lower bond prices, affects these trust funds I ask unanimous consent to have printed at this point in the RECORD a series of tabulations showing the investment portfolios of various trust funds, including the social security trust fund, the civil service retirement fund, and the railroad retirement trust fund.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, the material will be printed in the RECORD, as follows:

TREASURY DEPARTMENT,
FISCAL SERVICE,
Washington, D.C., October 24, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: In response to your recent telephone request, there are attached schedules showing by issue the face amount, book value (where available) and current market value of marketable investment holdings of the four Social Security Trust Funds, the Civil Service Retirement and Disability Fund and the Railroad Retirement Accounts. There are also attached schedules showing the current investment holdings of Special Treasury Obligations issued to the above funds.

The market value columns shown on the attached schedules are based on current market quotations, as noted. These prices are currently at a very low point. Therefore, the total market value shown for these securities is appreciably less than the book value shown. However, caution should be exercised in attempting to estimate a possible loss, since Special Treasury Obligations, not marketable securities, are redeemed at part for the purpose of meeting current benefit payments or other authorized expenditures. Marketable securities are normally purchased and held to maturity.

You also asked that if special Treasury issues were marketable what would be their estimated current market value. As previously mentioned, special Treasury issues are purchased by the trust funds at par and are redeemed by the Treasury at par when necessary to meet benefit payments and other expenditures. Therefore, there is no market value as such for special issues comparable to the market value at any given time for any marketable public debt obligation.

Your question may relate to the yield on special Treasury issues as compared to marketables. Since specials are issued and redeemed at par, the yield is always equal to the coupon rate established at the time of issue. This interest rate is by law based on the average market yield of all marketable public debt obligations with remaining periods to maturity of four years or more from the end of the calendar month prior to issuance, except for the Railroad Retirement Accounts which are based on all marketable public debt obligations with remaining periods to maturity of three years or more. In the case of marketable securities, the true yield would not only depend on the coupon rate at time of issue, but also on the purchase price and, if sold prior to maturity, the selling price.

Very truly yours,

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

HOLDINGS FOR FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
U.S. Treasury bonds:			
2½ percent, June 15, 1964-69	$22,180,000	$21,753,047.06	$21,230,418.75
2½ percent, Dec. 15, 1964-69	33,000,000	32,219,058.67	31,195,312.50
2½ percent, Sept. 15, 1967-72	250	250.00	222.03
3⅞ percent, May 15, 1968	17,450,000	17,450,000.00	17,313,671.88
3¾ percent, Aug. 15, 1968	7,000,000	7,000,000.00	6,910,312.50
4 percent, Feb. 15, 1969	5,000,000	5,000,000.00	4,912,500.00
4 percent, Oct. 1, 1969	57,500,000	57,490,553.52	55,954,687.50
4 percent, Feb. 15, 1970	15,000,000	14,968,281.17	14,498,437.50
4 percent, Aug. 15, 1971	100,000,000	100,697,530.84	94,718,750.00
4 percent, Aug. 15, 1973	38,000,000	37,789,128.85	35,031,250.00
4⅛ percent, Feb. 15, 1974	61,934,000	61,895,580.95	57,095,406.25
4¼ percent, May 15, 1974	6,352,000	6,363,615.84	5,899,420.00
3⅞ percent, Nov. 15, 1974	24,500,000	24,480,272.84	22,157,187.50
4¼ percent, May 15, 1975-85	78,023,000	77,654,044.34	67,538,659.38
3¼ percent, June 15, 1978-83	60,200,000	59,272,764.62	46,354,000.00
4 percent, Feb. 15, 1980	153,100,000	153,040,016.74	132,048,750.00
3½ percent, Nov. 15, 1980	449,450,000	455,156,974.02	366,301,750.00
3¼ percent, May 15, 1985	25,700,000	24,171,356.15	19,724,750.00
4¼ percent, Aug. 15, 1987-92	33,000,000	35,111,119.89	27,616,875.00
4⅛ percent, May 15, 1989-94	91,300,000	90,496,486.77	74,352,437.50
3½ percent, Feb. 15, 1990	556,250,000	546,773,428.71	426,574,218.75
3 percent, Feb. 15, 1995	70,170,000	70,142,012.59	53,373,056.25
3½ percent, Nov. 15, 1998	552,037,000	542,441,418.01	421,618,258.75
Total, public issues	2,457,146,250	2,441,366,941.58	2,002,420,332.04
Agency Issues:			
FICB debentures: 5.15 percent, Nov. 1, 1967	17,000,000	17,000,000.00	17,000,000.00
FHLB bonds:			
6 percent, Oct. 26, 1967	26,000,000	25,998,916.64	26,000,000.00
5⅝ percent, Apr. 25, 1968	25,000,000	25,014,583.36	24,976,562.50
FNMA debentures:			
5⅞ percent, Sept. 10, 1968	10,000,000	9,997,135.46	10,012,500.00
6 percent, Dec. 12, 1969	41,500,000	41,518,732.60	41,551,875.00
5⅛ percent, July 10, 1969	25,000,000	25,048,879.36	24,718,750.00
5¾ percent, Oct. 13, 1970	20,000,000	19,960,000.00	19,937,500.00
FLB bonds: 5⅞ percent, Dec. 20, 1967	15,000,000	15,000,000.00	15,018,750.00
Total, agency issues	179,500,000	179,538,247.42	179,215,937.50
MARKETABLES—Continued			
Participation certificates:			
Fait, FNMA, trustee:			
5.20 percent, January 19, 1982	$100,000,000	$100,000,000.00	$93,000,000.00
5.10 percent Apr. 6, 1987	50,000,000	50,000,000.00	46,000,000.00
5½ percent, June 29, 1972	50,000,000	50,000,000.00	48,875,000.00
Total, participation certificates	200,000,000	200,000,000.00	187,875,000.00
Total, marketables	2,836,646,250	2,820,905,189.00	2,369,511,269.54
SPECIALS			
Certificates of indebtedness:			
5⅛ percent, June 30, 1968	1,872,652,000		
5¼ percent, June 30, 1968	17,074,000		
Notes:			
4⅞ percent, June 30, 1969	1,080,011,000		
4⅞ percent, June 30, 1970	296,526,000		
4⅞ percent, June 30, 1971	1,080,011,000		
4¾ percent, June 30, 1974	2,720,279,000		
Bonds:			
2⅝ percent, June 30, 1970	783,485,000		
2⅝ percent, June 30, 1971	1,080,011,000		
2⅝ percent, June 30, 1972	1,080,011,000		
2⅝ percent, June 30, 1973	1,080,011,000		
2⅝ percent, June 30, 1974	1,080,011,000		
2⅝ percent, June 30, 1975	919,934,000		
3¾ percent, June 30, 1975	160,077,000		
3¾ percent, June 30, 1976	1,080,011,000		
3⅞ percent, June 30, 1977	1,080,011,000		
3⅞ percent, June 30, 1978	658,444,000		
4⅛ percent, June 30, 1978	421,567,000		
4⅛ percent, June 30, 1979	1,080,011,000		
4⅛ percent, June 30, 1980	1,080,011,000		
Total, special issues	18,650,148,000		
U.S. Treasury bonds, nonmarketable:			
2¾ percent, Apr. 1, 1975-80	1,064,902,000		
Grand total	22,551,696,250		

[1] Book value based on amortization of premium and/or discount on a straight-line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL DISABILITY INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
U.S. Treasury bonds:			
3⅞ percent, May 15, 1968	$3,750,000	$3,750,000.00	$3,720,703.13
3¾ percent, Aug. 15, 1968	5,000,000	5,000,000.00	4,935,937.50
3⅞ percent, Nov. 15, 1968	5,000,000	4,992,968.50	4,923,437.50
4 percent, Oct. 1, 1969	26,000,000	25,993,851.79	25,301,250.00
4 percent, Feb. 15, 1970	10,000,000	9,978,515.45	9,665,625.00
4 percent, Aug. 15, 1970	14,000,000	13,957,349.76	13,444,375.00
4 percent, Feb. 15, 1972	2,000,000	1,988,394.64	1,881,250.00
4 percent, Aug. 15, 1972	2,000,000	1,989,851.00	1,872,500.00
4 percent, Aug. 15, 1973	16,500,000	16,360,623.51	15,210,937.50
4⅛ percent, Feb. 15, 1974	10,000,000	10,017,431.12	9,218,750.00
MARKETABLES—Continued			
U.S. Treasury bonds—Continued			
3⅞ percent, Nov. 15, 1974	$5,000,000	$5,000,000.00	$4,521,875.00
4¼ percent, May 15, 1975-85	20,795,000	20,774,628.28	18,000,671.88
4 percent, Feb. 15, 1980	30,250,000	30,240,452.69	26,090,625.00
4¼ percent, Aug. 15, 1987-92	80,800,000	80,979,046.03	2,619,500.00
4⅛ percent, May 15, 1989-94	68,400,000	67,514,591.67	55,703,250.00
3½ percent, Feb. 15, 1990	10,500,000	9,882,092.39	8,052,187.50
3½ percent, Nov. 15, 1998	5,000,000	4,676,514.55	3,818,750.00
Total, public issues	314,995,000	313,096,311.38	273,981,625.01

See footnote at end of table.

HOLDINGS FOR THE FEDERAL DISABILITY INSURANCE TRUST FUND AS OF OCT. 20, 1967—Continued

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES—Continued			
Agency issues:			
FHLB bonds: 6 percent, Oct. 26, 1967	$15,590,000	$15,588,916.64	$15,590,000.00
FNMA debentures:			
5⅞ percent, Sept. 10, 1968	10,000,000	9,997,135.46	10,012,500.00
5¾ percent, Oct. 13, 1970	20,000,000	19,960,000.00	19,937,500.00
Total agency issues	45,590,000	45,546,052.10	45,540,000.00
Participation certificates—FALT, FNMA, trustee: 5½ percent, June 29, 1972	50,000,000	50,000,000.00	48,875,000.00
Total, marketables	410,585,000	408,642,363.48	368,396,625.01
SPECIALS			
Certificates of indebtedness:			
5⅛ percent, June 30, 1968	87,111,000		
5¼ percent, June 30, 1968	520,000		
MARKETABLES—Continued			
Notes:			
4⅞ percent, June 30, 1971	$74,799,000		
4¾ percent, June 30, 1974	309,178,000		
Bonds:			
2⅝ percent, June 30, 1974	77,006,000		
3¾ percent, June 30, 1974	20,738,000		
2⅝ percent, June 30, 1975	132,894,000		
3¾ percent, June 30, 1975	20,738,000		
3¾ percent, June 30, 1976	153,632,000		
3¾ percent, June 30, 1977	153,632,000		
3⅞ percent, June 30, 1978	153,632,000		
4⅛ percent, June 30, 1979	153,632,000		
4⅛ percent, June 30, 1980	125,606,000		
Total, special issues	1,463,118,000		
Grand total	1,873,703,000		

[1] Book value based on amortization of premium and/or discount on a straight line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL HOSPITAL INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount	Book value [1]	Market value [2]
MARKETABLES			
Agency issues:			
FLB bonds: 5⅞ percent, Dec. 20, 1967	$15,000,000	$15,000,000.00	$15,018,750
FNMA debentures: 6 percent, Dec. 12, 1969	41,500,000	41,518,733.60	41,551,875
Total, agency issues	56,500,000	56,518,733.60	56,570,625
Participation certificates—FALT, FNMA, Trustee: 5.20 percent, Jan. 19, 1982	50,000,000	50,000,000.00	46,500,000
Total, marketables	106,500,000	106,518,733.60	103,070,625
SPECIALS			
Certificates of indebtedness: 5⅛ percent, June 30, 1968	$100,745,000		
Notes:			
4⅞ percent, June 30, 1971	514,659,000		
4¾ percent, June 30, 1972	46,131,000		
4¾ percent, June 30, 1973	46,131,000		
4¾ percent, June 30, 1974	415,179,000		
Total, special issues	1,152,845,000		
Grand total	1,259,345,000		

[1] Book value basedon amortization of premium and/or discount on a straight line basis.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND AS OF OCT. 20, 1967

Securities	Face amount
Specials: Certificates of indebtedness, 5¼ percent, maturing June 30, 1968	$57,200,000
Notes:	
4¾ percent, maturing June 30, 1970	1,482,000
4¾ percent, maturing June 30, 1971	31,923,000
4¾ percent, maturing June 30, 1972	$31,923,000
4¾ percent, maturing June 30, 1973	31,923,000
4¾ percent, maturing June 30, 1974	287,311,000
Total, special issues	441,762,000

HOLDINGS FOR THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND [1] AS OF OCT. 20, 1967

Securities	Face amount	Market value [2]
MARKETABLES		
U.S. Treasury notes:		
4¾ percent, May 15, 1968	$4,400,000	$4,387,625.00
5 percent, Nov. 15, 1970	146,400,000	144,204,000.00
5⅜ percent, Feb. 15, 1971	25,000,000	24,875,000.00
5¼ percent, May 15, 1971	19,500,000	19,353,750.00
5⅜ percent, Nov. 15, 1971	25,000,000	24,882,812.50
4¾ percent, Feb. 15, 1972	110,600,000	107,040,062.50
4¾ percent, May 15, 1972	98,700,000	95,430,562.50
U.S. Treasury bonds:		
3⅞ percent, May 15, 1968	12,400,000	12,303,125.00
3¾ percent, Aug. 15, 1968	2,800,000	2,764,125.00
3⅞ percent, Nov. 15 1968	1,600,000	1,575,500.00
4 percent, Feb. 15, 1969	10,000,000	9,825,000.00
2½ percent, June 15, 1969	10,000,000	9,571,875.00
4 percent, Oct. 1, 1969	60,400,000	58,776,750.00
2½ percent, Dec. 15, 1964–69	16,400,000	15,503,125.00
4 percent, Aug. 15, 1970	54,600,000	52,433,062.50
3⅞ percent, Nov. 15, 1971	6,100,000	5,734,000.00
4 percent, Feb. 15, 1972	5,200,000	4,891,250.00
4 percent, Aug. 15, 1972	28,700,000	26,870,375.00
4 percent, Aug. 15, 1973	23,800,000	21,940,625.00
4⅛ percent, Nov. 15, 1973	33,600,000	31,416,000.00
4⅛ percent, Feb. 15, 1974	55,900,000	51,532,812.50
4¼ percent, May 15, 1974	126,060,000	117,078,225.00
3⅞ percent, Nov. 15, 1974	47,650,000	43,093,468.75
4 percent, Feb. 15, 1980	110,394,000	95,214,825.00
3½ percent, Nov. 15, 1980	15,700,000	12,795,500.00
3¼ percent, June 15, 1978–83	16,800,000	12,936,000.00
3¼ percent, May 15, 1985	85,900,000	65,928,250.00
4¼ percent, May 15, 1975–85	53,105,000	45,969,015.63
3½ percent, Feb. 15, 1990	98,600,000	75,613,875.00
4¼ percent, Aug. 15, 1987–92	347,920,000	291,165,550.00
4⅛ percent, May 15, 1989–94	10,750,000	8,754,531.25
3 percent, Feb. 15, 1995	55,205,000	41,990,303.13
3½ percent, Nov. 15, 1998	83,269,000	63,596,698.75
Total, public issues	1,802,453,000	1,599,447,680.01
MARKETABLES—Continued		
Agency issues—FHLB bonds: 5⅜ percent, Apr. 25, 1968	$14,000,000	$13,986,875.00
FICB debentures: 5.15 percent, Nov. 1, 1967	17,000,000	17,000,000.00
FLB bonds: 5⅞ percent, Dec. 20, 1967	15,000,000	15,018,750.00
FNMA debentures:		
5⅞ percent, Sept. 10, 1968	10,000,000	10,012,500.00
5⅛ percent, July 10, 1969	25,000,000	24,718,750.00
6 percent, Dec. 12, 1969	41,500,000	41,551,875.00
5¼ percent, Oct. 13, 1970	20,000,000	19,937,500.00
Total, agency issues	142,500,000	142,226,250.00
FNMA participation certificates:		
5 percent, Jan. 19, 1972	50,000,000	48,000,000.00
5½ percent, June 29, 1972	50,000,000	48,875,000.00
5.20 percent, Jan. 19, 1982	100,000,000	93,000,000.00
Total, participation	200,000,000	189,875,000.00
Total, marketables	2,144,953,000	1,931,548,930.01
Specials—certificates of indebtedness:		
5⅛ percent, 1968	520,580,000	
5 percent, 1968	5,451,000	
Notes:		
4⅛ percent, 1969	142,474,000	
4⅞ percent, 1969	40,692,000	
4⅛ percent, 1970	69,699,000	
4⅞ percent, 1970	40,692,000	
4⅞ percent, 1971	1,785,656,000	
4¾ percent, 1974	1,758,171,000	
Bonds:		
2½ percent, 1968	200,000,000	
2⅝ percent, 1968	415,527,000	
2⅞ percent, 1968	69,913,000	
2⅝ percent, 1969	615,527,000	
2⅞ percent, 1969	69,913,000	
3¾ percent, 1969	60,976,000	
3⅞ percent, 1969	80,227,000	
2⅝ percent, 1970	615,527,000	

HOLDINGS FOR THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND[1] AS OF OCT. 20, 1967—Continued

Securities	Face amount	Market value[2]
SPECIALS—Continued		
Bonds—Continued		
2⅞ percent, 1970	$69,913,000	
3¾ percent, 1970	60,976,000	
3⅞ percent, 1970	80,227,000	
4⅛ percent, 1970	72,775,000	
2⅝ percent, 1971	615,527,000	
2⅞ percent, 1971	69,913,000	
3¾ percent, 1971	60,976,000	
3⅞ percent, 1971	80,227,000	
4⅛ percent, 1971	142,474,000	
3¾ percent, 1972	60,976,000	
3⅞ percent, 1972	532,981,000	
4⅛ percent, 1972	375,160,000	
3¾ percent, 1973	60,976,000	
3⅞ percent, 1973	103,448,000	
4⅛ percent, 1973	552,988,000	
2⅝ percent, 1974	270,724,000	
3¾ percent, 1974	60,976,000	
3⅞ percent, 1974	80,227,000	
4⅛ percent, 1974	212,387,000	
2⅝ percent, 1975	$615,527,000	
3¾ percent, 1975	60,976,000	
3⅞ percent, 1975	80,227,000	
4⅛ percent, 1975	167,167,000	
2⅞ percent, 1976	589,362,000	
3¾ percent, 1976	60,976,000	
3⅞ percent, 1976	80,227,000	
4⅛ percent, 1976	142,474,000	
3¾ percent, 1977	746,416,000	
3⅞ percent, 1977	80,227,000	
4⅛ percent, 1977	142,474,000	
3⅞ percent, 1978	826,643,000	
4⅛ percent, 1978	142,474,000	
4⅛ percent, 1979	969,117,000	
4⅛ percent, 1980	969,117,000	
Total, specials	15,728,280,000	
Grand total	17,873,233,000	

[1] Treasury Department does not maintain administrative accounts for this fund, therefore, book value is not available in the Investments Branch.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE RAILROAD RETIREMENT ACCOUNT[1] AS OF OCT. 20, 1967

Securities	Face amount	Market value[2]
MARKETABLES		
U.S. Treasury notes:		
5 percent, Nov. 15, 1970	$32,000,000	$31,520,000.00
4¾ percent, May 15, 1972	20,000,000	19,337,500.00
4¾ percent, Feb. 15, 1972	18,000,000	17,420,625.00
U.S. Treasury bonds:		
3⅞ percent, May 15, 1968	7,000,000	6,945,312.50
3¾ percent, Aug. 15, 1968	14,000,000	13,820,625.00
4 percent, Feb. 15, 1969	51,000,000	50,107,500.00
4 percent, Oct. 1, 1969	57,000,000	55,468,125.00
4 percent, Aug. 15, 1970	35,000,000	33,610,937.50
4 percent, Aug. 15, 1971	8,500,000	8,051,093.75
3⅞ percent, Nov. 15, 1971	46,500,000	43,710,000.00
4 percent, Feb. 15, 1972	21,000,000	19,753,125.00
4 percent, Aug. 15, 1972	33,500,000	31,364,375.00
3⅞ percent, Nov. 15, 1974	156,700,000	141,715,562.50
4 percent, Feb. 15, 1980	125,550,000	108,243,750.00
3½ percent, Nov. 15, 1980	6,000,000	4,890,000.00
4¼ percent, May 15, 1975–85	47,261,000	40,910,303.13
3½ percent, May 15, 1985	6,900,000	5,295,750.00
3½ percent, Feb. 15, 1990	38,925,000	29,850,609.38
4¼ percent, Aug. 15, 1987–92	14,000,000	11,716,250.00
4 percent, Feb. 15, 1988–93	6,000,000	4,882,500.00
4⅛ percent, May 15, 1989–94	13,100,000	10,668,312.50
3 percent, Feb. 15, 1995	3,200,000	2,434,000.00
3½ percent, Nov. 15, 1998	31,550,000	24,096,312.50
Total, public issues	792,686,000	715,812,568.76
Agency issues:		
FHLB bonds:		
5⅞ percent, Dec. 20, 1967	15,000,000	15,018,750.00
6 percent, Oct. 26, 1967	26,000,000	26,000,000.00
5⅝ percent, Apr. 25, 1968	25,000,000	24,976,562.50
FNMA debentures:		
5⅞ percent, Sept. 10, 1968	10,000,000	10,012,500.00
6 percent, Dec. 12, 1969	41,500,000	41,551,875.00
5¾ percent, Oct. 13, 1970	20,000,000	19,937,500.00
Total, agency issues	137,500,000	137,497,187.50
MARKETABLES—Continued		
Participation certificates—FALT, FNMA, trustee: 5.20 percent, Jan. 19, 1977	$50,000,000	$46,500,000.00
Total, marketables	980,186,000	899,809,756.26
SPECIALS		
Notes:		
4¾ percent, 1969	146,704,000	
4⅞ percent, 1969	10,257,000	
4⅛ percent, 1970	10,298,000	
4⅞ percent, 1970	10,257,000	
4⅞ percent, 1971	321,044,000	
4¾ percent, 1974	416,402,000	
Bonds:		
4 percent, 1970	185,091,000	
4⅛ percent, 1970	12,812,000	
4 percent, 1971	185,091,000	
4⅛ percent, 1971	23,110,000	
4 percent, 1972	185,091,000	
4⅛ percent, 1972	23,110,000	
4 percent, 1973	185,091,000	
4⅛ percent, 1973	23,110,000	
4 percent, 1974	185,091,000	
4⅛ percent, 1974	23,110,000	
4 percent, 1975	185,091,000	
4⅛ percent, 1975	23,110,000	
4 percent, 1976	185,091,000	
4⅛ percent, 1976	23,110,000	
4 percent, 1977	185,091,000	
4⅛ percent, 1977	23,110,000	
4 percent, 1978	185,091,000	
4⅛ percent, 1978	23,110,000	
4⅛ percent, 1979	208,201,000	
4⅛ percent, 1980	208,201,000	
Total, specials	3,194,875,000	
Grand total	4,175,061,000	

[1] Treasury Department does not maintain administrative accounts for this fund, therefore, book value is not available in the Investments Branch.

[2] Market value based on the closing market bid on Oct. 13, 1967, for agency issues and participation certificates and on the closing market bid on Oct. 19, 1967, for public issues.

HOLDINGS FOR THE RAILROAD RETIREMENT SUPPLEMENTAL ACCOUNT, AS OF OCT. 20, 1967

Securities	Face amount
Specials—Certificates of indebtedness:	
4¾ percent 1968	$5,764,000
5 percent 1968	4,781,000
5⅛ percent 1968	343,000
5¼ percent 1968	1,691,000
Grand total	12,579,000

HOLDINGS FOR THE RAILROAD RETIREMENT HOLDING ACCOUNT, AS OF OCT. 20, 1967

Securities	Face amount
Specials—Certificates of indebtedness:	
4¾ percent 1968	$4,067,000
5 percent 1968	1,064,000
5⅛ percent 1968	78,000
5¼ percent 1968	376,000
Grand total	5,585,000

Mr. WILLIAMS of Delaware. These trust funds are invested 100 percent in obligations of or obligations guaranteed by the U.S. Government. A small percentage of the investment portfolio is in marketable Government securities, whereby the book value can readily be compared with the present-day market values; for example, in the OASI trust fund there are $2.8 billion invested in Government securities which today have a market value of about $2.3 billion, thus representing a paper loss of approximately $500 million.

At the same time this trust fund has $22.5 billion invested in certificates of indebtedness; that is, nonmarketable securities. These securities bear interest from 2⅝ percent up to 5¼ percent with maturities ranging from 1968 through 1980. Since these are nonmarketable securities their depreciation cannot very readily be accurately computed; however, based upon the current price of similar yields the market value as compared to the cost to the fund would show a potential loss of between $2 billion and $2½ billion.

The investments of other trust funds show similar potential losses based upon present-day market values.

It is true that if these bonds are held until maturity they will be paid at face value; however, in approving increased benefits under the social security system which are not currently financed but which will be paid from this trust fund it means that to the extent any redemptions become mandatory to finance these benefits, either the fund or the Treasury Department will absorb an approximate 20-percent loss.

To the extent this portfolio is liquidated to pay current expenditures some-

body has to absorb the difference between the original cost and the present-day markets. This is true of all of the various trust funds which are referred to in the tables included in this report, and this point must be borne in mind by the Senate Finance Committee and the Senate.

Mr. BENNETT. Mr. President, I associate myself with the remarks of the Senator from Delaware [Mr. WILLIAMS], who is my leader in the committee.

I share his concern and will join him and vote against the bill.

I think our action today represents an expression of an attitude of fiscal irresponsibility, particularly in the face of what happened in Britain last weekend.

I was shocked that the Senate, in the face of all that, would have added another billion dollars last night in a move that had not been seriously considered by the committee.

It seems to me that sooner or later we will have to face up to the facts of economic life.

After the President this weekend said he is prepared to move against the deficit, we sat here blithely and increased it.

Mr. President, I cannot join in placing a further burden of inflation on the same elderly people whom the bill is supposed to help.

Mr. HARTKE. Mr. President, I certainly intend to vote for the bill. It is a landmark piece of legislation. It is a real accomplishment for this Congress and an accomplishment in the field of social justice that this Nation can be proud of at this time.

The Senate also owes a deep debt of gratitude to the assistant majority leader, the chairman of the Finance Committee, the junior Senator from Louisiana [Mr. LONG]. He patiently and, sometimes under what appeared to be almost exasperating circumstances, continued to shepherd this bill through heavy waters in the Finance Committee. In an extreme case of dedicated service, he stood on the floor and successfully defended that position and, at times even defended positions which I did not want to have defended.

The Senator from Louisiana was very successful on the floor. I think he should be complimented for his fine work.

I also pay my respects to the ranking minority member, the Senator from Delaware [Mr. WILLIAMS]. He certainly knew his facts and figures. We did agree that what we wanted to do was to have an honest presentation of the differences of opinion. He made that possible.

Our success is also due to the fine work of Wilbur Cohen of the Department of Health, Education, and Welfare, Bob Ball, Robert Myers, Chief Clerk Tom Vail, and others.

In my opinion there are still deficiencies. There is still work to be done in future years. We have still not given enough to these people. We should have given them a minimum of at least $100. We should have increased the amount by 20 percent.

Omitting the changes which took place on the floor, which did not seriously jeopardize this measure, I point out that the bill passed by the Finance Committee will produce a surplus of $2,200 million over the amount needed to be paid out in 1968.

That surplus will increase in 1969 under the Finance Committee bill to $3,600 million. In 1970, it will go to $3,900 million. By 1971, it will go to $6,600 million. In 1972 there will be a surplus of collections of $8,600 million over what is needed to be paid out to these people who receive social security benefits.

If there is anything about the bill that can be criticized in real good conscience, it is the fact that it is overfinanced.

The people who cast aspersions at the actuarial soundness of the social security system, frankly, are filled with emotion and have not looked at the figures. If they take a look at the honest figures as they have been presented in the committee, and at these estimates, they will realize that this is a good program for America.

I congratulate all of those who took part in the action on the bill, and especially those who will vote in favor of it.

Mr. LAUSCHE. Mr. President, yesterday we had before us an amendment proposing the acceptance of the House version of what should be done in this field of social service.

I voted for the acceptance of the Senate version, even though it was 2½ percent higher in cost than the of the House version.

The House bill would result in an added cost of 12.5 percent. The Senate committee bill would result in a 15-percent increase in the cost.

When I voted for the 15-percent increase in cost, I thought that that would be the maximum that would be proposed under the bill. However, we know what happened yesterday. Amendment after amendment was offered, and the cost covering social security and welfare benefit increases amounts to, according to my information, about $1.5 billion.

I voted against those increases. I do so because of the financial problems that are confronting the world.

I said yesterday that this subject of devaluation is one that we are not adequately considering.

I am now, however, faced with the responsibility of either voting for or against the bill. I favored the 15-percent increase. My belief is that the added cost put onto the bill yesterday would bring the cost up to 20 percent.

The question is, shall I vote against the whole item because I am in disagreement with what happened yesterday.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield 1 minute on the bill to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 additional minute.

Mr. LAUSCHE. Mr. President, I have concluded to vote for the bill anticipating that the House conferees will stand firmly by what they proposed and will strike from the bill all of the increases that they were added yesterday.

The PRESIDING OFFICER. All time has expired, and under the previous unanimous-consent agreement, the senior Senator from Illinois is now recognized.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, at this juncture I would like to ask the distinguished majority leader about the schedule so far as the balance of the week, if any, but more particularly so far as next week is concerned.

Mr. MANSFIELD. Mr. President, it is the intention of the leadership, at the conclusion of the vote on the social security legislation, to lay before the Senate S. 2147, the meat inspection bill, which will be the first order of business on Monday, and on which very likely there will be a rollcall vote. That will be followed by the naval vessel loans bill, H.R. 6167. It is my understanding that there may be a rollcall vote on an amendment to that bill.

Then it is anticipated that the Senate will take up the civilian pay raise and postal rate bill, on which there will be a rollcall vote, I am quite sure. That would occur very likely on Tuesday. The military pay raise bill will immediately follow and on that measure there will be a rollcall vote followed by the U.N. resolution pertaining to Vietnam, on which there will be a rollcall vote; foreign aid appropriations, on which there may be a rollcall vote. The elementary and secondary education bill will be called up later that week, though its precise scheduling is not definitive as yet; and, if time permits, other items on the calendar or reported from committee next week, will be considered.

To repeat, Mr. President: For the information of the Senate, very likely there will be rollcall votes on Monday, there will be important legislation all next week; and this colloquy has been conducted for the purpose of informing the Senate of what the actual situation may well be.

Mr. COTTON. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. COTTON. Can the distinguished majority leader give us an idea of what time the rollcall vote might occur on Monday?

Mr. MANSFIELD. We have tried to keep in mind the peculiar situation that confronts the Senator from New Hampshire. My guess is that with the number of Senators who may wish to speak on the meat inspection bill, the vote would not come before 3 o'clock.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. Does the Senator from Montana request that rule 12 be suspended?

Mr. MANSFIELD. Yes.

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

Mr. MORSE. Can the majority leader advise me whether or not he believes it is probable that we can get to the elementary-secondary education bill either on Wednesday, November 29, or Thursday, November 30, or Friday, Decem-

ber 1? What I am seeking to learn is whether or not we are going to plan to take it up next week or whether it will go over to the week of December 4.

Mr. MANSFIELD. My guess at the moment is that the earliest possible time would be Friday the first, or early the next week. I will discuss the matter with the Senator from Oregon in the meantime.

Mr. MORSE. I thank the majority leader.

AUTHORITY FOR DISTRICT OF COLUMBIA COMMITTEE AND OTHER COMMITTEES TO FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the District of Columbia, and other committees, be authorized to file reports until midnight tonight during the adjournment of the Senate, with individual, supplemental, and minority views.

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

SOCIAL SECURITY ACT AMENDMENTS OF 1967

The Senate resumed the consideration of the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

Mr. LONG of Louisiana. Mr. President, Senators have been most cooperative in limiting themselves on the debate so we could reach final passage on this bill. However, certain commitments have been made on this side of the aisle—and perhaps on the other side of the aisle—that have not been kept, and I ask unanimous consent that 4 additional minutes be accorded to the manager of the bill and to the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. HICKENLOOPER. Reserving the right to object, I understood that we had an agreement to vote at 11 oclock.

Mr. LONG of Louisiana. I have requested 4 additional minutes on each side.

Mr. HICKENLOOPER. Will it be 4 minutes and 4 minutes and 4 minutes?

Mr. LONG of Louisiana. No.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, the bill which the Senate will pass this morning will directly affect the lives of more people than any legislation we have acted on this year, or are likely to act on next year. We are providing a very substantial benefit increase for the one out of nine Americans who depend upon their social security check each month. We are making hundreds of thousands of people eligible for social security benefits by reducing retirement age to 60 and by protecting disabled widows and widowers. We are making several improvements in the coverage provisions of the program, and we are making many other changes designed to improve and simplify the social security program, including the medicare provisions.

Perhaps the most significant provisions in the bill, however, are those which would set us on a new road for dealing with the problems in the public assistance programs. The work-incentive program which this bill would establish will, I believe, turn out to be the most far-reaching and significant part of the bill we approve today.

I urge that the welfare workers who serve the recipients under the AFDC program examine these provisions in detail and make every effort to implement them for the benefit of all people dependent upon the AFDC program, but most especially for the children in those families.

The bill will restore fiscal responsibility to the medicaid program. It will also provide many important improvements in the way care under that program is delivered and financed. I believe that many older people who must spend their days in the Nation's nursing homes will find their lot much improved as these provisions take effect.

We have made important improvements in the child welfare provisions of the law—increasing Federal responsibility in this area with special emphasis on day care and foster care of minor children.

We are improving the child health provisions of present law, putting more emphasis on the State role in this program, and assuring that the poor would also have family planning services available to them. In terms of money alone, this is a monumental bill. It will provide benefits and services which will total about $6.7 billion in a full year of operation. The great bulk of these benefits will be financed out of our social security and medicare trust funds. Some will be financed out of general revenue. When I made my opening statement on the Finance Committee bill on November 15, I stated:

> All in all, this bill must rank with the greatest of the social security bills ever placed before the Senate. It proves once again that the Social Security Act is dynamic legislation geared responsibly to its clients—the people of the United States.

Mr. President, that statement is equally true of the bill we vote upon today. Senators have conducted themselves responsibly and with great humanity in the consideration of the many amendments offered to the bill. We take to conference a bill which we all can be proud of. I am hopeful we will be able to prevail on many of the new ideas which we have brought forth in this legislation.

I would like to take just a moment to advise the Senate of the cost of the bill we are acting on. The Senate added benefits totaling over $1 billion in the first full year of operation. This is in addition to the benefits provided under the bill we reported from the Committee on Finance. Of this $700 million is attributable to the old-age survivors disability and hospital insurance program, and a large part of the $700 million relates to the Bayh amendment which would increase the earnings exemption for retired workers to $2,400 per year.

We added $60 million of foster care to the bill. By requiring States to have welfare programs for their unemployed parents we increased the Federal commitment under the welfare program by an additional $60 million a year.

The Prouty amendment, to prevent veterans from losing their veterans benefits because of the social security increases, adds another $90 million to the cost.

Finally, the amendment providing more generous tax benefits for aged persons who incur medical expenses added another $110 million.

Whereas, the bill reported by the committee provided new benefits, totaling $5.6 billion in the first full year of operation, the bill as it now stands involves nearly $6.7 billion.

If one looks at the 1969 impact of our bill rather than the first-full-year impact, he will find that the total cost of the new benefits provided by the Senate bill exceed $7.2 billion.

Mr. President, I ask unanimous consent that a memorandum reflecting the costs of various provisions the Senate added to the committee bill and a table comparing the trust fund contribution income and benefit outgo of the House bill and the Senate bill with the existing law be printed at this point in the RECORD.

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

MEMORANDUM

NOVEMBER 22, 1967.

From: Robert J. Myers, Chief Actuary, Social Security Administration.

Subject: Summary of cost effects of social security amendments adopted on Senate floor.

This memorandum will summarize the cost effects of the amendments to the Social Security program that were adopted on the Senate floor during the debate on H.R. 12080. The cost changes will be given in relation to the cost of the Finance Committee Bill.

A. AMENDMENTS TO OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE SYSTEM

The following amendments were adopted that have a significant cost effect:

(1) *Nelson Amendment.* Mother's and wife's benefits would continue after the last eligible child has attained age 18 (or is disabled) if such child is in secondary school. The estimated level-cost of this amendment is .01% of taxable payroll. The increased benefit outgo as a result of this change is estimated at $20 million in 1968 and $40 million in 1969.

(2) *Hartke Amendment.* This amendment modifies the original amendment of Senator Hartke that provides special disability benefits for persons who meet the definition of industrial blindness. The modification permits payment of these benefits even though the individual engages in substantial employment. The long-range level-cost of the program is increased by .01% of taxable payroll as a result of this amendment. There is no cost effect for 1968 because the effective date is December 1968. Benefit outgo for 1969 would be increased by about $15 million by this change.

(3) *Bayh Amendment.* This amendment increases, effective for 1968, the annual exempt amount in the earnings (or retire-

ment) test to $2,400 (as compared with the figures of $1,680 in 1968 and $2,000 in 1969 and after in the Finance Committee Bill). A corresponding change would be made in the monthly test; the "1-for-2" band would be retained at $1,200 above the annual exempt amount. The long-range cost would be increased by .17% of taxable payroll. The increased benefit outgo in 1968 is estimated at about $600 million, while the corresponding figure for 1969 is about $450 million.

(4) *Metcalf Amendment*. This amendment eliminated the more detailed definition of disability contained in the Finance Committee Bill, including the special definition for the newly-added disabled widow's benefits. No increase in cost is included for this change, although it is recognized that there is a much greater likelihood that the experience actually developing will exceed the intermediate-cost estimate, especially as to disabled widow's benefits.

Summarizing the long-range cost effects, the increased level-cost is .19% of taxable payroll. When this is added to the actuarial balance of −.10% of taxable payroll for the system as it would be modified by the Finance Committee Bill, the result is an actuarial balance of −.29% of taxable payroll. This is well beyond the limit of −.10% of taxable payroll that has been established as a measurement of actuarial soundness.

B. AMENDMENTS TO HOSPITAL INSURANCE SYSTEM

The only amendment adopted that has a significant cost effect is that proposed by Senator Miller. This amendment, effective July 1, 1968, would provide for reimbursement to hospitals and extended care facilities to be on the basis of average per diem costs for persons of all ages (rather than on the basis of actual costs for beneficiaries aged 65 and over). In addition, the legislative history indicated the present 2% increase-factor for otherwise unrecognized costs (1½% for proprietary institutions) would be discontinued. The net cost effect is an increase in the estimated level-cost of the program amounting to .07% of taxable payroll. In 1968, the increased cost would be about $100 million with respect to insured persons and $15 million with respect to noninsured persons, while in 1969 the corresponding figures are $220 million and $30 million, respectively.

The actuarial balance of the HI system under the Senate Finance Committee Bill was estimated at +.11% of taxable payroll. Accordingly, the actuarial balance of the HI program as it would be under the Senate-approved bill would be +.04% of taxable payroll, and so the system would be in an actuarially-sound position.

C. AMENDMENTS TO SUPPLEMENTARY MEDICAL INSURANCE SYSTEM

No amendments were adopted that would have a significant cost effect.

D. OASDHI INCOME-OUTGO DATA FOR 1968–69

The following table compares the contribution income and benefit outgo for the combined OASDI and HI systems (both of which are financed by payroll taxes) for 1968 and 1969 (in billions):

Calendar year	Contribution income	Benefit outgo	Excess of income over outgo
1968	$31.2	$29.7	$1.5
1969	36.3	33.4	2.9

ROBERT J. MYERS.

Mr. STENNIS. Mr. President, I commend the Senator from Louisiana for the manner in which he has handled this bill.

I had hoped very much that I could support a social security bill and that I could support the present one. I would support it, except that, as I understand, the House bill provides for $3.2 billion, the Senate committee bill provides, in round numbers, for $6.3 billion, and the bill as amended on the Senate floor provides for $7.8 billion.

Furthermore, Mr. President, no one has a calculation that is considered to be accurate or nearly accurate with reference to the items which have been added to the bill on the Senate floor. The Senate has a duty to retired people, present and future, to protect the retirement system and keep it sound.

I believe that if this situation continues, those who look forward to their retirement benefits, those who will retire 20 years from now, may have a sore disappointment, because the funds will not be there.

I believe we should stop, look, and listen again, before we pass this bill. If it does pass, I hope that a bill will come back from the committee on conference which I can support, one that in my view would be far better for the beneficiaries and for the country, and one that is sound in fiscal responsibility and integrity. If such a bill is presented by the Senate conferees, I shall certainly support it.

Under the circumstances, I am compelled to oppose the bill in its present form.

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

Mr. STENNIS. I yield.

Mr. HICKENLOOPER. Mr. President, instead of repeating what the Senator from Mississippi has said, I should like to associate myself with his expression.

We are on a most dangerous and disastrous course, if we continue with this irresponsible addition, as we did yesterday, adding $1 billion to the bill.

Mr. STENNIS. I thank the Senator.

Mr. RIBICOFF. Mr. President, this is an historical occasion. The bill upon which we are about to vote provides the largest increase in social security benefits since the inception of the system. It provides new and better directions in our welfare programs. It will help children of America, the old, the aged, and the disabled.

It provides new directions in bringing dignity to the poor, the destitute, and the unemployed.

I want at this time to compliment the chairman of the Finance Committee for his brilliant handling of this bill, both in committee and on the Senate floor.

It is not only one of the most important bills the Senate has considered, it is easily the most complex. Under the guidance and leadership of Chairman LONG, the Senate has considered and adopted over 100 amendments to the House-passed bill. Throughout its consideration, he has shown great understanding, patience, and consideration. This social security bill is, indeed, landmark legislation.

Mr. THURMOND. Mr. President, I am compelled to vote against the pending bill, H.R. 12080, on final passage. The bill, in its present form, is unreasonable and unacceptable from many viewpoints. I want to discuss the major problem, as I see it, with the bill as it now stands.

My primary concern with the bill is that it is an attempt to do too much in one fell swoop with apparently little or no regard for the long-range consequences of what is proposed. Certainly, every Member of the Senate is well aware of the need to increase social security benefits to offset the steadily declining purchasing power of the dollar. I strongly favor an increase in social security benefits and was pleased to vote for the level of increases that was contained in the bill as it was passed by the House of Representatives.

Everyone must also be aware of the fact that when benefits are increased, taxes must be increased to pay for the increased benefits. I support the step increases in taxes proposed in the House version of the bill. It is this particular difference in the two versions of the bill that causes me to oppose the measure as it is now pending for final passage. Both the benefit increases and tax increases proposed in the bill as it was adopted by the House of Representatives are more realistic and provide more flexibility for later improvements, financed by the present method, than the pending version. I am not contending that there will not be increases in social security benefits in the future if the pending version of the bill is adopted. I am saying that when benefits are increased in the future, as we all know they will be, it will be exceedingly difficult to finance the increases other than out of general revenues. When normal old-age, survivors, and disability benefits are once financed out of general revenues, the character of the social security system will have been forever destroyed. It will then be impossible to resist further attempts to expand benefits and to finance them out of general revenues rather than out of the trust fund established for the purpose.

H.R. 12080, as it is now drafted, increases both the tax rate and the wage base to the maximum which most experts consider feasible for such a regressive tax as this one unquestionably is. Under the present law the wage base—the maximum amount of wages or self-employed earnings subject to the tax—remains at $6,600 a year. Under present law the employee tax rate will ultimately go up to 4.9 percent in 1969, to 5.4 percent in 1973, to 5.45 percent in 1976, to 5.55 percent in 1980, and to 5.65 percent in 1987.

Under H.R. 12080, as passed by the House of Representatives, the tax rate is increased over the present law. Under the House bill, the employee rate is increased to 4.8 percent for 1969, to 5.2 percent for 1971, to 5.65 percent in 1973 to 5.7 percent in 1976, to 5.8 percent in 1980, and to 5.9 percent in 1987. The wage base is increased to $7,600 for 1968 and thereafter.

Under the bill now pending before the Senate, the tax rate will be the same as the House-passed bill up to 1980 but the wage base is greatly increased. The wage base will be $8,000 in 1968, $8,800 in 1969, and $10,800 in 1972.

Under existing law the maximum in employee tax which will be reached in 1987 amounts to $372.90 annually. Under the provisions of H.R. 12080, as passed by the House, the maximum employee tax which will be reached in 1987 amounts

to $448.40, and the maximum employee tax under the Senate version of the bill, which will be reached in 1980, amounts to $626.40. Similar burdens are carried by employers, and a proportionate increase will follow upon the self-employed.

It is obvious, then, that under the version of this bill, as it is pending before the Senate now, the saturation point has been reached insofar as the possibility of increasing taxes to finance future benefit increases are concerned. I am concerned that the only alternative will be to finance future benefit increases out of general revenue.

In addition to this point, I am concerned that this bill goes a long way toward overloading the social security system to the point that the benefits that future generations will be entitled to will be placed in jeopardy. The first concern of Congress must be to protect the solvency of the social security fund so that the thousands who retired each year will have no concern about their benefits being paid when due.

Mr. President, the Greenville News of Greenville, S.C., published an outstanding editorial on this bill in its edition of Wednesday, November 15. I ask unanimous consent that this editorial, entitled "Senate Social Security Bill Is Big Fraud," be printed in the CONGRESSIONAL RECORD at the conclusion of these remarks.

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

SENATE SOCIAL SECURITY BILL IS BIG FRAUD

The Senate gets to work this week on the expanded Social Security bill, which its Finance Committee has turned into a monstrous vote-buying fraud.

As reported out with amendments by the Committee, the bill would provide huge increases in Social Security payments to elderly people early next year. The equally-large or larger tax increases necessary to finance the benefits won't take effect, however, until just after the national elections next November.

The Democrats who control the Senate by a whopping margin can be expected to ram this bill through without major changes. Since it has the endorsement of the Johnson administration, it probably will prevail in the conference committee named to iron out differences between it and the more honest House bill.

There are many things wrong with the Senate bill. The chief thing is the political immorality involved in its fraudulent nature. The fraud works like this:

Approximately 24,000,000 elderly people will get Social Security increases almost immediately. The Senate bill's increases are higher than those voted by the House. Thus the 24,000,000 beneficiaries naturally can be expected to favor the incumbent administration, Congressmen and Senators with their votes next November. After all, who votes against Santa Claus?

Those who must pay for the increased benefits, the millions of workers and businesses, won't feel the bite in their paychecks and profits, however, until after the voting is over. But then they will get it full force, and will continue getting it, heavier and heavier, for the next five years.

The Senate bill will drastically raise the Social Security tax on most workers and all employers by raising the taxable base. It is now $6,600 a year. It will go to $8,000 next year—with most workers not feeling the increased tax scale until after the election. Then in 1969 the tax base will jump to $8,800. In 1974 it will go to $10,800.

Meanwhile, the tax rate on those earned dollars will rise gradually from the present 4.4 per cent on both worker and employer to 5.65 per cent on each by 1974.

In terms of dollars and cents, the maximums on both workers and employers will rise from the present $290.40 a year to $352 next year, $422.40 in 1969 and $610.20 in 1974. The latter figure is more than double the present maximum rate.

The Senate bill is the biggest and costliest Social Security increase in history—with tremendous built-in inflationary pressures. Inevitably it will cause two things:

—Increased prices resulting from increased costs, thus wiping out the "gains" for the elderly "beneficiaries" of Social Security.

—Further hardship on marginal or unskilled workers, who will lose jobs as businesses and industries lay them off in frantic efforts to cut costs. This alarming trend already has been noted as a result of raising the minimum wage scales. The Social Security employment tax increase will speed it drastically, and may cause more poverty than it cures.

In addition the loss of "take-home" pay by millions of productive workers is another blow to the stability of the American middle class, or working class, which already is carrying an unjustly large part of the tax burden. Coupled with the administration's proposed income tax surcharge, it could be a financial disaster for many families already having to borrow money to meet rising costs of feeding, housing, clothing and educating their children.

Going beyond the hardships imposed on taxpayers, the Senate bill moves the Social Security system still closer to the danger of overloading. Sound fiscal experts long have been pointing out that costly "benefits" can make the system so burdensome it will collapse. Now even some liberal spenders are coming around to this view.

One of them, Wilbur Cohen, regarded as the "architect" of Social Security and an exponent of many Great Society programs, expressed some alarm about this in congressional hearings some months ago.

He is coming around to the view that soon the Social Security system must be divorced from the employment tax structure and financed, either partially or completely, by general tax funds. This, of course, would cost as much, or more, and would end the already-discredited illusion that Social Security is a form of insurance and that workers have vested interests in it.

A great many workers will discover in the months and years ahead that their "vested interests" in Social Security exist only at the whim of Congress—and that there are "vested liabilities" as well.

The Senate bill is clear proof that the politicians still regard the average American worker and taxpayer as an uninformed "sucker" who can be fooled by a policy of giving benefits now and taxing them later to pay for it.

It will be interesting to see how individual Senators debate the issue and how they vote on the important tax angles involved in this measure. It will be interesting to see, too, whether the taxpayers will wake up when their Social Security deductions, from which many of them will never benefit, just about equal their federal income taxes, before imposition of the surtax anyway.

Mr. YARBOROUGH. Mr. President, I wholeheartedly support H.R. 12080, the Social Security Amendments of 1967. This bill will be a major landmark in the 30-year history of social security legislation. Over 95 million insured American workers support this program with their contributions, and more than 23 million aged, disabled, widowed, and orphaned Americans depend on their social security benefits for the very essentials of their existence. This bill clearly states to them that we are aware of the need to keep this vital and basic program of the American people up to date in its provisions and effectiveness.

Since the last benefit increase, there has been a drastic erosion of the purchasing power of benefits. This bill will do more than simply restore that erosion. H.R. 12080 takes a firm step toward moving the Nation's basic program for income maintenance closer to the level required in the growing economy of our very prosperous country.

As the wealth of our country has increased, the plight of our elderly has worsened. Many of our older citizens are retiring each year—and many are forced to retire because of their age—into a state of poverty for the remainder of their lives. Estimates of the number of elderly poor are as high as 7 million persons.

One large reason for this is the current inadequacy of our social security program. Over half of the persons retired depend solely on social security benefits, and they are the major source of income for the vast majority of the other half. Those benefits last year averaged $84 a month for each individual—barely $1,000 for a person to live on for a year. In my own State, which as a low wage State has penalized its fine workers, the benefits averaged $64.31 each month, or only $770 per year.

Increased benefits are our greatest immediate need. That one measure can affect more people who are impoverished than any other piece of legislation we have passed. The benefits in this new bill would raise 2.1 million persons out of the definition of poor into a status where they would have a chance to keep their self-respect. And these recipients have earned that right because the contributions from the salaries they have earned have financed their benefits.

These increased benefits would also lessen the general welfare burden. Social security benefits have been so meager that many recipients must depend on old-age assistance. These new benefits will take 200,000 persons off of those rolls. The new minimum level for benefits will still be only $70 a month. No rich gravy will drip from a recipients lips on $840 a year. This raise is certainly not an unjustified cost.

Even in my home area of east Texas, where the living is easier and the prices lower than in many parts of our Nation, there will not be any turkey and dressing for the old folks tomorrow.

These are hard-working people who retired from a productive and useful job, or laid down their plows, to take a well-earned rest; instead, they find themselves living the bleakest sort of shoestring existence. These old people will not enjoy Thanksgiving tomorrow—with fine hams, a fat turkey, lots of good fruit cake and pie and all the trimmings—thousands of men and women over 65 in my State are going to dine on corn bread, and beans, and rice and chicken necks. These are some of the finest men

and women to inhabit the earth, but what have they got to be thankful for if we turn our backs on them? We must approve this bill, and we must do all in our power to see that our view prevails in conference committee meetings, with Members of the House. I would hate to have to eat for a month on the present minimum level of $44, much less feed a family, pay rent, buy clothes, and pay drug bills.

Our system can certainly support such an increase, for it is fiscally sound. There has been a great deal of misunderstanding about the actuarial soundness of social security. Our elderly citizens have been caused unneeded apprehension by misrepresentations in scare articles that periodically appear in magazines. For example, the National Council of Senior Citizens informed me that an article in the October Reader's Digest caused great and unnecessary alarm.

But the facts are clear. The system, under the present law, will provide an estimated surplus of revenue over benefits of $4.1 billion for 1968. No one need fear that he will not receive his full benefits, or that our system cannot withstand this new expansion.

The system would be sounder with an eventual and gradual change to general revenue financing. The tax on payrolls has been so regressive that many of our low-income workers pay more now in social security taxes than they do in income taxes. And as we provide necessary benefits to those who cannot contribute through payroll deductions—for example, the blind and the disabled—general revenue financing becomes a far more equitable means of raising revenue. To establish a really solid floor of protection for our elderly citizens we need to be fair to our productive employees and share the responsibility for finance through general revenue.

But as long as we continue to finance through payroll deductions, a provision was needed to increase the earnings and contributions base. A level of $10,800 would mean that easily 90 percent of our employees would receive benefits based on everything they earn. When social security was initiated, this was intended, but the growth in workers' incomes has left a severe gap in comprehensiveness that must be closed. This provision would mean, for a man of 50, an increase of at least 40 percent in his benefits by the time he retires.

A cost-of-living provision would also add to the soundness of the system by protecting recipients against inflation. The last two increases in benefits that were enacted barely kept our elderly on even ground. When they must live out their lives dependent on social security payments, they can be irreparably crippled by a loss of purchasing power due to inflation. With a built-in cost-of-living provision, the benefits would respond to increases shown in the Consumer Price Index.

The raise in minimum benefits will help all those who are affected by social security or old-age assistance. They were needed to keep our system of social security true to its purpose and responsible to our citizens who ask only that they be able to live out their lives in self-respect.

This significant new bill also includes several amendments relating to public assistance which are a substantial contribution. Coercive aspects have been struck from the House version, particularly as they relate to unemployed mothers, and fathers of dependent children. Schemes for compulsion are not a constructive prospect for public assistance and were rightly struck. Punitive provisions would have been used by many to degrade and demean recipients.

More important, they would continue to weaken our family strength in America. Before these amendments, provisions would have punished unemployed fathers who wanted to live with their families, and would have penalized mothers who wanted to care for their children rather than work. Under this bill, employment, where it is desirable, would be encouraged through positive training programs and work incentives, not compelled through force.

Another provision added by the Senate would provide a constructive means by which welfare recipients can be given needed employment, thus enabling them to get off the welfare rolls. We all know of the critical shortage of social workers and others needed to provide vital services to the poor. We also realize the quantity of services needed. By hiring welfare recipients as subprofessional aides to work on their own problems, we increase the number of persons providing services; we increase the quantity of services provided; we utilize persons who will be most sensitive and responsive to the psychology of the poor; we enable the unemployed to learn a highly transferrable skill; and we provide a constructive and honorable encouragement to many currently on welfare to seek employment.

My enthusiasm for the improvements in social security that would be made by H.R. 12080 is quite obvious. Without detracting from the great value of the bill or from my enthusiasm for it, I would point out that one provision needed under the social security laws is again omitted from the bill. A large group of workers who need to benefit more fully from the social security improvements in the bill are our farm employees.

Many farmworkers have only short-term employment, scattered among several farms, and, because they get relatively low pay, their earnings are not creditable under social security. This happens because the amount earned from any one employer is not enough to meet the farmworker coverage test in present law. We will eventually correct this deficiency.

In summary, the bill provides vitally needed increases in benefits to our retired citizens. And it does it in a way to insure continued fiscal soundness and responsibility. The system provides that those on welfare will not be degraded or demeaned and, in fact, this bill will take many persons out of the definition of poverty and off the old-age assistance rolls. The result of this bill will be that our elderly citizens, who have contributed so much as wage earners and productive citizens, will be given a better chance to live out their retired years with a fair measure of dignity and self-respect.

Mr. KENNEDY of Massachusetts. Mr. President, this bill is landmark legislation. The increase in social security benefits, the largest ever voted, will immediately raise more than 1.5 million senior citizens above poverty level, for the first time. It will mean that more than 200,000 seniors will be taken off the public assistance rolls.

But the raised benefits and broadened coverage of this bill do more than change the lives of the poorest of our senior citizens. The bill will also have an immediate effect on the lives of millions of other Americans—as there are now 23 million Americans receiving benefits under the various provisions of the Social Security Act. As examples, 92 out of every 100 people now reaching age 65 have retirement protection; 87 out of every 100 persons age 25–64 have disability protection; and 95 out of every 100 children and their mothers have survivor protection.

As an example of the wide-ranging nature of the benefit increases, under present law a retired couple's social security benefits, if the average monthly earnings had been $450, is $219. The Senate bill would raise this monthly benefit to $251.90. It would increase the minimum benefit, for a couple, from $66 to $105.

Just as the bill has great importance for all Americans, it has importance to those citizens of Massachusetts who receive benefits under the various provisions of the Social Security Act. The statistics on the number of recipients in Massachusetts give some idea of how great the involvement of social security is in the lives of the people of Massachusetts: 49,700 people receive old-age assistance; 2,300 people receive aid for the blind; 13,300 individuals receive aid for the permanently and totally disabled; 31,900 families with 90,000 children receive aid to families with dependent children; 650 families with 2,500 children receive aid to families with dependent children because one or more of the parents were unemployed; 16,800 individuals receive general assistance; and 2,623 individuals receive work experience and training, which means a great reduction in public assistance expenditures.

I would point out that these figures reflected the status of the programs in May of 1967, but that they are accurate reflections of the extent of overall activity today.

There are a number of provisions in this bill about which I am particularly pleased. One of these is in section 243c, which requires that States establish programs for licensing the administrators of nursing homes if they are to receive title 19 medicaid assistance. This amendment is an outgrowth of a bill I introduced in the 89th Congress, which was the result of extensive investigations we in the Senate Special Committee on Aging made in 1965. In those hearings, we uncovered many abuses in the field; we also learned that the vast majority of the nursing home industry is responsible and concerned. The amendment which

appears as section 243c was worked out in consultations between myself, the American Nursing Home Association, and the Department of Health, Education, and Welfare. It is a major step forward in our fight to bring the highest quality of medical care to all our citizens.

As chairman of the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging, I am especially interested in another of the provisions of the bill, one which has not received as much attention as some of the other provisions. It is section 212, which begins at line 20, page 302. This section would permit the purchase of such services as homemaker or rehabilitation services for elderly recipients of public assistance.

The need for such an amendment to our welfare statutes was indicated in a study and hearing conducted by the Services Subcommittee in late 1965 and early 1966. We found that one impediment to the development of services needed by older public assistance recipients was the prohibition in the Public Welfare Amendments of 1962 against the purchase of certain services, such as homemaker services, from nongovernmental sources. We found that, consequently, the State or local welfare agency that wishes to provide a particular type of service to its elderly public assistance clients must either purchase the service from another Government agency, or create its own organization for doing so, even though there is already in existence a competent nongovernmental organization which is rendering the service for a charge.

Where there are insufficient numbers of clients needing such a service to make a public service agency economically feasible, this can mean that the welfare agency must face the dilemma of either refusing to provide the service, no matter how much it might be needed, or providing it at an exorbitant cost.

To solve this problem, our subcommittee recommended that public welfare agencies be permitted to purchase services from private service organizations, when it is most efficient and economical to do so. It is a source of great personal satisfaction to me to see in the bill a provision which would accomplish this desirable objective. If it becomes law, it will enable our State and local welfare agencies to render more and better services to the elderly on public assistance at less cost.

Another amendment, which appears as section 124a, would permit the Secretary of Health, Education, and Welfare to terminate the social security coverage of employees of the Massachusetts Turnpike Authority at the end of any calendar quarter following the filing of notice as required by section 218(g)(i) of the Social Security Act.

This amendment to existing law is the product of amendment No. 423, which I introduced on October 25, 1967, and certain changes suggested during consultations among representatives of Health, Education, and Welfare, the Finance Committee staff, and myself. It is very important to the 950 employees of the Massachusetts Turnpike Authority, and for that reason I was glad to introduce it when it became apparent that only legislation could bring the benefits of the new State retirement system to these employees without imposing a harsh double payroll tax on them for 2 years.

The three provisions I have just mentioned were included in the committee bill. Yesterday, I introduced an amendment on the floor, a modified version of my amendment No. 459, which was accepted by the Senate. It would require the Secretary of Labor to carry out a year-long study of the feasibility of family and child allowances, reporting back to the President and the Congress on January 15, 1969. This can be a very important study for the future of American society, and I sincerely hope that the House conferees will accept it.

Let me close by saying how pleased I am that the Senate has so overwhelmingly accepted the increases provided in this bill. We are a country of uncounted wealth, and we should simply not tolerate those among us who are too old, too young, or too weak, having to live their lives in want and despair. This social security bill is one way their lives can be improved, and I think it is a profound step forward.

Mr. MOSS. Mr. President, the measure we will pass here today in the Senate is indeed landmark legislation. The improvements it makes in the social security system are the most far reaching and realistic we have adopted in many years. The bill fully recognizes the exigencies of the times in which we live, and comes closer to meeting the needs of our elderly, our disabled, our families with dependent children, and all American citizens who must depend on welfare, than any amendments we have passed since the original social security bill was adopted in 1935. I commend the members of the Finance Committee for the painstaking work they have done, and for the sound and comprehensive measure they sent to the floor.

The amendments provide for a 15-percent across-the-board increase in social security benefits. This will mean the difference between simply existing and having a few more of the necessities of life to many of our elderly. There is no doubt that the present level of social security payments is inadequate. The cost of living has gone up considerably since the payment level was established, and many of our old people are suffering. Social security payments to some are as low as $44 a month. Many people have tried to save during their earning years to supplement their social security benefits, but most older people have precious little. Certainly, no one can be expected to live on $44 a month on today's market. The bill we are now considering would provide for a minimum social security benefit of $70 a month—a small raise in terms of dollars, but one which could provide for a couple of extra bags of groceries, or some urgently needed medicine.

The committee has shown its high level of responsibility by fully increasing social security withholding taxes to cover the cost of the raise in benefits, and to keep the social security trust fund on an actuarily sound basis. Many people seem to believe that the country is going into the red to make these extra social security payments. This, of course, is not true. The increase in social security taxes—a gradual increase over several years—will fully cover the cost of the new benefits. I am sorry there has to be any social security tax increase at all, but those who are working now will find that the increases in benefits are most welcome to them when they retire, and will get back the money they have paid into the system within a few years.

I am very much gratified that the level of social security payments adopted by the Finance Committee was the one I recommended in testimony before them. I felt that the House-recommended figure of a raise of 12½ percent was not adequate and that we could well afford the few extra dollars which the 15-percent increase would provide. I urge the Senate conferees to stand firm for this amount in the House-Senate conference committee.

I am also gratified that one other amendment which I suggested to the committee has been adopted. That is my amendment which deals with long-term care, and particularly nursing home care, provided to the aged under title XIX of the Social Security Act. The need for it became apparent in hearings I have held as chairman of the Subcommittee on Long-Term Care of the Senate Special Committee on Aging and in other studies done by the subcommittee.

This amendment provides increased assistance to the elderly who must stay in nursing homes for treatment and care. A substantial part of the amendment was adopted by the committee, and it was strengthened by the inclusion of the reasonable cost feature in the floor amendment offered by the Senator from Iowa [Mr. MILLER] and adopted during the debate on the bill. I also urge the Senate conferees to make every effort to have the House agree to this amendment—only time will prove how very substantially we can use its provisions to help our elderly sick welfare patients who are in nursing homes, and how much more equitably and fairly we can deal with the nursing home proprietors who take these elderly patients into their care.

The measure before us has my strong support, Mr. President, and again I compliment the committee on a job well done.

Mr. KUCHEL. Mr. President, on behalf of the Senator from Vermont [Mr. PROUTY] who is necessarily absent, I ask unanimous consent to have printed in the RECORD a statement prepared by him.

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

STATEMENT BY SENATOR PROUTY

Last week in my opening speech I commended the Finance Committee for its efforts and applauded the result of its work—the Social Security Amendments of 1967. Today I would like to reiterate my praise for all members of the Senate Finance Committee from both sides of the aisle who labored long and diligently to produce legislation of such superior quality.

I am particularly grateful to the distinguished Senator from Louisiana, Mr. Long, for his fair and bipartisan conduct of the debate. The Senator from Louisiana while justifiably proud of the bill his Committee produced, was nevertheless always open to suggestions for improving it. In fact, he accepted several important changes, among which was an amendment I offered allowing veterans to benefit from Social Security increases.

Mr. President, all of us in this body can take pride in the Social Security Amendments of 1967. The provisions contained in these amendments, when enacted into law, will alleviate hardship and suffering among millions of older Americans. This bill will be viewed by our senior citizens as a renewed pledge of commitment to the goal of securing adequate benefits for them during their retirement years.

The debate over the Social Security amendments and the amendments themselves are of historical importance as well as being significant and laudable. I say this for three reasons.

First, Mr. President, we have for the first time in many years provided not only for large across-the-board benefit increases, but we have also substantially increased the minimum base of benefits. I might point out, Mr. President, that the inclusion of these provisions is especially gratifying to me since I have advocated similar action since 1961. In fact, the only difference between bills which I have offered since 1964 and the present bill is that my proposal granted beneficiaries in the lower social security income brackets ($100 and under) proportionately larger increases than those in the higher brackets.

Second, Mr. President, the Finance Committee has demonstrated increased concern for individuals who reached retirement age before their occupations were covered by social security, and who, therefore, have no social security coverage. The precedent for increasing coverage toward universality by "blanketing-in" individuals not, now eligible for benefits was established last year when my amendment extending benefits to retired individuals over age 72 was adopted by the Senate. I was pleased that the Committee not only retained these benefits but acted to increase the amount of benefits.

Third, Mr. President, two matters of vital importance were discussed during the course of the debate on the Social Security Amendments. I refer now to the fact that social security is at present over-financed and to the related issue of financing through the use of general revenues.

In our recognition and concern over the fact that at our present rate of taxation, the Social Security Trust Fund is overfinanced, the distinguished Senator from Louisiana, Mr. Long, and I stand close together. Senator Long agreed with my position the other day when he said:

"Our bill does not underfinance it. If we are subject to any criticism, it would be that of the Senator from Vermont that we are putting too much in; not too little."

Using the recognized indisputable fact that a surplus presently exists in the Social Security Trust Fund as a starting point, I argued that taxes need not be raised a substantial amount in the near future. While the Senator from Louisiana did not concur with this aspect of my reasoning, he kindly gave me an opportunity to enunciate my position.

Although my amendment which would have retained the present rate of taxation and provided for financing out of general revenues in case of deficit in the trust fund garnered only six votes, I felt that it succeeded in another important respect. As a result of the debate on my amendment, a public debate on the question of partial general revenue financing for social security was opened.

Some individuals have asserted and will continue to assert that general revenue financing would mean the destruction of the social security system. I believe that nothing could be further from the truth. As the distinguished Senior Senator from Delaware, Mr. Williams, has pointed out, we must be prepared to pay for any social security benefits which we enact. I for one believe that paying for these benefits out of general revenues is, over the long run, a more equitable and realistic method of financing. I am certain that in the years to come, more and more Senators will come around to my way of thinking as they did with regard to the $70 minimum benefit.

Despite many improvements in the Social Security law, *all* inequities have not been removed, nor have *all* necessary improvements been made. I was disappointed that several of my amendments were not accepted.

Mr. President, the bill we pass today is, I think, a very good one. Basically, it is the fine work of the Committee on Finance, under the able leadership of the Senator from Louisiana.

The membership of that Committee certainly deserves the thanks of the American people for having reported to the Senate such a fine bill. Their work certainly deserves our support.

All of us in this body will be able to take pride in our accomplishments in the field of Social Security if we enact this bill into law. We can be proud that we have done something for many deserving older Americans. But, even more important, we can take pride in the fact that through constructive action and debate we have laid the foundation—perhaps even built a framework for future action.

Again, I congratulate the Finance Committee for its work and pledge my support to the bill.

Mr. BYRD of West Virginia. Mr. President, I have just been advised that our colleague, Senator McGOVERN, of South Dakota, will be unable to vote on final passage of H.R. 12080, the Social Security Amendments of 1967, because his flight into the city this morning has been delayed by inclement weather. He will be announced in favor.

I think it is appropriate to make reference at this time to Senator McGOVERN's diligent efforts on behalf of the bill and a number of its specific provisions—in particular the increase in the amount a social security recipient may earn without having his payments reduced.

Mr. McGOVERN is author of both a separate bill and an amendment to H.R. 12080 to remove the outside earnings limitation completely. The committee raised it from $1,680 in the House bill—compared to $1,500 under existing law—to $2,000, and the Senate last night adopted an amendment offered by Senator BAYH to move it up to $2,400. The energies and persuasive arguments that Senator McGOVERN has advanced on behalf of this change have unquestionably been a significant factor in its accomplishment.

AFDC CASE OPENINGS

Mr. President, much has been said during the past 2 days about men being forced to desert in order to qualify their families for public assistance.

While one cannot say with assurance that this has never happened or that it does not happen or that it will not happen in the future, I doubt that the true facts, nationwide, would substantiate that the situation is as bad as some people maintain. The Subcommittee on Appropriations for the District of Columbia, of which I am chairman, annually goes into the matter pretty thoroughly, and insofar as the District of Columbia is concerned, the record will show that the number of AFDC case openings based on the absence of a parent has been steadily going downward over the past 10 years.

For example, case openings based on the absence of a parent—due to leaving home and stopping or reducing support and as a result of death or incarceration—have dropped from 52.6 percent of the openings in 1956 to 25.6 percent in 1967.

Case openings due to absence of parents—excluding death—dropped from 50.1 percent in 1956 to 24.3 percent in 1967.

The true picture, of course, is best gleaned from the statistics based on case openings because of the absence of a parent due to his leaving home and stopping or reducing support—with incarceration and death excluded. These statistics have not been kept by the Department of Welfare in the District of Columbia prior to fiscal year 1966. However, the record shows that only 22.9 percent of the AFDC case openings in fiscal year 1966 were based on the absence of a parent—excluding incarceration and death—and this figure dropped to 18.9 percent for fiscal year 1967.

Even in those cases where the parent absented himself by leaving home and stopping or reducing support, it cannot be said that all of such cases resulted from the desire of the absent parent to qualify his family for welfare. Many well-thinking people ascribe the parent's action in absenting himself to the humanitarian motive of providing for his wife and offspring. In other words, he is unable to get a job, and, faced with restrictive welfare regulations, he is forced to leave home and fireside in order to make his loved ones eligible for assistance.

The truth of the matter is that in all too many instances the husband or paramour, whichever the case may be, simply does not want to bear the responsibility of maintaining the woman and children, so he leaves them. Not all of the absenting husbands and fathers are unable to find employment. Many of them are allergic to work and, as the record has often shown, have lost good jobs repeatedly because of absenteeism from work. In many situations, fairly good jobs go begging, and there is no justification for absenting parents not making an honest effort to secure and hold down some of these jobs.

I think it may be helpful, therefore, to place in the record statistics supplied by the District of Columbia Department of Welfare concerning AFDC case openings based on the absence of a parent during the past decade. In this regard, it may be well also to read into the record a brief excerpt from a letter written by the Frederick County, Va., Fruit Growers Association, which was submitted to the Senate Agriculture Committee in 1965. The letter, in part, reads as follows:

Our association attempted to recruit in Washington, D. C. Cards were sent to over 600 men listed as having previous agricultural experience to report for interviews; 120 men came in and on finding that these jobs were for more than a single day only 22 remained. Of these, 18 accepted bus tickets to the job. Only 17 reported for work. By the end of two weeks only four remained and none completed the season.

Mr. President, Tolstoi may be remembered for many excellent sayings, one of which I shall cite as being pertinent to my subject:

The more is given, the less the people work for themselves. And the less they work, the more their poverty will increase.

I ask unanimous consent to have printed in the RECORD the table on AFDC case openings to which I have alluded, that table having appeared on page 2308 of the fiscal year 1968 printed hearings of my Subcommittee on the District of Columbia Appropriations.

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

DEPARTMENT OF PUBLIC WELFARE, DISTRICT OF COLUMBIA—NUMBER OF AFDC CASE OPENINGS BASED ON THE ABSENCE OF A PARENT

Fiscal year	Percent of openings		
	Absence of parent due to leaving home and stopping or reducing support (excludes incarceration and death)	Absence of parent due to leaving home and stopping or reducing support and as a result of incarceration (excludes death)	Absence of parent due to leaving home and stopping or reducing support and as a result of death or incarceration
1956	(1)	50.1	52.6
1957	(1)	50.3	52.5
1958	(1)	46.2	47.9
1959	(1)	44.0	46.1
1960	(1)	38.1	39.6
1961	(1)	33.7	34.9
1962	(1)	29.8	31.4
1963	(1)	29.0	30.3
1964	(1)	30.0	31.7
1965	(1)	29.1	30.5
1966	22.9	26.1	27.9
1967	18.9	24.3	25.6

[1] Not available.

Source: DPW research and statistics; DPW annual reports.

Mr. KENNEDY of New York. Mr. President, in the course of consideration of this legislation (H.R. 12080), I introduced two amendments (No. 412 and No. 466) concerning the cost of medical care. I have not asked for a rollcall vote on either one, for reasons which I shall explain. Nevertheless, I should like to discuss these amendments, because both deal with a problem which is becoming increasingly serious in our Nation: The cost of medical care.

The debate over medicaid in Congress this year has revealed deep and widespread concern over the unexpectedly high costs of the program. I share this concern. We cannot be blind to the question of cost, considering the many demands that are made on the Federal Government's limited resources. Nor can we be deaf to the protests of our citizens against the tax increases that medicaid has necessitated in some areas.

But I do not share what seems to be the view of many that the high cost of medicaid should be dealt with merely by drastically limiting the program. Eloquent testimony to the need for Government supported medical care is provided by the distressingly poor performance of the United States among the nations of the world in reducing infant mortality, increasing life expectancy, controlling controllable forms of cancer, and so on. And the need has grown greater, not less: In 1950, our infant mortality rate was fifth lowest in the world; in 1961, we were 11th; we now rank 15th, behind all of the industrialized nations of Europe.

Moreover I think our people agree with me that we must have such a program; 40 States and jurisdictions containing over two-thirds of our population have had medical assistance plans approved by the Secretary of Health, Education, and Welfare under title XIX.

I believe that substantial reductions in the cost of medicaid to the Federal Government and to the States and counties can be realized by other means than limiting eligibility under title XIX. My conviction is based on the widespread judgment of students of our medical system that that system is characterized by grave inefficiency. In other words, the high cost of medicaid is only an instance of the high cost of medical care generally.

Over the last year and a half, the charges of providers of medical services, which have consistently increased at a rate far steeper than the total consumer price index, have risen more steeply still. The figures are most striking. I am informed by the Bureau of Labor Statistics that its forthcoming index for the third quarter of 1967 will show physicians' fees increasing to a level nearly 8½ percent higher than that of 1966. The recent increases in hospital care costs make even that figure pale by comparison; in the first 9 months of this year, they reached a level 20 percent higher than that of 1966.

The burden that is dramatized by these statistics is being borne by all of our citizens, not just those whose medical expenses come to our attention because we are helping to pay them under title XIX. If we in Congress are shaken by the doctor's bill that has been submitted to the Government, so must our citizens be shaken by the bills that they are receiving.

The question raised by these startling figures is whether such increases in the cost of medical care are warranted. Can we say—or can those responsible for these increases say—that they are justified? Is it inevitable that the provision of health care at current levels should cost what it does? Will the expansion of medical care contemplated by title XIX entail a never-ending series of reports from the Bureau of Labor Statistics describing 8-percent increases in doctors' fees and 20-percent jumps in hospital charges?

The fact is, Mr. President, that unless we establish some limits on Federal reimbursement under title XIX, we will have to contemplate just such a series of reports.

What information we have suggests that the cost increases we have suffered are not justified by gains in productivity of our medical services and institutions. In the words of the recent report by the Department of Health, Education, and Welfare on medical care prices, "at present, hospitals have inadequate incentive to be efficient." The same is true of physicians; since they are not constrained by market pressures in any great degree, they also have little incentive to minimize their charges.

There is also mounting evidence that the impact of title XVIII and title XIX has been to accentuate existing inefficiencies, because they provide for reimbursement of costs—all costs, any costs. To be sure, the statutes speak of "reasonable cost"; but it is an open secret that in practice almost any costs have been deemed reasonable costs. The lack of any meaningful standards governing reimbursement has only intensified the inefficiency of a medical system in which charges have traditionally been determined in a random way. This is not surprising. Hospitals and physicians have historically enjoyed an extraordinary freedom from consumer and governmental scrutiny, and they have not felt impelled in the absence of such scrutiny to devise rational pricing mechanisms.

But we are entering a new era in medical history, in which the consequences of continuing this freedom could prove ruinous to the general public and to the Government.

Mr. President, it is intolerable that the expansion of these vital and humane Federal programs should be the occasion for a massive inflation of medical costs. To prevent this, I offered an amendment to title XIX requiring State medical assistance plans to provide fee schedules for both hospital and physician care. That was amendment No. 412. It would have assured that the spread of medicaid does not produce a further inflation of medical costs.

In the case of hospitals, this amendment would have limited acceptable per diem charges to the level of either the local Blue Cross agreement or applicable medicare rates, whichever is lower. This would place a reasonable ceiling on hospital reimbursement under medicaid.

The second part of this amendment would have attacked the rising cost of outpatient care. In large cities, it is increasingly common for outpatient visits to cost $20 to $30—one-third the charge for inpatient care for a visit that may

last only 5 minutes. This amendment would require the State to set a ceiling on payments for such visits, stated as a percentage of the inpatient per diem.

The third party of the amendment dealt with payments to physicians, dentists and allied professions. Its basic requirement was that the fee schedules must be based on the average level of fees charged in the area over the 10 years previous to the adoption of the plan, as weighted by increases in the total consumer price index. This would have prevented rapid increases in response to the adoption of a plan. The standard of customary and usual fees in use under title XVIII has not had this restraining effect—although it may have been intended. I think we must assure, as this provision would have demonstrated continuity between fees charged prior to the plan's adoption and fees charged thereafter.

Mr. President, I believe that this proposed represented a major step forward in controlling the cost of medicaid by other means than a wholesale curtailment of its benefits. However, it was not adopted by the committee, which decided instead that it would investigate the medical cost problem in the coming months. Such a study is badly needed.

Indeed, I had also intended to call for the creation of a Joint Congressional Committee on the Cost of Medical Care. My amendment No. 466 provided for a 12-member committee drawn from the House and Senate to conduct a year's study.

However, Senator HILL and Senator LONG of Louisiana tell me that they are also deeply concerned about the explosion in medical costs, and that their committees intend to examine the matter in a searching way during the coming year. Senator RIBICOFF tells me that he intends a similar inquiry in his Executive Reorganization Subcommittee.

Therefore I did not press for a rollcall on my amendment creating a joint committee.

Mr. President, we desperately need such a wide-ranging demanding and imaginative investigation by the Congress of the problem of medical costs. At its recent annual meeting, the American Public Health Association passed a resolution urging the Congress to make such an investigation. In its report, the Finance Committee expressed its intention to review the reimbursement procedures for medicare and medicaid. Such a review is badly needed. But I hope we shall have a far more extensive inquiry, reaching the underlying question of how the costs that we reimburse are generated.

It is my belief that a thorough inquiry into the delivery of medical services would show that the staggering costs incurred by the public generally and by the Government in paying title XIX bills are not inevitable. I believe it could point the way to reforms that would permit the extension of better, cheaper medical care to all our citizens—including those whose care is supported by the Government.

For the question of costs is bound up with the question of how medical services are provided. Congress' investigation will show that it is not medical care that is expensive, but the system we have for providing it.

Last Sunday, I discussed the inefficiency of our medical system in a speech at the Albert Einstein School of Medicine. Coincidentally, similar views were expressed the next day when a report to the President by the National Advisory Commission on Medical Manpower was released. The Commission's report concluded that—

> Because the present system channels manpower into inefficient . . . activities, added numbers . . . cannot be expected to bring much improvement.

Mr. President, I ask unanimous consent that my remarks on Sunday and two newspaper accounts of the HEW report be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. KENNEDY of New York. Mr. President, it is estimated that we are now spending $50 billion a year for health services. We have no idea what this staggering sum is purchasing; we have no idea whether the same amount of care could be provided for less if it were provided in a different fashion, or whether that $50 billion could buy greatly improved care if the system into which it is poured were differently constructed. The various levels of government in this country are contributing an ever-larger share of this $50 billion, a revolutionary fact in our social history, but those governments have taken barely a single step toward assisting the medical system to deal with the implications of that revolution. We should not be astonished if a 19th-century system heaves and strains under the weight of 20th-century needs.

In my judgment we would fail to meet the crisis in medical costs if we contented ourselves with merely restricting eligibility for medicaid, as we have done in this legislation. If, as I believe, the cost of medicaid has merely pointed up the existence of a pervasive problem in our society—if it is a symptom and not the disease—then we are obligated to examine the root causes, and to treat the problem at its center. If the problem is costs, let us look at costs. Let us see if we can control these costs so that we not only redeem our promise to the beneficiaries of medicaid but protect the American people from an inflation they cannot halt, in prices they cannot refuse to pay. That is the task that lies ahead.

EXHIBIT I

[From the Washington Post, Nov. 21, 1967]

NATION IS WARNED OF HEALTH CRISIS

(By Thomas O'Toole)

The Nation is in the midst of a "health crisis," said a presidential commission yesterday—one that will worsen unless the country undertakes a sweeping reform of medical schools, hospitals, health insurers and even the way doctors themselves are licensed to practice.

The crisis we find ourselves in, said the National Advisory Commission on Health Manpower, whose 15 members (eight of them doctors) have studied the status of health services since May, 1966, is one brought on by a lack of leadership and an unwillingness to change within the health establishment.

The results, said the Commission yesterday in a report to President Johnson, are long waits to see a doctor, hurried, impersonal attention once the patient is seen, a shortage of hospital beds and services, uneven distribution of care and costs rising sharply "from levels that already prohibit care for some and create major financial burdens for many more."

To challenge this "crisis of care," the Commission recommended no fewer than 58 major changes in the way the U.S. health care system is to work. And while asking for voluntary acceptance of its proposals, the Commission nonetheless indicated they might have to be enforced.

"Unless these changes are accomplished more quickly than has ever been possible in the past," the Commission warned, "a more serious health crisis is inevitable."

Among its 58 curatives, the Commission prescribed a few sure to stir controversy for years to come:

For doctors and dentists: Back-to-school refresher courses or periodic examinations for renewal of their licenses to maintain their skills and guard against malpractice and "unnecessary or overly expensive tests and treatments" by some.

For hospitals: Financial rewards for efficiency and quality care sufficient enough "to make it unprofitable for a hospital to reduce quality and community service just in order to lower costs."

For health insurance organizations: Encouragement to revise their payment procedures to share savings with hospitals and individual physicians who demonstrate medical ability.

For medical and dental schools: Incentive grants to those who raise their output of doctors and dentists and a denial of funds to those who do not.

For medical and dental students: Direct financial aid over their course of study, internship and residency, with an option to repay the loans over a long term or through direct governmental service, either in the military, Public Health Service or a Poverty Corps for doctors.

While these last two recommendations are clearly to increase the supply of health professionals, the Commission insisted they were made to meet future needs and expansion.

"The crisis at the present time," it said, "is not simply one of numbers," to raise the number of practicing doctors, dentists, nurses and auxiliary personnel. "We must first improve the system through which health care is provided."

One way to improve the health care system, recommended the Commission, would be to draft doctors through the communities where they work instead of through their own home towns.

So outdated is the present method of Selective Service that it has left some towns with overnight doctor shortages. Not long ago, a Commission member said, Vanderbilt University Medical School was left without a Pathology Department, when its seven-man staff (from seven different states) was drafted all at once.

Perhaps the best way of upgrading the health care system, the Commission said, would be through what it calls a "peer review" system, certain to be one of the most controversial of the Commission's proposals.

What the Commission would like to see in the U.S. is a series of review boards, at the city, county and state levels, at the hospital level, and at the health insurance organization level.

In effect, these review boards—made up of prominent physicians and health officials—would demand that doctors and hospitals account for their actions.

Besides peer review, the Commission made other specific recommendations to improve the health care system. Among them:

Gradually disapprove and phase out the Third Preference part of the immigration

law that each year admits 7000 new foreign medical graduates into the U.S., where almost 20 per cent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

Give the highest priority to improving health care for the poor and needy. "No clear-cut solution for care of the disadvantaged has been developed," the Commission concluded. "We urge that experimentation be markedly expanded with recognition of the special problems of this segment of the population."

[From the New York Times, Nov. 21, 1967]

BROAD CHANGES IN MEDICAL CARE URGED FOR NATION—PRESIDENTIAL ADVISORY PANEL SAYS ALTERATIONS ARE VITAL IF CRISIS IS TO BE MET—WOULD RETEST DOCTORS—ECONOMIC INCENTIVES ASKED FOR HOSPITAL IMPROVEMENT—PREPAID PLANS PRAISED

(By Harold M. Schmeck, Jr.)

WASHINGTON, November 20.—Basic changes in American medical practice and health care were recommended today in a report submitted to President Johnson.

Economic incentives should be offered hospitals, the report said. Periodic re-licensing of physicians to insure competence and quality should be considered, it said and doctors' performance should be reviewed routinely by panels of their peers. Pre-paid comprehensive health care arrangements received favorable comment.

Mr. Johnson said the report would be required reading for his Cabinet members. He said he hoped the document would also be widely considered outside the Government.

The report, by the National Advisory Commission on Health Manpower, said that there was a crisis in American health care and that vast increases in manpower and money would be of little use unless the system itself was changed.

GOVERNMENT NOT ENOUGH

"Because the present system channels manpower into inefficient and inappropriate activities, added numbers by themselves cannot be expected to bring much improvement," the report declared.

The commission disclaimed any intention of proposing a master Federal plan for health care. On the contrary, it said, government alone is not big enough to solve the problems of health care for the American people.

In its roughly 50 recommendations the commission stressed economic incentives to efficient and high quality health care, with corresponding penalties for inefficiency; widespread use of "peer review" arrangements to gauge and insure the quality of care, and the possibility of requiring periodic re-licensing of doctors to make sure their talents and knowledge remain up to date.

If followed, the recommendations would bring fundamental changes to the manner in which health care is rendered and paid for in the United States.

The economic incentives for efficiency and high quality in health care would take many forms. One possibility worthy of being explored, the report said, is that of giving doctors a financial stake in the operation of hospitals.

The commission also recommended that health insurance plans put greater emphasis on outpatient care to relieve the strain on hospital facilities. At briefings on the report today, spokesmen for the commission mentioned repeatedly the efficiencies achieved by such prepaid care plans as those of the Kaiser Foundation Hospitals in California.

The report stressed the view that there was no time to be lost in making changes and improvements in American medical care.

Until the present decade the nation has had problems to solve, said Irwin Miller, chairman of the commission.

"From here on out we probably have catastrophes to prevent," he said at a briefing for reporters. Mr. Miller is chairman of the board of the Cummins Engine Company, Columbus, Ind. He has headed the commission since it was appointed by the President on May 7, 1966.

At a presentation at the White House today, Dr. Peter S. Bing, executive director of the commission, said the nation faced a paradox in that the numbers of doctors and hospital beds were increasing faster than the population, yet a crisis in medical care loomed.

Greater demand, the increasing complexity of medical and hospital practice and the growing tendency toward medical specialization produce shortages in personal care, he said.

In this pinch between demand and available supply of medical care, costs will rise sharply if changes in practice are not made, the report said.

If current practices continue, the commission estimated, health expenditures for the nation will rise by more than 140 per cent in the decade ending in 1975. Hospital costs it said, will go up 250 per cent. During the same period the general cost of living is expected to increase only about 20 per cent.

ADDRESS BY SENATOR ROBERT F. KENNEDY AT THE YESHIVA UNIVERSITY, ALBERT EINSTEIN COLLEGE OF MEDICINE, BRONX, N.Y., NOVEMBER 19, 1967

This is a place of special meaning for me. For at Yeshiva University the Albert Einstein College of Medicine has begun an important new step in its pioneering urban health program: The Rose Fitzgerald Kennedy Center for Research in Mental Retardation and Human Development. This Center, which will help to salvage the lives of lost citizens, is a testament to your concern—concern which has been a keystone of this great medical school.

But I come here to offer you not congratulations, but a challenge. For in New York and across the nation, the condition of American medical care is grave—in fact, it is critical. We—and you—confront a grim scene of the neglected, the ill, and the dying—the thousands, the millions of victims of our indifference.

"If we believe that men have any personal rights at all", Aristotle said, "then they must have an absolute moral right to such a measure of good health as society alone is able to give them".

Two years ago, the United States began a program to provide this moral right for two parts of our population: those over 65, and the "medically indigent," for whom serious illness means financial catastrophe. We have spent billions of dollars in these programs—yet what they have produced is not achievement, but anxiety. For they have shown us more vividly than ever before—that our Nation's system of health care has failed to meet the most urgent medical needs of millions of Americans.

The cost of health care in America is staggering: more than 6 percent of our gross national product. And with Medicare and Medicaid, these costs have soared. But consider what we have bought with these billions:

In 1950, we ranked fifth in the world in our infant mortality rate. Today, we rank fifteenth—below all of the industrialized nations of Europe. And here in New York, during the last decade, infant mortality *increased*—by 4 percent.

Twelve other nations have higher life expectancy rates at 60 than we do.

Fifteen other nations have higher ratios of hospital beds to patients than we do.

Forty-three percent of our hospital care, according to Columbia's School of Public Health and Administrative Medicine, is only poor to fair.

But these figures—and countless others—cannot measure the full impact of our double standard of medical care. It cannot measure the disappearance of family physician care for poor families—and its replacement by the emergency rooms of huge impersonal municipal hospitals. It cannot measure the long waits, or endless lines, for an often indifferent examination by a doctor the patient has never seen before, and will not see again. It cannot measure the minor illnesses which spawn major diseases—because regular checkups are unknown, and continuing medical care an illusion. It cannot reflect the children whose education is useless—because they are too weak to work, or too ill to listen.

Figures cannot measure the indignities, the inefficiencies, the lost lives, but they at least tell us how much remains to be done, beyond the spending of massive sums of money.

Medicare has told us what we should have known long ago. Our system of health care in the United States is understaffed, overburdened, and as it is presently structured, wholly inadequate to supply decent medical attention for all Americans. This fact was hidden from us—because those who were elderly, those who were poor—simply did not get a minimal amount of medical care. Now, they are beginning to come to hospitals, and to visit physicians. And with them has come the knowledge that our system of health care must change.

There is already a shortage of modern hospital beds and nursing home beds. Medicare and Medicaid have only multiplied the number seeking care in these already overburdened and often inefficient facilities.

The result of providing more money to compete for the same supply of services has been an astronomical increase in the cost of care. Daily rates in hospitals are up over a third in less than two years. Physicians' fees have risen over ten percent, 8.5 percent in the past year alone. Hospital charges of $100 a day will soon be a reality in New York City.

There is no real mystery about why this has happened. Wages are two-thirds of the cost of running a hospital, and there was a huge backlog of wage demands in our hospitals. Nurses and other personnel had worked too long at substandard pay, and now there are funds to offer a more adequate wage.

But there are other matters. Hospitals are run essentially as they were fifty years ago. They have been neither forced nor even encouraged to innovate. Patients are still wheeled from one end of the hospital to the other for surgery. Costly services are maintained for vast numbers of patients not seriously enough ill to need them.

Physician fees have risen so sharply because more dollars cannot by themselves produce more doctors. That, coupled with the fee-for-service approach of Medicare and Medicaid, has allowed some specialists and even some general practitioners to reap exorbitant benefits from these tax-financed programs.

Serious as these matters are, the fundamental problem is one of structure—one which goes to the heart of our system of delivering health care. We are pumping billions of dollars of new money into the health industry—but without the slightest effort to change the existing system, under which people are taken care of in the costliest institution, the hospital, and by the costliest manpower, the doctor. It is no wonder that the cost of health care has risen so sharply.

The first task, in my judgment, is to recognize that our present approach is simply not satisfactory—and to do something about it. We are providing poor quality care at high

cost. That is nothing less than a national failure.

Next week I shall propose, as an amendment to the social security bill now before the Senate, the establishment of a joint Congressional committee to study the cost of health care and what we are going to do about it. The committee's mandate would be the full scope of the cost problem—from reimbursement formulas to new technology, from ways to achieve greater efficiency to new ways of delivering health care.

But no committee—no study—can be successful unless it confronts the root cause of spiraling medical costs: the outmoded and rigid structure of health care which simply cannot meet the demands for decent medical attention. What is needed—as a matter of the first priority—is to put our medical resources to work in new ways, to respond more effectively to the ever-growing demand for services.

An effective program of action requires at least four steps:

First: We must tap new sources for recruitment into the health field and develop new health careers for our recruits. We all know we have a grave shortage of medical personnel. We know that each year we educate 2000 fewer doctors than we need just to keep pace with present ratios; and we know we need more nurses of all kinds, and more technical aides.

But even as we provide government assistance to health professional schools—even as we provide scholarships and loans, so that low-income students can attend our medical schools—we know we must develop new jobs in the health field. For the fact is that we will never have enough doctors and nurses to perform all of the tasks we now assign to these costly and scarce professionals. Experience has shown that many of their tasks can be performed by assistants working under their supervision—aides who can be enabled to study on the job in order to acquire greater skill and more on to greater responsibility.

We can find many of these people in the same communities of the poor which most need medical help. We can find—and train—non-professional people, to care for fellow members of their own communities. And this source of employment—a source you have tapped with your health careers program—can find worthy service and increased job opportunity, within the medical profession.

Second: All of our medical resources must be put to work more effectively in the communities themselves. To structure the future of medicine solely around large, impersonal hospitals will not only insure poor quality care, but also guarantee even more excessive demands on these overcrowded institutions—and thus produce higher and higher medical costs.

If we are to use our funds wisely—if we are to deploy our health manpower efficiently—we must decentralize medical care. We must bring health services to the people through a system of community and neighborhood health centers which provide comprehensive family care in a dignified, responsive setting.

Again, you at Albert Einstein have recognized this need, by participating in the Storefront Neighborhood Service Center, serving the Lincoln Hospital Community. Here, non-professionals can be of greatest service—by insuring that neighborhood centers *serve* the poor, instead of using them. Too often, the medical profession has seen the ghetto communities as ideal neighborhoods—not so much for service, as for obtaining teaching material. One doctor told me of a conversation he had with a ghetto resident. He asked her what she thought of a planned new neighborhood health center.

"Oh," she said, "is that another one of those programs where we supply the diseases?"

The neighborhood health centers must not be that kind of program. They must meet the fundamental health needs of our neglected citizens.

Third: The program must go beyond narrowly-defined "health" needs. For all of the energy—all of the commitment—of the medical profession will not be enough, unless we also meet the sources of disease.

It is illusion to think we can cure a sickly child—and ignore his need for nutritious food. It is foolish to pour in funds to minister to the effects of filth-ridden slums—without recognizing the undeniable fact that these slums breed disease. It is profitless to establish community mental health services—if we do not understand that a community of the jobless, the purposeless, the hopeless spawns frustration and agony in the minds of its victims. We will never have enough doctors to cure the children of Mississippi who have not eaten nourishing food since their birth. There will never be enough therapists for all the brain-damaged children of Bedford-Stuyvesant. We will not cure the pathology of individuals, unless we—and you—begin to come to grips with the pathology of these communities.

Education — jobs — housing — community participation—these are essential elements of a healthy neighborhood. And if these goals require the active direct participation of the medical community in matters of public controversy, then this is the work that must be done. It is neither economical, nor compassionate, to care for the consequences of poverty, and ignore its roots.

Fourth: As this is true for the communities of poverty, it is just as true for the whole society. All the cancer research, all the hospitals in the nation may be less important than the single simple step of making sure that fewer children are enticed into becoming cigarette smokers. All our programs for training new doctors may not mean as much to the health of the city of New York as courageous and forceful action to eliminate the pollution of our air. All our emergency rooms will not be adequate to care for the victims of the carnage on our highways, if we do not enforce far more rigid safety standards on the makers of automobiles.

And the same is true for the dozens of health hazards we have allowed to persist, through ignorance and inattention and sloth; the meat packed amid dirt and disease; the drugs sold without adequate testing; the pesticides carelessly sprayed onto our crops.

These are not for the medical profession alone—these are challenges to all of us. But you of the medical profession, the concerned and active doctors and leaders such as are here today, you can take the lead.

Part of the job is securing the enactment of legislation; and whatever legislation is necessary, I can tell you that it will be introduced—and it will be fought for. But another part of the job is education and action, relying on the spontaneous skill and initiative of the American people. Just a few years ago, surveys showed that alarming numbers of our children were overweight, underexercised, simply in poor physical condition. President Kennedy set up a Council on Physical Fitness which, in cooperation with thousands of Councils all over the country, began to set up programs of education and exercise for children and families. The Councils were completely voluntary; they were almost without funds; yet they worked a small revolution. And within two or three years, new surveys showed that the young people of America were far healthier, in far better physical condition, than they had been before the Councils began their work. That kind of effort—whether for better school meals, or against early smoking, or to stimulate forceful action against air pollution—can be made in every community in the country today.

This is a challenging task. It requires help from Washington—for example, funds to help medical schools implement bold changes in education and operation. And it requires help from state capitals and City Halls to replace rigid regulation with creative flexibility.

But most of all, it requires effort by yourselves—members of the medical profession, guided by your obligations, and then by the counsel of Albert Einstein, who said:

"Concern for man himself and his fate must always form the chief interest of all technical endeavors . . . in order that the creations of our mind shall be a blessing and not a curse to mankind."

Now you must find new ways to bring the blessings of medicine to millions who have never been reached. It means the willingness and energy to discard traditional institutions and approaches to better the condition of man himself, and his fate. But you have that willingness—you have that energy—and I know you will succeed.

SENATOR RANDOLPH COMMENDS FINANCE COMMITTEE ACTION ON PROVISION FOR INCREASING INCOME OF OLD-AGE ASSISTANCE RECIPIENTS

Mr. RANDOLPH. Mr. President, as chairman of the Subcommittee on Employment and Retirement Incomes of the Senate Special Committee on Aging, I am particularly interested in one provision in the pending social security amendments. Section 213 requires that States must give their public assistance recipients an average increase of $7.50 in their overall incomes as a result of the increased benefits.

It has been a general practice among the States, when social security increases are approved, to reduce public assistance grants of those who receive both public assistance and social security. This action leaves recipients no better off from the standpoint of their total incomes than they had been before the social security increases. The pending bill provides a means whereby a State's public assistance recipients will benefit from the increases.

The Subcommittee on Employment and Retirement Incomes, which I am privileged to chair, as a result of several days of hearings earlier this year, issued a report entitled "Reduction of Retirement Benefits Due to Social Security Increases." We recommended legislation which would prohibit reduction of old-age assistance grants due to social security increases. To implement this recommendation, I offered amendment No. 375. Although the Finance Committee did not accept my amendment, I believe that the provision which it did adopt substantially accomplishes the purpose our subcommittee was seeking. I am gratified to give the committee's provision my enthusiastic support.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time on the bill has expired. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], and the Senator from Missouri [Mr. LONG] are absent on official business.

I also announce that the Senator from

Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Dakota [Mr. MCGOVERN], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. CANNON], the Senator from Missouri [Mr. LONG], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Connecticut [Mr. DODD], and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY], the Senator from Pennsylvania [Mr. SCOTT] and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], the Senator from Wyoming [Mr. HANSEN] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. MURPHY], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

On this vote, the Senator from Vermont [Mr. PROUTY] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Vermont would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 78, nays 6, as follows:

[No. 350 Leg.]

YEAS—78

Aiken	Hart	Mondale
Allott	Hartke	Monroney
Anderson	Hatfield	Montoya
Baker	Hayden	Morse
Bayh	Hickenlooper	Morton
Bible	Hill	Moss
Boggs	Hollings	Muskie
Brewster	Hruska	Nelson
Brooke	Inouye	Pastore
Burdick	Jackson	Pearson
Byrd, Va.	Javits	Pell
Byrd, W. Va.	Jordan, N.C.	Percy
Case	Jordan, Idaho	Proxmire
Church	Kennedy, Mass.	Randolph
Clark	Kennedy, N.Y.	Ribicoff
Cotton	Kuchel	Russell
Dirksen	Lausche	Smathers
Dominick	Long, La.	Smith
Ellender	Magnuson	Sparkman
Ervin	Mansfield	Spong
Fannin	McCarthy	Symington
Fulbright	McClellan	Tydings
Gore	McGee	Williams, N.J.
Griffin	McIntyre	Yarborough
Gruening	Metcalf	Young, N. Dak.
Harris	Miller	Young, Ohio

NAYS—6

Bennett	Holland	Thurmond
Curtis	Stennis	Williams, Del.

NOT VOTING—16

Bartlett	Fong	Prouty
Cannon	Hansen	Scott
Carlson	Long, Mo.	Talmadge
Cooper	McGovern	Tower
Dodd	Mundt	
Eastland	Murphy	

So the bill (H.R. 12080) was passed.

Mr. LONG of Louisiana. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate insist on its amendments and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. GORE, Mr. TALMADGE, Mr. WILLIAMS of Delaware, Mr. CARLSON, and Mr. CURTIS conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the bill (H.R. 12080) be printed with the amendments of the Senate numbered; and that in the engrossment of the amendment of the Senate to the bill the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, and so forth, designations, and cross references thereto, and corrections in the table of contents—including appropriate deletions, insertions, and revisions in such table.

PERSONAL STATEMENT—REASON FOR NOT VOTING

Mr. BARTLETT. Mr. President, I desire to make a personal statement. Yesterday I canceled a trip abroad in order that I might be here to vote for passage of the Social Security Act.

When the rollcall is recorded in the RECORD, my name will be shown as an absentee.

Mr. President, I was in a room in the New Senate Office Building where the bell calling for the vote did not ring. When the word of the vote reached me, I came over but arrived on the floor too late to be recorded.

This is a cause of great sorrow to me because I would like to have been here, and I wanted particularly to have been recorded as voting for the social security bill.

FEDERAL MEAT INSPECTION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 785, S. 2147, the Federal Meat Inspection Act, I do this so that it will be the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2147), to clarify and otherwise amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs, and for other purposes, reported from the Committee on Agriculture and Forestry, with amendments, on page 2, line 18, after the word "his" strike out "delegatee" and insert "delegate"; on page 3, line 16, after the word "term" strike out " 'territory' " and insert " 'Territory' "; in line 21, after the word "any" strike out "territory" and insert "Territory"; in line 22, after the word "any" where it appears the second time, strike out "territory" and insert "Territory"; on page 4, line 1, after the word "the" where it appears the first time, strike out "territories" and insert "Territories"; in line 12, after the word "to", strike out "effectuate the purpose of this Act" and insert "assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products."; on page 8, line 5, after the word "container" insert "unless"; on page 10, line 22, after the word "to" strike out "effectuate the purposes of this Act" and insert "assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition."; on page 11, line 11, after the word "so" strike out "enacted" and insert "entitled"; on page 12, after line 6, insert:

(v) The term "official device" means any device prescribed or authorized by the Secretary for use in applying any official mark.

On page 13, line 15, after the word "in" strike out "sections 3 through 23 of"; on page 15, line 10, after the word "used" insert "with respect to material required to be incorporated in labeling to avoid false or misleading labeling"; on page 17, line 16, after the word "human" strike out "food," and insert "food"; on page 20, at the beginning of line 20, strike out "the inspection and other requirements prescribed by regulations of the Secretary to assure that the imported articles have been prepared under requirements substantially equivalent to those applicable to the comparable domestic articles, and otherwise to effectuate the purposes of this Act" and insert "all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States."; on page 22, line 8, after the word "articles" insert a colon and *"Provided further,* That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds."; on page 22, at the beginning of line 18, strike out "goals" and insert "goats"; in line 24, after the word "not" strike out "buy or sell" and insert "engage in the business of buying or selling"; on page 23, line 2, after the word "food" insert a colon and *"And provided further,* That the authority of the Secretary to issue "Retail Exemption Certificates" under paragraph 21 and 22 of the Meat Inspection Act prior to the enactment of the Wholesome Meat Act shall continue."; after line 6 strike out:

(b) The Secretary may, under such sanitary conditions as he may by regulations prescribe, exempt from the inspection requirements of this title the slaughter of animals, and the preparation of carcassses, parts thereof, meat and meat food products, by any person, firm, or corporation in any territory or the District of Columbia solely for distribution within such jurisdiction when the Secretary determines that it is impracticable to provide such inspection within the limits of funds appropriated for admin-

istration of this Act and that such exemption will otherwise facilitate enforcement of this Act. The Secretary may refuse, withdraw or modify any exemption under this paragraph (b) in his discretion whenever he determines such action is necessary to effectuate the purposes of this Act.

At the beginning of line 21, strike out "(c)" and insert "(b)"; on page 25, line 3, after the word "dyes," strike out "chemical" and insert "chemicals,"; on page 26, line 17, after the word "establishment" insert "in any State or organized Territory"; in line 21, after the word "or" where it appears the first time, strike out "territory or the District of Columbia" and insert "Territory"; on page 30, line 10, after the word "to" strike out "effectuate the purposes of this Act" and insert "assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes."; in line 19, after the word "or" where it appears the first time, strike out "territory or the District of Columbia" and insert "organized Territory"; in line 23, after the word "the", strike out "State, territory, or District" and insert "State or Territory"; in line 24, after the word "have" strike out "comparable" and insert "at least equal"; on page 31, after the word "Act" insert "including the State providing for the Secretary or his representatives being afforded access to such places of business and the facilities, inventories, and records thereof, and the taking of reasonable samples, where he determines necessary in carrying out his responsibilities under this Act;"; on page 32, line 3, after the word "are" strike out "consistent with" and insert "at least equal to"; in line 14, after the word "authorities" strike out "comparable" and insert "at least equal"; on page 34, after line 4, insert:

(c)(1) If the Secretary has reason to believe, by thirty days prior to the expiration of two years after enactment of the Wholesome Meat Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction (except those that would be exempted from Federal inspection under subparagraph (2)) at which cattle, sheep, swine, goats, or equines are slaughtered, or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and the products of such establishments, requirements at least equal to those imposed under titles I and IV of this Act, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of titles I and IV of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary has reason to believe that the State will activate such requirements within one additional year, he may delay such designation for said period, and not designate the State, if he determines at the end of the year that the State then has such requirements in effective operation. The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of titles I and IV shall apply to operations and transactions and to persons, firms, and corporations engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for commerce: *Provided further*, That upon notification by the Governor of any State at any time after the date of enactment of the Wholesome Meat Act, that he waives for such State the periods of time specified herein, and requests the designation of the State under this paragraph (c), the Secretary shall designate such State in accordance with this paragraph. Thereafter, upon request of the Governor, the Secretary shall revoke such designation if the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act: *And provided further*, That, notwithstanding any other provision of this section, if the Secretary determines that any establishment within a State is producing adulterated meat or meat food products for distribution within such State which would clearly endanger the public health he shall notify the Governor of the State and the appropriate Advisory Committee provided by section 301 of the Act of such fact for effective action under State or local law. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary, in light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of titles I and IV of the Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act.

(2) The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

(3) Whenever the Secretary determines that any State designated under this paragraph (c) has developed and will enforce State meat inspection requirements at least equal to those imposed under titles I and IV, with respect to the operations and transactions within such State which are regulated under subparagraph (1), he shall terminate the designation of such State under this paragraph (c), but this shall not preclude the subsequent redesignation of the State at any time upon thirty days notice to the Governor and publication in the Federal Register in accordance with this paragraph, and any State may be designated upon such notice and publication at any time after the period specified in this paragraph whether or not the State has theretofore been designated upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under titles I and IV.

(4) The Secretary shall promptly upon enactment of the Wholesome Meat Act and periodically thereafter, but at least annually, review the requirements, including the enforcement thereof, of the several States not designated under this paragraph (c), with respect to the slaughter, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of such operations, and annually report thereon to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate in the report required under section 17 of the Wholesome Meat Act.

On page 38, at the beginning of line 3, strike out "(c)" and insert "(d)"; at the beginning of line 5, strike out "territory as defined in section 1 of this act; or the District of Columbia" and insert "organized territory."; in line 16, after the word "recipient" strike out "if" and insert "is"; in line 18, after the word "recipient" strike out "has been convicted, in any Federal or State court, of any felony" and insert "or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, of (1) any felony, or (2) more than one violation of any law, other than a felony, based upon the acquiring, handling, or distributing of unwholesome, mislabeled, or deceptively packaged food or upon fraud in connection with transactions in food."; on page 39, after line 4, insert:

For the purpose of this section a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employed in a managerial or executive capacity.

The determination and order of the Secretary with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the appropriate court as provided in section 404. Judicial review of any such order shall be upon the record upon which the determination and order are based.

On page 40, at the beginning of line 6, strike out "territory" and insert "Territory"; on page 42, line 16, after the word "other" strike out "territories" and insert "Territories"; on page 44, at the beginning of line 16, strike out "409(1)" and insert "409(s)"; in line 17, after "U.S.C." strike out "409(1)" and insert "409(s))"; on page 45, at the beginning of line 10, strike out "territory" and insert "Territory"; in line 16, after the word "or" where it appears the first time, strike out "territory" and insert "Territory"; in line 19, after the word "or" strike out "territory" and insert "Territory"; on page 46, line 3, after the word "or" strike out "territory" and insert "Territory"; in line 12, after the word "enactment" strike out "hereof" and insert "of the Wholesome Meat Act"; at the top of page 47, insert a new section, as follows:

SEC. 17. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of animals subject to this Act, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of establishments operated in connection therewith, including the operations under and effectiveness of this Act.

On page 47, at the beginning of line 10, change the section number from "17" to "18"; at the beginning of line 21, change the section number from "18" to "19"; on page 48, at the beginning of line 3, change the section number from "19" to "20"; in line 9, after the word "section" strike out "17" and insert "18";

and in line 20, after the word "effective" insert "upon the expiration of"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Wholesome Meat Act and that the provisions appearing under the subheading "FOR MEAT INSPECTION:" under the heading "BUREAU OF ANIMAL INDUSTRY" in the Act approved March 4, 1907, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight" (34 Stat. 1260–1265, as amended; 21 U.S.C. 71–91), are hereby designated as the "Federal Meat Inspection Act"; the first twenty paragraphs thereof are hereby designated, respectively, as sections 3 through 22, and the twenty-first and twenty-second paragraphs thereof as section 23; and said sections 3 through 23 are hereby designated at "TITLE I—INSPECTION REQUIREMENTS; ADULTERATION AND MISBRANDING".

SEC. 2. The Federal Meat Inspection Act is hereby amended by adding, in title I, new sections 1 and 2 reading, respectively, as follows:

"SECTION 1. As used in this Act, except as otherwise specified, the following terms shall have the meanings stated below:

"(a) The term 'Secretary' means the Secretary of Agriculture of the United States or his delegate.

"(b) The term 'firm' means any partnership, association, or other unincorporated business organization.

"(c) The term 'meat broker' means any person, firm, or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm, or corporation.

"(d) The term 'renderer' means any person, firm, or corporation engaged in the business of rendering carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines, except rendering conducted under inspection or exemption under title I of this Act.

"(e) The term 'animal food manufacturer' means any person, firm, or corporation engaged in the business of manufacturing or processing animal food derived wholly or in part from carcasses, or parts or products of the carcasses, of cattle, sheep, swine, goats, horses, mules, or other equines.

"(f) The term 'State' means any State of the United States and the Commonwealth Puerto Rico.

"(g) The term 'Territory' means Guam, the Virgin Islands of the United States, American Samoa, and any other territory or possession of the United States, excluding the Canal Zone.

"(h) The term 'commerce' means commerce between any State, any Territory, or the District of Columbia, and any place outside thereof; or within any Territory not organized with a legislative body, or the District of Columbia.

"(i) The term 'United States' means the States, the District of Columbia, and the Territories of the United States.

"(j) The term 'meat food product' means any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any cattle, sheep, swine, or goats, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat food industry, and which are exempted from definition as a meat food product by the Secretary under such conditions as he may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat food products. This term as applied to food products of equines shall have a meaning comparable to that provided in this paragraph with respect to cattle, sheep, swine, and goats.

"(k) The term 'capable of use as human food' shall apply to any carcass, or part or product of a carcass, of any animal, unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans.

"(l) The term 'prepared' means slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed.

"(m) The term 'adulterated' shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

"(1) if it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such article shall not be considered adulterated under this clause if the quantity of such substance in or on such article does not ordinarily render it injurious to health;

"(2)(A) if it bears or contains (by reason of administration of any substance to the live animal or otherwise) any added poisonous or added deleterious substance (other than one which is (i) a pesticide chemical in or on a raw agricultural commodity; (ii) a food additive; or (iii) a color additive) which may, in the judgment of the Secretary, make such article unfit for human food;

"(B) if it is, in whole or in part, a raw agricultural commodity and such commodity bears or contains a pesticide chemical which is unsafe within the meaning of section 408 of the Federal Food, Drug, and Cosmetic Act,

"(C) if it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act,

"(D) if it bears or contains any color additive which is unsafe within the meaning of section 706 of the Federal Food, Drug, and Cosmetic Act: *Provided,* That an article which is not adulterated under clause (B), (C), or (D) shall nevertheless be deemed adulterated if use of the pesticide chemical, food additive, or color additive in or on such article is prohibited by regulations of the Secretary in establishments at which inspection is maintained under title I of this Act;

"(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance or is for any other reason unsound, unhealthful, unwholesome, or otherwise unfit for human food;

"(4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

"(5) if it is, in whole or in part, the product of an animal which has died otherwise than by slaughter;

"(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health;

"(7) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to section 409 of the Federal Food, Drug, and Cosmetic Act;

"(8) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part therefor; or if damage or inferiority has been concealed in any manner; or if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is; or

"(9) if it is margarine containing animal fat and any of the raw material used therein consisted in whole or in part of any filthy, putrid, or decomposed substance.

"(n) The term 'misbranded' shall apply to any carcass, part thereof, meat or meat food product under one or more of the following circumstances:

"(1) if its labeling is false or misleading in any particular;

"(2) if it is offered for sale under the name of another food;

"(3) if it is an imitation of another food, unless its label bears, in type of uniform size and prominence, the word 'imitation' and immediately thereafter, the name of the food imitated;

"(4) if its container is so made, formed, or filled as to be misleading;

"(5) if in a package or other container unless it bears a label showing (A) the name and place of business of the manufacturer, packer, or distributor; and (B) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: *Provided,* That under clause (B) of this subparagraph (5), reasonable variations may be permitted, and exemptions as to small packages may be established, by regulations prescribed by the Secretary;

"(6) if any word, statement, or other information required by or under authority of this Act to appear on the label of other labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use;

"(7) if it purports to be or is represented as a food for which a definition and standard of identity or composition has been prescribed by regulations of the Secretary under section 7 of this Act unless (A) it conforms to such definition and standard, and (B) its label bears the name of the food specified in the definition and standard and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food;

"(8) if it purports to be or is represented as a food for which a standard or standards of fill of container have been prescribed by regulations of the Secretary under section 7 of this Act, and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard;

"(9) if it is not subject to the provisions of subparagraph (7), unless its label bears (A) the common or usual name of the food, if any there be, and (B) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and colorings may, when authorized by the Secretary, be designated as spices, flavorings, and colorings without naming each: *Provided,* That, to the extent that compliance with the requirements of clause (B) of this subparagraph (9) is impracticable, or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Secretary;

"(10) if it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as the Secretary, after consultation with the Secretary of Health, Education, and Welfare, determines to be, and by regulations prescribes as, necessary in order fully to inform purchasers as to its value for such uses;

"(11) if it bears or contains any artificial

flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: *Provided*, That, to the extent that compliance with the requirements of this subparagraph (11) is impracticable, exemptions shall be established by regulations promulgated by the Secretary; or

"(12) if it fails to bear, directly thereon or on its container, as the Secretary may by regulations prescribe, the inspection legend and, unrestricted by any of the foregoing, such other information as the Secretary may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

"(o) The term 'label' means a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article.

"(p) The term 'labeling' means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

"(q) The term 'Federal Food, Drug, and Cosmetic Act' means the Act so entitled, approved June 25, 1938 (52 Stat. 1040), and Acts amendatory thereof or supplementary thereto.

"(r) The terms 'pesticide chemical', 'food additive', 'color additive', and 'raw agricultural commodity' shall have the same meanings for purposes of this Act as under the Federal Food, Drug, and Cosmetic Act.

"(s) The term 'official mark' means the official inspection legend or any other symbol prescribed by regulations of the Secretary to identify the status of any article or animal under this Act.

"(t) The term 'official inspection legend' means any symbol prescribed by regulations of the Secretary showing that an article was inspected and passed in accordance with this Act.

"(u) The term 'official certificate' means any certificate prescribed by regulations of the Secretary for issuance by an inspector or other person performing official functions under this Act.

"(v) The term 'official device' means any device prescribed or authorized by the Secretary for use in applying any official mark.

"SEC. 2. Meat and meat food products are an important source of the Nation's total supply of food. They are consumed throughout the Nation and the major portion thereof moves in interstate or foreign commerce. It is essential in the public interest that the health and welfare of consumers be protected by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled, and packaged. Unwholesome, adulterated, or misbranded meat or meat food products impair the effective regulation of meat and meat food products in interstate or foreign commerce, are injurious to the public welfare, destroy markets for wholesome, not adulterated, and properly labeled and packaged meat and meat food products, and result in sundry losses to livestock producers and processors of meat and meat food products, as well as injury to consumers. The unwholesome, adulterated, mislabeled, or deceptively packaged articles can be sold at lower prices and compete unfairly with the wholesome, not adulterated, and properly labeled and packaged articles, to the detriment of consumers and the public generally. It is hereby found that all articles and animals which are regulated under this Act are either in interstate or foreign commerce or substantially affect such commerce, and that regulation by the Secretary and cooperation by the States and other jurisdictions as contemplated by this Act are appropriate to prevent and eliminate burdens upon such commerce, to effectively regulate such commerce, and to protect the health and welfare of consumers."

SEC. 3. Said Act is hereby further amended by—

(a) deleting the phrase "interstate or foreign" wherever it appears in sections 3 through 23 of title I of said Act; and

(b) deleting in section 3 of said Act (21 U.S.C. 71) the phrase "the Secretary of Agriculture, at his discretion, may" and inserting in lieu thereof the words "the Secretary shall" and deleting the words "of Agriculture" wherever they appear after the word "Secretary" thereafter in title I of the Act.

SEC. 4. Section 4 of said Act (21 U.S.C. 72) is hereby amended by deleting the phrases "for human consumption" and "for transportation or sale", and by inserting after the word "commerce" the phrase "which are capable of use as human food".

SEC. 5. Section 5 of said Act (21 U.S.C. 73) is hereby amended by adding at the end thereof the following: "The Secretary may limit the entry of carcasses, parts of caracasses, meat and meat food products, and other materials into any establishment at which inspection under this title is maintained, under such conditions as he may prescribe to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act."

SEC. 6. Section 7 of said Act (21 U.S.C. 75) is hereby amended by—

(a) deleting the provisions thereof reading as follows: ", and no such meat or meat food products shall be sold or offered for sale by any person, firm, or corporation in interstate or foreign commerce under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted";

(b) designating the remaining provisions as paragraph (a); and

(c) adding at the end of said section the following provisions as paragraphs (b) through (e), respectively:

"(b) All carcasses, parts of carcasses, meat and meat food products inspected at any establishment under the authority of this title and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon or on their containers, as the Secretary may require, the information required under paragraph (n) of section 1 of this Act.

"(c) The Secretary, whenever he determines such action is necessary for the protection of the public, may prescribe: (1) the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marketing and labeling any articles or animals subject to this title or title II of this Act; (2) definitions and standards of identity or composition for articles subject to this title and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, and there shall be consultation between the Secretary and the Secretary of Health, Education, and Welfare prior to the issuance of such standards under either Act relating to articles subject to this Act to avoid inconsistency in such standards and possible impairment of the coordinated effective administration of these Acts. There shall also be consultation between the Secretary and an appropriate advisory committee provided for in section 301 of this Act, prior to the issuance of such standards under this Act, to avoid, insofar as feasible, inconsistency between Federal and State standards.

"(d) No article subject to this title shall be sold or offered for sale by any person, firm, or corporation, in commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Secretary are permitted.

"(e) If the Secretary has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this title is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as he may prescribe so that it will not be false or misleading. If the person, firm, or corporation using or proposing to use the marking, labeling or container does not accept the determination of the Secretary, such person, firm, or corporation may request a hearing, but the use of the marking, labeling, or container shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless, within thirty days after receipt of notice of such final determination, the person, firm, or corporation adversely affected thereby appeals to the United States court of appeals for the circuit in which such person, firm, or corporation has its principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act, 1921 (42 Stat. 162, as amended; 7 U.S.C. 194), shall be applicable to appeals taken under this section."

SEC. 7. Section 10 of said Act (21 U.S.C. 78) is hereby amended to read:

"SEC. 10. No person, firm, or corporation shall, with respect to any cattle, sheep, swine, goats, horses, mules, or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals—

"(a) slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing any such articles for commerce, except in compliance with the requirements of this Act;

"(b) sell, transport, offer for sale or transportation, or receive for transportation, in commerce, (1) any such articles which (A) are capable of use as human food and (B) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (2) any articles required to be inspected under this title unless they have been so inspected and passed;

"(c) do, with respect to any such articles which are capable of use as human food, any act while they are being transported in commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded."

SEC. 8. Section 11 of said Act (21 U.S.C. 79) is hereby amended to read as follows:

"SEC. 11. (a) No brand manufacturer, printer, or other person, first, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Secretary.

"(b) No person, firm, or corporation shall—

"(1) forge any official device, mark, or certificate;

"(2) without authorization from the Secretary use any official device, mark or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

"(3) contrary to the regulations prescribed by the Secetary, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

"(4) knowingly possess, without promptly notifying the Secretary or his representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

"(5) knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Secretary; or

"(6) knowingly represent that any article has been inspected and passed, or exempted, under this Act when, in fact, it has, respectively, not been so inspected and passed, or exempted."

SEC. 9. The present provisions of section 19 of said Act (21 U.S.C. 87) are hereby deleted and the following new provisions are substituted therefor:

"SEC. 19. No person, firm, or corporation shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Secretary to show the kinds of animals from which they were derived. When required by the Secretary, with respect to establishments at which inspection is maintained under this title, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meat or meat food products are prepared."

SEC. 10. The present provisions of section 20 of said Act (21 U.S.C. 88) are hereby deleted and the following new provisions are substituted therefor:

"SEC. 20.(a) No carcasses, parts of carcasses, meat or meat food products of cattle, sheep, swine, goats, horses, mules, or other equines which are capable of use as human food, shall be imported into the United States if such articles are adulterated or misbranded and unless they comply with all the inspection, building construction standards, and all other provisions of this Act and regulations issued thereunder applicable to such articles in commerce within the United States. All such imported articles shall, upon entry into the United States, be deemed and treated as domestic articles subject to the other provision of this Act and the Federal Food, Drug, and Cosmetic Act: *Provided*, That they shall be marked and labeled as required by such regulations for imported articles: *Provided further*, That nothing in this section shall apply to any individual who purchases meat or meat products outside the United States for his own consumption except that the total amount of such meat or meat products shall not exceed fifty pounds.

"(b) The Secretary may prescribe the terms and conditions for the destruction of all such articles which are imported contrary to this section, unless (1) they are exported by the consignee with the time fixed therefor by the Secretary, or (2) in the case of articles which are not in compliance with the Act solely because of misbranding, such articles are brought into compliance with the Act under supervision of authorized representatives of the Secretary.

"(c) All charges for storage, cartage, and labor with respect to any article which is imported contrary to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against such article and any other article thereafter imported under this Act by or for such owner or consignee.

"(d) The knowing importation of any article contrary to this section is prohibited."

SEC. 11. Section 23 of said Act is hereby amended to read as follows:

"SEC. 23. (a) The provisions of this title requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations for commerce shall not apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor to the custom slaughter by any person, firm, or corporation of cattle, sheep, swine or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use, in the household of such owner, by him and members of his household and his nonpaying guests and employees: *Provided*, That such custom slaughterer does not engage in the business of buying or selling any carcasses, parts of carcasses, meat or meat food products of any cattle, sheep, swine, goats or equines, capable to use as human food: *And provided further*, That the authority of the Secretary to issue "Retail Exemption Certificates" under paragraphs 21 and 22 of the Meat Inspection Act prior to the enactment of the Wholesome Meat Act shall continue.

"(b) The adulteration and misbranding provisions of this title, other than the requirement of the inspection legend, shall apply to articles which are exempted from inspection or not required to be inspected under this section."

SEC. 12. Said Act is hereby further amended by:

(a) deleting the phrase "cattle, sheep, swine, and goats" and the phrase "cattle, sheep, swine, or goats" wherever they appear in title I of the Act and substituting therefor, respectively, the phrase "cattle, sheep, swine, goats, horses, mules, and other equines" and the phrase "cattle, sheep, swine, goats, horses, mules, or other equines";

(b) in sections 3 and 4 (21 U.S.C. 71, 72), deleting the phrase "unsound, unhealthful, unwholesome, or otherwise unfit for human food" each time it appears and inserting in lieu thereof the word "adulterated";

(c) in section 4 (21 U.S.C. 72), deleting the phrase "sound, healthful, wholesome, and fit for human food" and inserting in lieu thereof the phrase "not adulterated";

(d) in section 4 (21 U.S.C. 72), deleting the phrase "unsound, unhealthful, unwholesome, or in any way unfit for human food" and inserting in lieu thereof the word "adulterated";

(e) in section 6 (21 U.S.C. 74), deleting the phrase "sound, healthful, and wholesome, and which contain no dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food" and inserting in lieu thereof the phrase "not adulterated", and deleting the phrase "unsound, unhealthful, and unwholesome, or which contain dyes, chemicals, preservatives, or ingredients which render such meat or meat food products unsound, unhealthful, unwholesome, or unfit for human food" and inserting in lieu thereof the word "adulterated";

(f) in section 8 (21 U.S.C. 76), deleting the phrase "unclean, unsound, unhealthful, unwholesome, or otherwise unfit for human food" and inserting in lieu thereof the word "adulterated";

(g) in section 17 (21 U.S.C. 85), deleting the phrase "or goat meat, being the meat of animals killed after the passage of this Act, or except as hereinbefore provided" and substituting therefor the phrase "goat or equine meat";

(h) in section 18 (21 U.S.C. 86), deleting the phrase "sound and wholesome."; and

(i) in section 21 (21 U.S.C. 89), deleting the phrase "sound, healthful, wholesome, and fit for human food, and to contain no dyes, chemicals, preservatives, or ingredients which render such meat food product unsound, unhealthful, unwholesome, or unfit for human food; and to have been prepared under proper sanitary conditions, hereinbefore provided for" and inserting in lieu thereof the phrase "not adulterated".

SEC. 13. Said Act is hereby further amended by adding at the end thereof the following new section in title I:

"SEC. 24. The Secretary may by regulations prescribe conditions under which carcasses, parts of carcasses, meat, and meat food products of cattle, sheep, swine, goats, horses, mules, or other equines, capable of use as human food, shall be stored or otherwise handled by any person, firm, or corporation engaged in the business of buying, selling, freezing, storing, or transporting, in or for commerce, or importing such articles, whenever the Secretary deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited. However, such regulations shall not apply to the storage or handling of such articles at any retail store or other establishment in any State or organized Territory that would be subject to this section only because of purchases in commerce, if the storage and handling of such articles at such establishment is regulated under the laws of the State or Territory in which such establishment is located, in a manner which the Secretary, after consultation with the appropriate advisory committee provided for in section 301 of this Act, determines is adequate to effectuate the purposes of this section."

SEC. 14. Said Act is hereby further amended by adding after title I thereof, the following new sections as:

"TITLE II—MEAT PROCESSORS AND RELATED INDUSTRIES

"SEC. 201. Inspection shall not be provided under title I of this Act at any establishment for the slaughter of cattle, sheep, swine, goats, horses, mules, or other equines, or the preparation of any carcasses or parts or products of such animals, which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Secretary to deter their use for human food. No person, firm, or corporation shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in commerce, or import, any carcasses, parts thereof, meat or meat food products of any such animals, which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Secretary or are naturally inedible by humans.

"SEC. 202. (a) The following classes of persons, firms, and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses; and all persons, firms, and corporations subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Secretary, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value therefor—

"(1) Any persons, firms, or corporations that engage, for commerce, in the business of slaughtering any cattle, sheep, swine, goats, horses, mules, or other equines, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food or animal food;

"(2) Any persons, firms, or corporations that engage in the business of buying or selling (as meat brokers, wholesalers or otherwise), or transporting, in commerce,

or storing in or for commerce, or importing, any carcasses, or parts or products of carcasses, of any such animals;

"(3) Any persons, firms, or corporations that engage in business, in or for commerce, as renderers, or engage in the business of buying, selling, or transporting, in commerce, or importing, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules, or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter.

"(b) Any record required to be maintained by this section shall be maintained for such period of time as the Secretary may by regulations prescribe.

"SEC. 203. No person, firm, or corporation shall engage in business, in or for commerce, as a meat broker, renderer, or animal food manufacturer, or engage in business in commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any cattle, sheep, swine, goats, horses, mules, or other equines, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for commerce, or engage in the business of buying, selling, or transporting in commerce, or importing, any dead, dying, disabled, or diseased animals of the specified kinds, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless, when required by regulations of the Secretary, he has registered with the Secretary his name, and the address of each place of business at which, and all trade names under which, he conducts such business.

"SEC. 204. No person, firm, or corporation engaged in the business of buying, selling, or transporting in commerce, or importing, dead, dying, disabled, or diseased animals, or any parts of the carcasses of any animals that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation, in commerce, or import, any dead, dying, disabled, or diseased cattle, sheep, swine, goats, horses, mules or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless such transaction, transportation or importation is made in accordance with such regulations as the Secretary may prescribe to assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes.

"SEC. 205. The authority conferred on the Secretary by section 202, 203, or 204 of this title with respect to persons, firms, and corporations engaged in the specified kinds of business in or for commerce may be exercised with respect to persons, firms, or corporations engaged, in any State or organized Territory, in such kinds of business but not in or for commerce, whenever the Secretary determines, after consultation with an appropriate advisory committee provided for in section 301 of this Act, that the State or Territory does not have at least equal authority under its laws or such authority is not exercised in a manner to effectuate the purposes of this Act including the State providing for the Secretary or his representative being afforded access to such places of business and the facilities, inventories, and records thereof, and the taking of reasonable samples, where he determines necessary in carrying out his responsibilities under this Act; and in such case the provisions of section 202, 203, or 204, respectively, shall apply to such persons, firms, and corporations to the same extent and in the same manner as if they were engaged in such business in or for commerce and the transactions involved were in commerce."

SEC. 15. Said Act is hereby further amended by adding after title II thereof, the following new section as:

"TITLE III—FEDERAL AND STATE COOPERATION

"SEC. 301. (a) It is the policy of the Congress to protect the consuming public from meat and meat food products that are adulterated or misbranded and to assist in efforts by State and other Government agencies to accomplish this objective. In furtherance of this policy—

"(1) The Secretary is authorized, whenever he determines that it would effectuate the purposes of this Act, to cooperate with the appropriate State agency in developing and administering a State meat inspection program in any State which has enacted a State meat inspection law that imposes mandatory ante mortem and post mortem inspection, reinspection and sanitation requirements that are at least equal to those under title I of this Act, with respect to all or certain classes of persons engaged in the State in slaughtering cattle, sheep, swine, goats, or equines, or preparing the carcasses, parts thereof, meat or meat food products, of any such animals for use as human food solely for distribution within such State.

"(2) The Secretary is further authorized, whenever he determines that it would effectuate the purposes of this Act, to cooperate with appropriate State agencies in developing and administering State programs under State laws containing authorities at least equal to those provided in title II of this Act; and to cooperate with other agencies of the United States in carrying out any provisions of this Act.

"(3) Cooperation with State agencies under this section may include furnishing to the appropriate State agency (i) advisory assistance in planning and otherwise developing an adequate State program under the State law; and (ii) technical and laboratory assistance and training (including necessary curricular and instructional materials and equipment), and financial and other aid for administration of such a program. The amount to be contributed to any State by the Secretary under this section from Federal funds for any year shall not exceed 50 per centum of the estimated total cost of the cooperative program; and the Federal funds shall be allocated among the States desiring to cooperate on an equitable basis. Such cooperation and payment shall be contingent at all times upon the administration of the State program in a manner which the Secretary, in consultation with the appropriate advisory committee appointed under paragraph (4), deems adequate to effectuate the purposes of this section.

"(4) The Secretary may appoint advisory committees consisting of such representatives of appropriate State agencies as the Secretary and the State agencies may designate to consult with him concerning State and Federal programs with respect to meat inspection and other matters within the scope of this Act, including evaluating State programs for purposes of this Act and obtaining better coordination and more uniformity among the State programs and between the Federal and State programs and adequate protection of consumers.

"(b) The appropriate State agency with which the Secretary may cooperate under this Act shall be a single agency in the State which is primarily responsible for the coordination of the State programs having objectives similar to those under this Act. When the State program includes performance of certain functions by a municipality or other subordinate governmental unit, such unit shall be deemed to be a part of the State agency for purposes of this section.

"(c)(1) If the Secretary has reason to believe, by thirty days prior to the expiration of two years after enactment of the Wholesome Meat Act, that a State has failed to develop or is not enforcing, with respect to all establishments within its jurisdiction (except those that would be exempted from Federal inspection under subparagraph (2)) at which cattle, sheep, swine, goats, or equines are slaughtered, or their carcasses, or parts or products thereof, are prepared for use as human food, solely for distribution within such State, and the products of such establishments, requirements at least equal to those imposed under titles I and IV of this Act, he shall promptly notify the Governor of the State of this fact. If the Secretary determines, after consultation with the Governor of the State, or representative selected by him, that such requirements have not been developed and activated, he shall promptly after the expiration of such two-year period designate such State as one in which the provisions of titles I and IV of this Act shall apply to operations and transactions wholly within such State: *Provided*, That if the Secretary has reason to believe that the State will activate such requirements within one additional year, he may delay such designation for said period, and not designate the State, if he determines at the end of the year that the State then has such requirements in effective operation. The Secretary shall publish any such designation in the Federal Register and, upon the expiration of thirty days after such publication, the provisions of titles I and IV shall apply to operations and transactions and to persons, firms, and corporations engaged therein in the State to the same extent and in the same manner as if such operations and transactions were conducted in or for commerce: *Provided further*, That upon notification by the Governor of any State at any time after the date of enactment of the Wholesome Meat Act, that he waives for such State the periods of time specified herein, and requests the designation of the State under this paragraph (c), the Secretary shall designate such State in accordance with this paragraph. Thereafter, upon request of the Governor, the Secretary shall revoke such designation if the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act: *And provided further*, That, notwithstanding any other provision of this section, if the Secretary determines that any establishment within a State is producing adulterated meat or meat food products for distribution within such State which would clearly endanger the public health he shall notify the Governor of the State and the appropriate Advisory Committee provided by section 301 of the Act of such fact for effective action under State or local law. If the State does not take action to prevent such endangering of the public health within a reasonable time after such notice, as determined by the Secretary, in light of the risk to public health, the Secretary may forthwith designate any such establishment as subject to the provisions of titles I and IV of the Act, and thereupon the establishment and operator thereof shall be subject to such provisions as though engaged in commerce until such time as the Secretary determines that such State has developed and will enforce requirements at least equal to those imposed under title I and title IV of this Act.

"(2) The provisions of this Act requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments if such establishments are subject to such inspection provisions only under this paragraph (c).

"(3) Whenever the Secretary determines that any State designated under this para-

graph (c) has developed and will enforce State meat inspection requirements at least equal to those imposed under titles I and IV, with respect to the operations and transactions within such State which are regulated under subparagraph (1), he shall terminate the designation of such State under this paragraph (c), but this shall not preclude the subsequent redesignation of the State at any time upon thirty days notice to the Governor and publication in the Federal Register in accordance with this paragraph, and any State may be designated upon such notice and publication at any time after the period specified in this paragraph whether or not the State has theretofore been designated upon the Secretary determining that it is not effectively enforcing requirements at least equal to those imposed under titles I and IV.

"(4) The Secretary shall promptly upon enactment of the Wholesome Meat Act and periodically thereafter, but at least annually, review the requirements, including the enforcement thereof, of the several States not designated under this paragraph (c), with respect to the slaughter, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of such operations, and annually report thereon to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate in the report required under section 17 of the Wholesome Meat Act.

"(d) As used in this section, the term 'State' means any State (including the Commonwealth of Puerto Rico) or organized territory."

SEC. 16. Said Act is hereby further amended by adding after title III thereof, the following new sections as:

"TITLE IV—AUXILIARY PROVISIONS

"SEC. 401. The Secretary may (for such period, or indefinitely, as he deems necessary to effectuate the purposes of this Act) refuse to provide, or withdraw, inspection service under title I of this Act with respect to any establishment if he determines, after opportunity for a hearing is accorded to the applicant for, or recipient of, such service, that such applicant or recipient is unfit to engage in any business requiring inspection under title I because the applicant or recipient or anyone responsibly connected with the applicant or recipient, has been convicted, in any Federal or State court, of (1) any felony, or (2) more than one violation of any law, other than a felony, based upon the acquiring, handling, or distributing of unwholesome, mislabeled, or deceptively packaged food or upon fraud in connection with transactions in food. This section shall not affect in any way other provisions of this Act for withdrawal of inspection services under title I from establishments failing to maintain sanitary conditions or to destroy condemned carcasses, parts, meat or meat food products.

"For the purpose of this section a person shall be deemed to be responsibly connected with the business if he was a partner, officer, director, holder, or owner of 10 per centum or more of its voting stock or employee in a managerial or executive capacity.

"The determination and order of the Secretary with respect thereto under this section shall be final and conclusive unless the affected applicant for, or recipient of, inspection service files application for judicial review within thirty days after the effective date of such order in the appropriate court as provided in section 404. Judicial review of any such order shall be upon the record upon which the determination and order are based.

"SEC. 402. Whenever any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules, or other equines, or any product exempted from the definition of a meat food product, or any dead, dying, disabled, or diseased cattle, sheep, swine, goat, or equine is found by any authorized representative of the Secretary upon any premises where it is held for purposes of, or during or after distribution in, commerce or otherwise subject to title I or II of this Act, and there is reason to believe that any such article is adulterated or misbranded and is capable of use as human food, or that it has not been inspected, in violation of the provisions of title I of this Act or of any other Federal law or the laws of any State or Territory, or the District of Columbia, or that such article or animal has been or is intended to be, distributed in violation of any such provisions, it may be detained by such representative for a period not to exceed twenty days, pending action under section 403 of this Act or notification of any Federal, State, or other governmental authorities having jurisdiction over such article or animal, and shall not be moved by any person, firm, or corporation from the place at which it is located when so detained, until released by such representative. All official marks may be required by such representative to be removed from such article or animal before it is released unless it appears to the satisfaction of the Secretary that the article or animal is eligible to retain such marks.

"SEC. 403. (a) Any carcass, part of a carcass, meat or meat food product of cattle, sheep, swine, goats, horses, mules or other equines, or any dead, dying, disabled, or diseased cattle, sheep, swine, goat, or equine, that is being transported in commerce or otherwise subject to title I or II of this Act, or is held for sale in the United States after such transportation, and that (1) is or has been prepared, sold, transported, or otherwise distributed or offered or received for distribution in violation of this Act, or (2) is capable of use as human food and is adulterated or misbranded, or (3) in any other way is in violation of this Act, shall be liable to be proceeded against and seized and condemned, at any time, on a libel of information in any United States district court or other proper court as provided in section 404 of this Act within the jurisdiction of which the article or animal is found. If the article or animal is condemned it shall, after entry of the decree, be disposed of by destruction or sale as the court may direct and the proceeds, if sold, less the court costs and fees, and storage and other proper expenses, shall be paid into the Treasury of the United States, but the article or animal shall not be sold contrary to the provisions of this Act, or the laws of the jurisdiction in which it is sold: *Provided*, That upon the execution and delivery of a good and sufficient bond conditioned that the article or animal shall not be sold or otherwise disposed of contrary to the provisions of this Act, or the laws of the jurisdiction in which disposal is made, the court may direct that such article or animal be delivered to the owner thereof subject to such supervision by authorized representatives of the Secretary as is necessary to insure compliance with the applicable laws. When a decree of condemnation is entered against the article or animal and it is released under bond, or destroyed, court costs and fees, and storage and other proper expenses shall be awarded against the person, if any, intervening as claimant of the article or animal. The proceedings of such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any case, and all such proceedings shall be at the suit of and in the name of the United States.

"(b) The provisions of this section shall in no way derogate from authority for condemnation or seizure conferred by other provisions of this Act, or other laws.

"SEC. 404. The United States district courts, the District Court of Guam, the District Court of the Virgin Islands, the highest court of American Samoa, and the United States courts of the other Territories, are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of, this Act, and shall have jurisdiction in all other kinds of cases arising under this Act, except as provided in section 7(e) of this Act.

"SEC. 405. Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of his official duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of his official duties under this Act shall be punished as provided under sections 1111 and 1114 of title 18, United States Code.

"SEC. 406. (a) Any person, firm, or corporation who violates any provision of this Act for which no other criminal penalty is provided by this Act shall upon conviction be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both such imprisonment and fine; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in section 1(m)(8) of this Act), such person, firm, or corporation shall be subject to imprisonment for not more than three years or a fine of not more than $10,000, or both: *Provided*, That no person, firm, or corporation, shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this Act if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Secretary the name and address of the person from whom he received such article or animal, and copies of all documents, if any there be, pertaining to the delivery of the article or animal to him.

"(b) Nothing in this Act shall be construed as requiring the Secretary to report for prosecution or for the institution of libel or injunction proceedings, minor violations of this Act whenever he believes that the public interest will be adequately served by a suitable written notice of warning.

"SEC. 407. For the efficient administration and enforcement of this Act, the provisions (including penalties) of sections 6, 8, 9, and 10 of the Act entitled 'An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes', approved September 26, 1914 (38 Stat. 721–723, as amended; 15 U.S.C. 46, 48, 49, and 50) (except paragraphs (c) through (h) of section 6 and the last paragraph of section 9), and the provisions of subsection 409(1) of the Communications Act of 1934 (48 Stat. 1096, as amended; 47 U.S.C. 409(1)), are made applicable to the jurisdiction, powers, and duties of the Secretary in administering and enforcing the provisions of this Act and to any person, firm, or corporation with respect to whom such authority is exercised. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this Act in any part of the United States, and the powers conferred by said sections 9 and 10 of the Act of September 26, 1914, as amended, on the district courts of the United States may be exercised for the purposes of this Act by any court designated in section 404 of this Act.

"SEC. 408. Requirements within the scope of this Act with respect to premises, facilities and operations of any establishment at which inspection is provided under title I

of this Act, which are in addition to, or different than those made under this Act may not be imposed by any State or Territory or the District of Columbia, except that any such jurisdiction may impose recordkeeping and other requirements within the scope of section 202 of this Act, if consistent therewith, with respect to any such establishment. Marking, labeling, packaging, or ingredient requirements in addition to, or different than, those made under this Act may not be imposed by any State or territory or the District of Columbia with respect to articles prepared at any establishment under inspection in accordance with the requirements under title I of this Act, but any State or Territory or the District of Columbia may, consistent with the requirements under this Act, exercise concurrent jurisdiction with the Secretary over articles required to be inspected under said title, for the purpose of preventing the distribution for human food purposes of any such articles which are adulterated or misbranded and are outside of such an establishment, or, in the case of imported articles which are not at such an establishment, after their entry into the United States. This Act shall not preclude any State or Territory or the District of Columbia from making requirement or taking other action, consistent with this Act, with respect to any other matters regulated under this Act.

"SEC. 409. (a) Notwithstanding any other provisions of law, including section 902(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 392(a)), the provisions of this Act shall not derogate from any authority conferred by the Federal Food, Drug, and Cosmetic Act prior to enactment of the Wholesome Meat Act.

"(b) The detainer authority conferred by section 402 of this Act shall apply to any authorized representative of the Secretary of Health, Education, and Welfare for purposes of the enforcement of the Federal Food, Drug, and Cosmetic Act with respect to any carcass, part thereof, meat, or meat food product of cattle, sheep, swine, goats, or equines that is outside any premises at which inspection is being maintained under this Act, and for such purposes the first reference to the Secretary in section 402 shall be deemed to refer to the Secretary of Health, Education, and Welfare.

"SEC. 410. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act."

SEC. 17. The Secretary shall annually report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture and Forestry of the Senate with respect to the slaughter of animals subject to this Act, and the preparation, storage, handling and distribution of carcasses, parts thereof, meat and meat food products, of such animals, and inspection of establishments operated in connection therewith, including the operations under and effectiveness of this Act.

SEC. 18. The provisions relating to equine meat and meat food products beginning with the phrase "And, hereafter," under the heading "BUREAU OF ANIMAL INDUSTRY" and the subheading "MEAT INSPECTION, BUREAU OF ANIMAL INDUSTRY:" in the Act approved July 24, 1919, entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and twenty" (41 Stat. 241; 21 U.S.C. 96), and paragraph (b) of section 306 of the Tariff Act of 1930 (46 Stat. 689, as amended; 19 U.S.C. 1306(b)) are hereby repealed.

SEC. 19. If any provision of this Act or of the amendments made hereby or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the remaining amendments and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 20. This Act shall become effective upon enactment except as provided in paragraphs (a) through (d):

(a) The provisions of paragraph (b)(1) and (c) of section 10 and the provisions of section 20 of the Federal Meat Inspection Act, as amended by sections 7 and 10 of this Act, and the provisions of section 18 of this Act repealing paragraph (b) of section 306 of the Tariff Act of 1930, shall become effective upon the expiration of sixty days after enactment hereof.

(b) The provisions of title I of the Federal Meat Inspection Act, as amended by this Act, shall become effective with respect to equines (other than horses) and their carcasses and parts thereof, meat, and meat food products thereof upon the expiration of sixty days after enactment hereof.

(c) Section 11 of this Act, amending section 23 of the Federal Meat Inspection Act, shall become effective upon the expiration of sixty days after enactment hereof.

(d) Section 204 of the Federal Meat Inspection Act, as added by section 14 of this Act, shall become effective upon the expiration of sixty days after enactment hereof.

Mr. MANSFIELD. Mr. President, there will be no further business this afternoon—that is, no voting; but I do wish to reiterate to the Senate that there is a very strong possibility there will be votes on Monday next——

Mr. GORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. GORE. Mr. President, unauthorized personnel are now on the floor of the Senate making for confusion, which makes it impossible to hear what the majority leader just said. Could we not have the Chamber cleared?

The PRESIDING OFFICER. All such personnel will leave the Chamber immediately and the Sergeant at Arms will carry out the order of the Chair.

Mr. MANSFIELD. Mr. President, in order that there will be no confusion as to what I said, the pending business is the so-called Federal Meat Inspection Act, reported unanimously by the Committee on Agriculture and Forestry.

There will be no further voting today, but it is the opinion of the joint leadership that there is a very, very strong possibility of votes on Monday, not only on the pending business, but also on other measures.

Mr. MAGNUSON. Mr. President, when does the Senator expect to bring up the postal rate and pay raise bill?

Mr. MANSFIELD. On Tuesday next, to be followed by the military pay raise.

Mr. MAGNUSON. I thank the Senator.

Mr. DIRKSEN. Mr. President, it is 33 years ago that I voted for the original social security bill in the House of Representatives.

During those intervening years, the program has been improved but, also, a great deal of mischief has been wrought.

I voted for the bill today to commit it to the tender keeping of the conference committee, so that at least some of this mischief can be undone.

Mr. HOLLAND. Mr. President, I would have been glad to vote for the bill today, under other circumstances.

I regret, however, that this "Thanksgiving turkey" had so much stuffing in it that it could not possibly absorb it.

I think that the Senator from Delaware [Mr. WILLIAMS] correctly stated the matter when he said that the benefits under the bill, swollen as it is, may be twice what they should be, to be financed by the financing arrangement provided by the bill.

Mr. President, I regret that the bill got into such shape. I wish my friend, the distinguished Senator from Louisiana [Mr. LONG], well in conference. I hope he will bring back a bill more like the one that was reported by his committee or, hopefully, more like the one that came over to us from the other body. I shall certainly be glad to support it if it is in reasonable proportions and if it is not so swollen by proposed benefits and without appropriate means to finance it. I think that as passed, it is impossible to do that. I hope that the bill will come back in good shape, so that I can support it.

Mr. HARTKE. Mr. President, I do believe that one bit of explanation is due. As I have said repeatedly, the social security bill is a landmark bill. It provides some benefits which are necessary.

With all due respect to the Senator from Florida [Mr. HOLLAND], this turkey is not overstuffed. For some people, it is going to be a pretty thin Thanksgiving, when all they are going to receive is less than $1,000 a year to live on.

Congress has been very meager in taking care of the country's elderly people. At the same time, repeated efforts are made on the floor of the Senate for all kinds of expensive ideas and programs which contribute little to the man on the street and children and the elderly. We voted $70 billion for military appropriations. The total cost of the social security bill will be less than one-half of the year's cost of the war in Vietnam. That puts into proper perspective exactly how much priority we are giving to the old people of America, our own people, and how we are neglecting the business of America while we are preoccupied with a war that is taking place 10,000 miles from home.

I hope and pray that that war will be brought to an end and that we will fulfill the mandate for the Great Society programs, which the country had a chance to vote on in 1964.

The 1964 campaign was very definitely fought and decided on the issue which was decided on the floor of the Senate and voted upon today.

As Senators will recall, there were two great symbols in that campaign. One was the tearing up of the social security cards. Thank goodness we did not tear them up today. We made the social security system stronger. The other symbol was portrayed so vividly upon my memory, that of the little girl picking a daisy, with a background of mushroom clouds. We had the decision to make as to whether or not we were going into a military escalation, a military involvement overseas, taking the young people of America, taking the dollars of America, taking the treasure of America. Were we going to follow the designs of what we and the Democratic Party characterized as a trigger-happy candidate, or were we going to follow peaceful pursuits, a doctrine of the affirmation of life, and not of death, an affirmation of peace,

and not of war, an affirmation of hope, and not of despair? And these were questions for the old people, too. And the people of America overwhelmingly said that the issue was clearly drawn, and they voted the greatest mandate for peace that this Nation has ever shown. President Johnson was given a mandate for peaceful pursuits and for the Great Society programs.

Now we are seeing daily the necessity for cutting back on Great Society programs. Thank goodness, we did not cut this social security program back. I was the one who advocated the administration policy. I advocated the policy sent here by President Johnson. I was the one who introduced the amendments in committee for that policy. I introduced those amendments for the President. I am not ashamed of what he had to say. I just wish he had followed through on the full mandate. I want him to continue policies and programs for his announced Great Society. I encourage him in this.

I find it very regrettable when we see posters throughout the Nation asking the people of the Nation to turn over pennies and dimes for retarded children, when this Congress authorized what it did for the benefit of retarded children. But we say now we cannot provide the money for that purpose, because of the Vietnam war. Fifteen million dollars is what we spent last year. We should have spent $30 million by the mandate that was given. That is not very much. That is about what 8 hours of the war in Vietnam costs us. But that is judged to be too expensive, and we cut back for the mental retardation facilities to about a half day's cost of the war.

I think it is very important for the people of the United States to understand what the Senate has done today. It has reaffirmed the mandate for peace made in 1964. Let us show that we want to turn this Christmastide into a pageant for peace, not a theater of war. I would like to have us return to the doctrines of peace.

With due respect for General Westmoreland, more people have been killed in Vietnam while he has been telling us about the great victories in that war. The most serious battle of that war has been going on over there in the meantime. We have given him every dollar he has asked for. We have put no strings on the appropriations. This Congress has not told him in what direction he shall fight the war. He has a right to bomb as he wants. This Congress has not put any strings on its appropriations.

I think this is a time when we should see the true picture. This is a time when a great deal of soul searching must go on. Thank goodness that the Senate did not turn its back on the old people of America.

I hope we will get on with the business of America. We have forgotten Americans. We have forgotten them because of something called Vietnam, because of a man called Ho Chi Minh, as if Ho Chi Minh is going to come to the doors of San Francisco tomorrow morning. They say we have a war with China. There is no war with China that I know of. For 26 years they have been fighting there. Probably there are some Chinese helping them, but we have half a million of our own people there. The populations of North and South Vietnam are about even. We have a half million of the best trained American troops there, all of our technology, all of our planes, all of the money of the greatest, most powerful nation in the world. Yet, some way, we do not seem to be able to win, because it is not that kind of war.

Month after month after month we see the American casualty lists from South Vietnam amounting to more than the casualty lists of the South Vietnamese themselves.

These are questions on which the Secretary of State should come and discuss before the Foreign Relations Committee. I say to you, Mr. Chairman, I do not excuse the Foreign Relations Committee for not demanding that he come and testify publicly before the people who have a vital interest in the security of this country. What excuse is there for him to say, "I cannot tell the Senators of the United States in public session what this war is all about"?

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

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

Mr. HARTKE. I yield to the Senator from Arkansas.

Mr. HOLLAND. Mr. President, I asked the Senator to yield first.

Mr. HARTKE. I will yield to the Senator from Florida. I yield first to the chairman of the Foreign Relations Committee. I made reference to him, and he may want to answer that comment.

Mr. FULBRIGHT. Mr. President, I wish to reply to the Senator's statement with regard to the Committee on Foreign Relations. Since he made a similar request or statement some time ago, the committee itself met in executive session with the Secretary of State and we discussed for nearly 3 hours his coming before the committee in public session. He took it under advisement. He did not want to make a decision at that time. This was about 2 weeks ago. He said he would notify the committee very promptly thereafter as to his decision as to whether he could come or not.

Then he called me again on Sunday night and said he regretted not being able to make a decision as to whether he should come in public session. He said he would need more time to make up his mind and make his decision. He did not make an absolute promise, but he intimated that at the beginning of the next week he would let the committee know if he would come in public session.

I want to state to the Senator from Indiana that, as a constitutional matter, I do not believe my committee can force the Secretary of State to come in public session. He is an official appointed by the President, and I think under the constitutional principle of the division of powers he is immune to subpena to come before the committee.

I have done everything I can. This is the third or fourth time we have asked him to come. At the last meeting, although there are some members of the committee who do not believe he should come, but I believe the majority does; I am confident the majority believes he should come to a public session, as I believe he should, to explain this policy. I believe it would be to his own interest, to the country's interest, and certainly to the committee's interest, if he would come. So I do not think the committee has been delinquent in its efforts to get the Secretary to come before it in public session.

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

Mr. FULBRIGHT. That is about all I have to say about that.

Let me add this word. I want to associate myself with one idea of the Senator from Indiana, with particular reference to some of the comments that have been made with regard to this bill as if this bill was the reason for the deficit, or a primary reason for a deficit, a disarray, a dislocation of not only our economy but that of Great Britain.

Yesterday afternoon someone made a powerful speech about calling our attention to the collapse, practically, of the economy of Great Britain and intimating the social security bill is one of the principal reasons.

I only wish to agree with the Senator from Indiana that this is not a very accurate sense of perspective. I think the war in Vietnam is the primary cause of the difficulties we are confronting, both social and economic, in this country, and also contributes to the dislocation of the economies of other countries.

This prognostication about Great Britain is very ominous to me, because if we follow the imperial example of Great Britain, it will not be too long before we will be in exactly the same position. It will not be because of social security; it will be because of our stupid policy in Southeast Asia.

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

Mr. HARTKE. Mr. President, in just one moment. Before I yield, I say to the chairman of the Committee on Foreign Relations, I understand the persistence with which he has insisted upon the attention of the Nation being focused on the fact that the Secretary of State has not appeared publicly and explained that high and noble purpose, which the American people have a right to hear explained before they send their young men to die.

I am not a member of the Committee on Foreign Relations, but I do think it is necessary for the Secretary of State to explain, and publicly explain, to this Nation what the war is all about.

We have seen their staged public displays throughout the country, in front of their own klieg lights, on their own platforms. In some cases there are patsy questions, served like a softball so that they can hit it straight out in left field.

I do not care how many appearances like that they make, even at Indiana University; if the Secretary of State wants to come to my State and make statements, he may do so. Whether he wants to answer the questions of students is his own business.

But it is my opinion that good faith requires, if he does that, if he goes out to the highways and byways and speaks to

the public, he ought also to appear publicly before that responsible group who have been elected to public office, who want to be able to tell their constituents exactly what the Secretary of State means when he says thus and so. He will testify in public in the presence of everybody else; I think it is only fair to American mothers, wives, and sweethearts, only fair to the people of this Nation, that he appear to shed some light on this definite area of anxiety. They may say as often as they wish that it should be obvious to the country what we are doing there; but I say that all America is asking why, and asking why in increasing numbers.

I yield to my friend from Florida.

Mr. HOLLAND. I thank the Senator for yielding.

Adverting, if I may, to the social security bill—because that is the subject on which the able Senator from Indiana began his remarks—I ask him whether he is of the impression that the financing portion of the bill is anything like adequate to cover the commitments made by the portions of the bill that create benefits with a very lavish hand.

Mr. HARTKE. I certainly do. If the distinguished Senator will look on page 9 of the Social Security Amendments of 1967, if he has any faith in the actuary—who has been here for years, even through the Republican administration—as I pointed out in my remarks earlier, before the passage of the bill, not alone is the financing adequate, but by 1972, will exceed the needed amount by $8.6 billion, with a whole year's payments in reserve.

The prosperity of America has made such an increase possible. All one has to do is look at it. This year alone, as provided by the Finance Committee, we will have contributions of $31.2 billion. How much of that money will be put into people's pockets? We are going to put in their pockets $29 billion. The arithmetic is very simple—a difference of $2.2 billion.

I argued in the committee that it was too much. This bill is overfinanced. There is no question about it. No insurance company could competitively stay in business, if it were managed in the same way this bill is being run, because it would have priced itself out of the market. We are collecting too much in excess of what we need.

There is no reason why a man working on a factory assembly line, or his employer, should be required to pay money into the fund beyond what is necessary to pay for the benefits to be received. That was the original concept of social security, and that is the concept under which it should be operated now. But here, for the first time in the history of the social security law, there is an attempt to make it an instrument of fiscal policy, so that the Treasury could borrow money from the social security fund—which is legal—at a lower interest rate than available in the marketplace, to finance the war in Vietnam.

Whether you approve or disapprove of the war is immaterial; it has to be paid for, and this is one way they seek to do it.

Mr. HOLLAND. May I say that I appreciate the Senator's brief answer, and I must say that so far as I am informed, the machinery to finance social security is inadequate to finance, not the original bill——

Mr. HARTKE. In what year?

Mr. HOLLAND. I am talking about the swollen bill which we have just passed, and which has been inflated by dozens of amendments.

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

Mr. HOLLAND. There is one more question I wish to ask the Senator, if I may, and I hope he will be at least equally brief in answering that one.

I understand that the distinguished Senator supported ardently the President's bill for the social security improvements. Do I understand the Senator feels that this bill which we have just passed has even the remotest resemblance to the President's request?

Mr. HARTKE. It certainly does. If the Senator wishes to go through the whole measure, I can go through the entire bill. I sat there through most of it; I think my attendance before that committee was as good as anybody else's.

Mr. HOLLAND. It seems to me that anyone who wants to read this bill, and reads the President's request, is bound to come to the conclusion that this bill is no more like the President's bill than day is like night; and that, to the contrary, this is an extremely swollen bill, with numerous provisions in it which cannot be financed, and which I hope will be cut out in conference, so we will have a reasonable approach to this program, because I do not want to see our old people persuaded that they have something they have not got, or that Congress has done something for them which it has not done, because here is a bill which is not properly financed, which could not stand under its own weight, and which I hope will come back, under the able leadership of the Senator from Louisiana, out of conference in a much better form, so that we may support it and say to our elderly friends, "We have given you something that is meaningful, because we have provided for the payment of the additional benefits which we are voting."

I thank the Senator for yielding.

Mr. HARTKE. Mr. President, I just want to say that I am sure the Senator from Florida is persuaded by somebody, some place, that there is a great discrepancy between this bill and the President's message. I know that the President himself would say that this bill, in its main propositions, is identical to the message which he sent.

It calls for a 15-percent increase, across the board, and calls for a minimum benefit of $70 a month, as recommended by the President.

It calls for an increase in benefits for those over the age of 72, as recommended by the President.

It calls for fairness in treatment of retirees for disability, the same over the age of 52 as over the age of 67, as recommended by the President.

The basic provisions of the President's message are incorporated in the Finance Committee bill. The House of Representatives cut it back to 12 percent, and cut the minimum payment to $50.

The House bill was short of what the President had recommended. This, in all substantial respects, is exactly the same as what the President recommended.

As to the financing, the financing provided in this bill, not taking into consideration last night, which is not material in the long run—even though the Senator may think so, it is not——

Mr. HOLLAND. Does the Senator mean that the amendments we passed last night can be brushed off without any consideration?

Mr. HARTKE. In most cases that is right.

Mr. HOLLAND. I thank the Senator.

Mr. HARTKE. The financing, as recommended by the President, called for a surplus of collections over expenditures of $300 million. The financing of this bill, even though I did not approve of it, calls for a surplus of collections over expenditures of $2,100 million—some $1,800 million more in excess than the President recommended.

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

Mr. HARTKE. So if Senators think that is fiscally responsible—which I think is fiscally irresponsible, to collect more than you need in a social security fund—but if that is the Senators' definition of fiscal responsibility, this Finance Committee bill, according to that definition, is $1,800 million more fiscally responsible than the message the President sent down here.

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

Mr. HARTKE. I yield.

Mr. HOLLAND. Mr. President, what did the Senator mean in his earlier statement when he said: "This bill was too much." Those were the words he used.

Mr. HARTKE. I said there is too much money in the bill. There is too much collection of money. We are taking from the employers and employees more than we should take. We are telling the employers and employees they should put in more money. In the financing of this bill we are to go back to every employer and employee in America and say, "We want to tax you more than is necessary."

That is what this bill has done. However, I could not persuade the Finance Committee or some of the Senators to whom I spoke. However, this is a fact.

By the year 1972 we will have $8.6 billion more in the trust fund than we will be paying out in benefits in that year alone, plus 1 year in reserve.

Mr. FULBRIGHT. Mr. President, the Senator did do a good deal about this particular matter. Did not the bill from the Finance Committee provide for a surplus of over $4 billion?

Mr. HARTKE. This was the original adoption.

Mr. FULBRIGHT. And the Senator did succeed in cutting that.

Mr. HARTKE. It was more than $5 billion in excess.

Mr. FULBRIGHT. The Senator did succeed in cutting down the surplus above the payments of about $2.1 billion.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. He did cut that in about half.

Mr. HARTKE. The purpose of the Finance Committee was that they were going to put a slush fund in there of $5 billion so that the Treasury could go over and borrow that money. That was the argument. There is no dispute about it. There is no dispute about the fact that we need money to finance the bill.

They said that we needed to take the money out of the economy and that this would be the way to take the money out of the economy.

This was the argument of the ranking minority member, and it was the argument, for a while, even of the administration.

Mr. FULBRIGHT. Will the Senator state the present accumulated surplus in the social security fund?

Mr. HARTKE. The accumulated surplus was $29 billion for last year after payments of $25 billion, which means that there was a surplus of $4 billion.

Mr. FULBRIGHT. Accumulated surplus.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. That means that over a period that much more has been collected in its accounts than has been paid out.

Mr. HARTKE. The Senator is correct.

Mr. FULBRIGHT. I want the Senator from Florida to be convinced. He seems to intimate that this whole program is spending more in benefits than has been collected either in the past or at the present.

Mr. HARTKE. The Senator is exactly right.

Mr. FULBRIGHT. However, if I understood the experts and the staff and others correctly, that just is not so.

Mr. HARTKE. The Senator from Arkansas is exactly right.

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

Mr. HARTKE. I will be glad to yield to the Senator from Florida.

Mr. HOLLAND. The Senator from Arkansas underestimates his friend, the Senator from Florida.

The Senator from Florida knows the entire situation in that pool.

I know that the past and present purpose is to keep in that fund enough to cover a year's payments.

I know that does not approach the degree of safety actuarially that is required of insurance companies and others. This is an insurance program.

Mr. FULBRIGHT. The Senator is correct.

Mr. HOLLAND. And I am well advised about the program. I know that with all of the amendments stuck on the bill, which the distinguished senior Senator from Indiana says can be brushed off, these are amendments that cannot be financed by the bill.

The Senator from Florida is not willing to vote for a bill that has an accumulation of all those amendments. And he cannot see how any other Senator would vote for it.

These were amendments that the Senator from Indiana has admitted have to be brushed off. Well, we cannot brush off the action of a great body like the Senate of the United States in solemnly voting funds which they know cannot be paid and which they know are not going to be paid.

The Senator from Florida is not going to vote for such a bill. When the bill goes to the House, I hope it will brush off—and those were the words of the Senator from Indiana, and they are very accurate words—a lot of the amendments in conference. I will then be glad to vote for that bill. However, I will not be on record as promising the old people something which cannot be done.

The Senator from Arkansas knows that it cannot be done. And the Senator from Indiana knows that it cannot be done.

The Senator from Indiana speaks of these amendments as amendments that will have to be brushed off. Let us brush them off, but we ought to have brushed them off and defeated them before we put them in the bill.

Mr. HARTKE. Mr. President, I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I thank the able Senator for yielding.

I compliment and congratulate the able senior Senator from Indiana for the contribution he has made to the consideration and to the writing of the social security bill which has just passed.

I concur in large part with the statements the able Senator has made with respect to the financing. I believe that the actuarial experts of the Social Security Administration will confirm the statements of the Senator from Indiana.

It is a matter of judgment as to whether it is wise to levy a tax to provide revenue somewhat in excess of anticipated benefit payments.

I leaned toward a resolution of that doubt in favor of a surplus in the social security trust fund.

I wish to add that it is now my feeling that we have levied taxes upon payrolls to the maximum feasible extent. Benefits added hereafter, in my present view, to the extent they cannot be funded by taxes provided in the pending bill, should be financed from the general revenue.

But the primary purpose for which I rose was to make some comments upon the criticism which the Senator has leveled against the Committee on Foreign Relations for not insisting upon the appearance of the Secretary of State in public session with respect to the policy of the U.S. Government in Southeast Asia.

In part, I believe the action of the committee is subject to question; and unless it pursues the issue, it will be subject to criticism. The able chairman of the committee has related to us the repeated efforts which he has made to secure the appearance of the Secretary of State at a public session of the Foreign Relations Committee. This is well and good.

I should like to relate to the Senator that prior to the Secretary's recent appearance in executive session with the committee on this subject, I had introduced a motion in the committee which would have directed the chairman to communicate with President Johnson the committee's concern over this threatened break in communication between the Executive and the U.S. Senate on this critical issue. It was my view then, from expressions around the committee table, that a majority would have voted in favor of my motion.

The distinguished majority leader suggested that Secretary Rusk be invited to appear before the committee in executive session, to discuss the advisability of a public hearing. Thereupon, I withdrew my motion. I thought the suggestion of the distinguished majority leader to be preferable, because it is better that we preserve this comity; and if it can be preserved without one branch pressing its rights and duties and prerogatives on the other, that is good.

The session with the Secretary was very satisfactory, at the conclusion of which, as the chairman of the committee has related, the Secretary said he would advise the committee promptly. There was no definition of that term.

I had intended on Monday of this week to communicate with the chairman, requesting a further meeting of the committee, to renew my motion, the committee not having heard from the Secretary of State. However, as the chairman has related, on Sunday night the Secretary of State communicated with him by telephone, and in effect requested some additional time in which to reach a decision. Therefore, I further withheld the motion.

I wish to say that this is not a decision which is the responsibility of the Secretary of State. This is an issue in which the President of the United States and the U.S. Senate have a constitutional responsibility. The Constitution places the Senate and the President in a position of limited partnership with respect to this Nation's foreign affairs and the conduct of its policy. I need not enumerate the constitutional responsibilities and powers of the Senate—advice and consent, use of Armed Forces, confirmation, ratification, and so forth.

So I should like to say to the able Senator that I would not be satisfied with a negative decision of the Secretary of State. If there is to be a breakdown in public communication—such communication being essential in a democracy—between the President and the U.S. Senate, I want the responsibility placed where it belongs. I do not anticipate an unfavorable reply from the Secretary of State, because I believe President Johnson is fully aware of the responsibility to the people with which not only he, as President, is charged, but also with which the U.S. Senate is charged by the Constitution.

Mr. MORSE. Mr. President, will the Senator yield to permit me to make one comment?

Mr. GORE. I yield.

Mr. MORSE. Does the Senator think that the President of the United States has been unaware of this controversy for weeks? Why has the President remained silent? The American people have been entitled to have President Johnson order the Secretary of State before the Committee on Foreign Relations.

The Senator has put the responsibility where it belongs—on the doorstep of the White House. But I do not share the view of the Senator from Tennessee, if I interpret his remarks correctly, that we

should wait any longer for the President. The President should have acted a long time ago in regard to a basic constitutional issue—that is, whether or not a Cabinet officer will be allowed to refuse to come before a legislative committee of Congress and testify in public.

Mr. GORE. Mr. President, as I have said, it has appeared to me that patience on the part of the Senate might be the better part of wisdom. Surely, there must be an end to that practice. But I believe that the ultimate preservation of the equation, preserving the vitality of communication in the public interest, is the most important objective here.

I started to comment about responsibility to the public and President Johnson's awareness of that responsibility. What greater issue is there than that of peace or war? What can be the subject of more vital debate than whether American boys are being sent to fight and die for a cause in which our national security is truly involved?

Now, it is good to communicate to the public on a one-way line, some communication being better than none. It is better to communicate to the public accurately and fully, and this cannot be accomplished by a one-way line—although that is good insofar as it goes—but only by incisive examination of the issues.

Yesterday, General Westmoreland appeared before the National Press Club and outlined the war strategy for all to read. Had a dissenter ventured to outline the military strategy for the next 2 years of the war in Vietnam, I wonder if someone would not have raised the question whether this was an aid to the enemy.

As I understand the general's statement, perhaps inadequately, we are advised now that the plan for 1968 is an undertaking to liquidate the war in the northern part of Vietnam, and to encourage the South Vietnamese Army then to take over the major part of responsibility in that area. Whether this comtemplated role can be described as a holding operation or pacification I am not sure. But then, after 1968, as I read the strategy, it is for the U.S. Army to plunge heavily into the essentially civil war portion of the war in the delta, where we are advised that almost 100 percent of the enemy is not North Vietnamese but indigenous people of South Vietnam who have for years been in strife, or civil war, with the Government in Saigon.

I did not rise to discuss the strategy which General Westmoreland outlined. Whether this is a wise course I do not wish to question at this time. I only make the point that communication is being had with the American people, but it is on a one-way line.

Members of the U.S. Senate, who are versed in the history of the area, of the people involved, who are conversant with the conferences, the background information, who have seen some of the cables, and who have been privy to much of the confidential information, could subject advocates of the policies to an examination of those policies, not contentiously, I hope, but with probity and incisiveness in order to arrive at a wise policy on which the American people could unify.

Mr. President, what this country needs is unity and a policy; unity and a wise policy. How do we achieve that in a democracy? By one-way communication? I do not think so. Unless we can achieve unity through the educational process, through public understanding, through debate, through public analysis of policies and objectives, then that unity is not achievable except by methods which are not consistent with the traditions of America.

Mr. President, a few days ago President Johnson held a press conference in which, in response to a question, he said the United States is resisting aggression in South Vietnam.

The day before, I believe, I was in communication with a high administration official. I inquired as to what is the organized military strength of the North Vietnamese military now in South Vietnam. The answer was 55,000 troops. I asked him if the United States of America did not have approximately 500,000 troops there. That was affirmed.

I asked: Under what circumstances could we have peace there, in light of this aggression which we are resisting? His answer was that if North Vietnam would withdraw its troops there can be peace.

That sounds very well on a one-way communication to the American people. But I asked a second question: If North Vietnam would withdraw her 55,000 troops, would the United States withdraw her 500,000 troops, and permit self-determination by the South Vietnamese. The answer was equivocal.

I asked: If North Vietnam would withdraw her 55,000 troops, what portion of our 500,000 troops, or thereabouts, would we withdraw? Again the answer was equivocal.

So, Mr. President, if 500,000 troops, with the great mobility we have, with our air power, with the overwhelming firepower we have, cannot in some way deal with 55,000 less-equipped, less-mobile troops, then there must be some other element present. There is. That other element is the civil war element; the civil strife that has long existed in South Vietnam, which, indeed, was promoted by the French during their occupation, by the old strategy of dividing in order to rule or conquer.

Mr. President, a statement which sounds plausible and may be accepted without question by many can be made to the American people on a one-way communication. However, there are many persons who will not accept bland statements. There can be no unity in this country until the Government of the United States is willing to discuss freely and openly with representatives of the American people before the American people in public session the great issue of war and peace.

What are our objectives, long-range and intermediate, in Vietnam? Is this a worthy cause? Is it a cause in which our national security is vitally involved? For what lesser cause should we send our young men to fight and die?

So, Mr. President, without making a speech, which I surely had not intended to do, let me say to the distinguished and able senior Senator from Indiana that unless the committee does press the issue his criticism will be well based.

I concur in the patience of the chairman—thus far. But, unless we have an answer next week, in the affirmative, I shall communicate with him, asking for a session of the committee to renew my motion. Once this issue is brought squarely to the attention of the President, I am confident that with his devotion to the principles of democracy, with his dedication to the precepts and the principles of a government of the people, by the people, and for the people, his belief in the people's right to know, this decision will not be left for the Secretary of State to make. I would not leave it just for the President to make. The Senate is not without its powers, just as it is not without its constitutional responsibility and duty.

I close by asking the distinguished and able senior Senator from Indiana to be patient a little longer, but unless this public communication eventuates, then the committee and the Senate is subject to censure unless it presses the performance of its duty which, in my view, is clearly constitutionally fixed.

I thank the able Senator.

Mr. HARTKE. I want to thank the able Senator from Tennessee. I quite concur with his statement that a great constitutional question is involved.

THE SOUTH VIETNAMESE ARMY

Mr. THURMOND. Mr. President, the October 17 issue of the Washington Daily News published an article containing certain charges leveled at the capability of the South Vietnamese Army. This article alleged that a Member of the Senate complained that the United States was saddled with a military white elephant in Vietnam.

Specifically he charged that—

(1) Some American Intelligence officers estimate that as many as 30 per cent of the soldiers in the South Vietnamese Army are sympathizers or agents of the Viet Cong; (2) the South Vietnamese Army is riddled with corruption and inefficiency.

After reading this piece in the Washington paper I wrote Hon. Ellsworth Bunker, American Ambassador to Vietnam, and asked if he had information to refute the above charges. I have recently received from our Embassy at Saigon a letter signed by the Chargé d'Affaires which indicates that the first charge is unfounded. With regard to the charge of corruption in the South Vietnamese Army, this letter points out that the Vietnamese have organized an inspector general system similar to our own and have recently charged some 50 officers of various ranks with corrupt activities.

Mr. President, I am pleased to have this report from our Embassy and even more pleased to see this defense of the South Vietnamese Army, and I ask unanimous consent to have the letter printed in the RECORD.

There being no objection, the letter

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

SAIGON,
November 14, 1967.

HON. STROM THURMOND,
U.S. Senate.

DEAR SENATOR THURMOND: In his absence, Ambassador Bunker has asked me to reply to your letter of October 18, 1967, requesting information with which to refute charges against the South Vietnamese Army (ARVN).

The allegation that "as many as 30 percent of the soldiers in the South Vietnamese Army are sympathizers or agents of the Viet Cong" is, in our opinion, unfounded. Our own intelligence and that of the South Vietnamese do not support any such allegation, and we believe that Viet Cong penetration of the ARVN is negligible. In a country with a history like Vietnam covert Viet Cong sympathizers may exist in many sectors, but we believe that the allegation is a gross exaggeration and highly misleading.

As for the effectiveness of the ARVN, I believe their performance has not been accurately reported. American reporters tend to report the activities of American units in much greater detail than of Vietnamese units. A case in point is the recent victory at Loc Ninh, Binh Long Province, The U.S. press reported day after day the repulsion of repeated enemy attacks, and gave the impression that this was done by United States Forces. In fact, the military targets of the attack were the district headquarters and the Civilian Irregular Defense Group camp, both Vietnamese, with only a few American advisors. It was these establishments which repelled the enemy attacks, with heavy enemy casualties.

Major United States Forces were brought into the area to support the Vietnamese and give assurance that the Viet Cong could not gain control. The United States units were engaged in the later stages and inflicted heavy casualties on the enemy. The Vietnamese, however, merit equal credit with our own Forces in the great victory at Loc Ninh.

Loc Ninh is not an isolated incident. The Vietnamese Armed Forces have engaged in many successful operations, and their effectiveness is steadily improving. The number of unit operations has increased 27 percent in the first half of 1967 over the same period in 1966. The desertion rate has been reduced by 50 percent, and they are new capturing weapons at a rate of two for every one captured by the enemy, whereas in the first half of 1966 weapons captured and lost were about even.

As for charges of corruption, we need to find some sound perspective to examine them. Corruption exists to some degree everywhere, even in the United States. If corruption exists in the Vietnamese Armed Forces, it has not prevented the effective military performance of those forces. In any case, the Vietnamese have organized an Inspector General system similar to our own, and have recently charged some 50 officers of various ranks with corrupt activities. They are trying to reduce corruption.

If I can be of further assistance, please do not hesitate to write me.

Sincerely,

EUGENE M. LOCKE,
Chargé d'Affaires ad interim.

EMBARGO OF CHROMITE SHIPMENTS FROM RHODESIA

Mr. THURMOND. Mr. President, I wish to make a few remarks upon a most important subject; namely, the embargo of chromite shipments from Rhodesia.

It has come to my attention that the Foreign Assets Control Division of the Treasury Department on November 14 denied an application by the Foote Mineral Co. for a special license to import chrome ore from the company's mines in Rhodesia. The effect of this denial, which appears to have been issued with the concurrence, even at the insistence, of the State Department, will be to destroy the Rhodesian mines and force us to become dependent upon the only other major supplier, the Soviet Union.

I need hardly point out that the element chromium is cataloged as one of the most important strategic and critical materials. There is no known substitute for chromium in the production of stainless steel and other sophisticated alloys. It is vital not only to our effort in Vietnam, and to military and space programs everywhere, but also to our general technological posture. Chromium is essential to all kinds of research and development. Without it, even peaceful progress would come to a halt.

The only countries capable of supplying in quantity high-grade chromium ore, or chromite as it is called, are Rhodesia and the Soviet Union. The Johnson administration's needless policy of embargoing chromite imports from Rhodesia under Executive Order 11322 means that we must rely more and more upon the Soviet Union for a technological lifeline. The reliability of that lifeline may be judged somewhat by the fact that the Soviet Union has raised its prices for its 1968 contracts by amounts up to and exceeding 20 percent. Chrome ore prices, currently $30.50 to $33 per ton, have gone up to a range of $36.50 to $40 per ton.

The grand absurdity of forcing U.S. suppliers to become dependent upon an enemy out to destroy us has been evident for some time, but it was assumed that the policy was only intended as a temporary pressure tactic adopted pursuant to an error in judgment. However, the denial of the Foote Mineral application introduces some wholly new elements into the situation. These elements are:

First. Foote Mineral is an American-owned company, and its Rhodesian mines are wholly owned by the American company.

Second. Foote asked for a special license to bring in only a nominal amount of ore, that is, 40,000 tons per year.

Third. This tonnage represents the output of minimal caretaker operations at its mines. Such operations are necessary to protect mine shafts and facings, and to hold together work crews and skilled technicians. The cost of keeping the mines open is $900,000 per year.

Fourth. If the mines are abandoned and flooded, it would take 3 years and many millions of dollars to reopen them.

Fifth. The United States has current stockpiles of chromite to last for 6 months, the strategic stockpile has enough for only 2½ years.

Thus it can be seen that the State Department's embargo policy is hurting not only Rhodesia, but also an American company; moreover, it does not take much arithmetic to see that if these mines are forced to close, the United States would become wholly dependent for its supply of chromite for a period of many months, even years, upon its major political and military enemy. Even as long as the embargo lasts, U.S. policy is depleting U.S. monetary reserves to pay increased Soviet prices and windfall profits.

Since 1963, the production of stainless steel in this country has increased from 1 million ingot tons to over 1.6 million ingot tons. Ferrochrome is a basic alloy in the production of stainless steel. Of particular significance in the manufacture of ferrochromium is the chrome-iron ratio in the chromite. As Foote pointed out in its license application, the United States, indeed, the whole Western Hemisphere, produces practically no metallurgical grade chromite. In the Eastern Hemisphere, Turkey and India are the principal producers, besides Rhodesia and the Soviet Union. But neither Turkey nor other small producers can expand production quickly or economically.

Foote Mineral Co. uses the produce of its own mines in its manufacturing processes here in the United States. In applying for an import license, Foote stated:

> Since 1916, the applicant has been engaged in the business of producing, processing and selling lithium minerals and chemicals, electrolytic manganese, lime, silicon metal, ferroalloys (including ferrochrome, ferrosilicon, and ferrovanadium) and metal based chemicals plus the mining of ores and the milling of uranium and vanadium concentrates.

Thus it can be seen that the policy of the State Department will have a direct effect on American industry. Foote, and other chrome producers, will be forced to use lower grade ores, with the attendant increase in costs, or pay ever-increasing prices to the Soviet Union for metallurgical-grade ore for as long as the Soviet Union retains its desire to sell for hard currency. The result will be that our stainless steel industry will face a shortage of high grade alloy, or have to pay higher costs.

The policy of the State Department obviously harms the United States at large more than Rhodesia. Moreover, an American firm will have to face significant losses simply because of State Department zealotry. Foote says in its application:

> The nature of the Company's chromite mining techniques in Rhodesia is such that the closure of the principal mining shafts would be tantamount to the loss of the shafts, drives, and workings themselves.

A key point in the issue is that Foote did not ask for an import license which would make a return to full production possible. Foote asked only to be allowed to import enough ore to keep the mines operating at the lowest possible level. Executive Order 11322 contains authority for such an exception. I believe that the State Department's entire policy on Rhodesia is unreasonable; but its failure to grant even a minor exception for the sake of protecting American investments, vital to U.S. defense, shows that its policy is shortsighted and vindictive.

The State Department is engaged in a vendetta against Rhodesia, and against all the people in Rhodesia, black and white. Its cruelty is again evident in the facts presented by Foote:

> The company currently employs approximately 1200 native employees and 27 Euro-

pean employees in its operations. The native population directly supported with clinics, schools, housing and food production, is estimated at approximately 5000 people. The major portion of these employees and their families are immigrants to Southern Rhodesia. It is believed that the community under the burden of sanctions cannot reemploy this population, and it is anticipated by our staff that the major portion of them will have to be deported against their will, primarily to Zambia and Malawi.

Mr. President, I would like to point out one more way in which the State Department policy will directly affect American interests. It is already quite evident that the U.N. sanctions are being widely disregarded by the rest of the world, especially when it is in the interest of many nations to do so. I deplore the hypocrisy of these nations. However, at least they are realistic enough to ignore them when their own vital interests are involved. Despite the sanctions, Rhodesia has managed to export one-third of its chrome ore, principally to Japan. When the Japanese refine this ore, they are helping themselves; but if the United States is forced to import Japanese chrome, then American jobs will have gone down the drain. From the standpoint of the American economy, it is far better to import the ore and refine it here, than to import the refined product.

The American company, Foote Mineral, is in a very awkward position. Its operations are keyed to the use of its own foreign assets. If its mining affiliate were to sell to Japanese producers, or any other foreign producers, then its parent company in the United States would be seriously affected.

Moreover, if it were to abandon its mines to the Rhodesian Government for operation, the effect would still be to encourage the production of ferrochrome outside the United States.

Mr. President, the State Department must abandon its incredible policy of making us dependent upon the Soviet Union for high-grade chrome ore. In my view, the Senate Armed Services Preparedness Subcommittee ought to look into this matter, which is so vital to the U.S. defense posture. There comes a time when erroneous policies can no longer be chalked off to poor judgment; this policy must be changed.

EXTENSION OF LIFE OF JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

Mr. MONRONEY. Mr. President, on behalf of myself and Senators BOGGS, CASE, METCALF, MUNDT, SPARKMAN, all members of the Joint Committee on the Organization of the Congress, I submit a resolution which will extend the life, through January 31 of next year only, of the Special Committee on Congressional Reorganization, and also will extend the resolution for providing the necessary funds to continue it through that period.

Unless we do this, the committee will be without funds, and for that reason all of the work that has gone into reorganization and the passage of the bill by the Senate would be lost.

Under Senate Concurrent Resolution 2, approved January 31, 1967, as amended by Senate Concurrent Resolution 32, approved June 12, 1967, the Joint Committee on the Organization of the Congress will expire December 31, 1967. Under Senate Resolution 106, approved April 11, 1967, as amended by Senate Resolution 133, approved June 12, 1967, the Special Committee on the Organization of the Congress of the U.S. Senate will expire at the same time.

March 7, 1967, the Senate passed S. 355, the Legislative Reorganization Act of 1967, by a vote of 75 to 9. Passage of S. 355 followed extensive debate of the bill by the Senate in 18 days of sessions covering a period of 6 weeks, during which over 100 amendments were offered and considered.

On March 9, 1967, S. 355 was referred to the Committee on Rules of the House of Representatives, where it is still pending. One day of hearings was held by the Rules Committee, April 11, 1967, at which time the testimony of the Honorable RAY MADDEN, of Indiana, cochairman of the Joint Committee on the Organization of the Congress, was taken. The members of the Rules Committee had not concluded their interrogation of Cochairman MADDEN at the time the session of the Rules Committee adjourned. No further hearings have been held and I am told none are scheduled at this time.

I am informed that some 34 Members of the House of Representatives, many of them chairmen of House committees, have requested the Rules Committee to afford them an opportunity to appear and present their views. In addition, the Rules Committee has received a number of communications from Members of the House of Representatives, including rather extensive memorandums prepared by staffs of committees under the direction of the chairmen of House committees or subcommittees.

Also, I am informed that some of the House members of the Joint Committee on the Organization of Congress have sought to meet some of the criticisms and objections raised to S. 355 through informal discussions and through the preparation of drafts and committee prints, with the assistance of the staff of the joint committee.

In addition, I am informed that members of the Rules Committee have studied versions of S. 355 and other reorganization bills with a view to working out satisfactory phraseology in a bill to be reported to the House. I am also informed that some of the members of the Rules Committee feel that further hearings will be necessary before any bill is reported, to hear and consider the objections raised to the provisions of S. 355 in the form it passed the Senate—that, if the Rules Committee is unable to conduct such hearings, the legislation be referred to a special committee of the House to be composed of the House members of the Joint Committee on the Organization of the Congress for the purpose of holding such hearings and reporting a reorganization bill, and to request a resolution from the Rules Committee for its consideration on the floor of the House.

It is quite apparent that there will be no opportunity for such hearings and markup of a bill before the adjournment of the first session of the 90th Congress.

Also, I am informed that Representative CURTIS, the ranking minority House member on the Joint Committee on the Organization of the Congress, with the cosponsorship of Representatives HALL and CLEVELAND, the two other minority House members of the Joint Committee on the Organization of the Congress, on November 8, 1967, introduced House Concurrent Resolution 578 to extend the Joint Committee on the Organization of the Congress through the second session of the 90th Congress.

Representative CURTIS made an explanatory statement concerning this action, which appears on page 31847 of the CONGRESSIONAL RECORD of November 8, 1967. This resolution, I am informed, has been discussed informally on two different occasions by the Rules Committee of the House in executive session, but no action was taken by the committee and it is unlikely that there will be further meetings of the Rules Committee of the House at which this matter could be considered before the adjournment of the first session of the 90th Congress.

Of course, legislative reorganization legislation, including S. 355, will remain pending in the Rules Committee of the House, as will House Concurrent Resolution 578 to extend or reactivate the Joint Committee on the Organization of the Congress.

The Senate members of the Joint Committee on the Organization of the Congress, who also compose the Special Senate Committee on the Organization of the Congress, concur with me that it would adversely affect the cause of congressional reform if we do not do all within our power to maintain the status quo over the adjournment of the first session of the 90th Congress.

The Senate overwhelmingly has expressed itself in favor of congressional reform and should maintain itself in a position to cooperate with the House of Representatives in enacting meaningful legislative reorganization. Reluctantly, therefore, we request that the Special Committee on the Organization of the Congress created by Senate Resolution 293, agreed to August 26, 1966—as amended and supplemented—be continued through January 31, 1968, and be authorized to defray expenses from the contingent fund of the Senate in an amount not to exceed $10,000.

To accomplish this purpose, I have introduced a resolution, cosponsored by my Senate colleagues on the Joint Committee on the Organization of the Congress, on which I urge the favorable consideration of the committee.

In the committee's Report No. 304 to accompany Senate Resolution 133 continuing the Special Committee on the Organization of the Congress, it is stated:

> The continuation of the special committee is being requested primarily for the purpose of possible service by its members as Senate conferees in the event that House-approved amendments to S. 355, the Legislative Reorganization Act of 1967 (passed by Senate on March 7, 1967) should not prove acceptable to the Senate.

This purpose is as valid now as it was when recited in the committee report.

The request is made for extension of

the Special Senate Committee on the Organization of the Congress only until the end of January 1968, because it is my understanding that it is the practice of the committee not to fund special committees for a longer time.

It is, of course, possible that the House of Representatives may not have taken action either on S. 355, the legislative reorganization bill, or on House Concurrent Resolution 578 to continue the Joint Committee on the Organization of the Congress during January of 1968, in which event it may be necessary to request a further extension and additional funds.

During the life of the Joint Committee on the Organization of the Congress, we have consistently returned unused substantial portions of the funds authorized and, at the time of the last extension in June 1967, we had turned back in excess of $90,000. The current funding resolution, Senate Concurrent Resolution 32, authorized the sum of $50,000 from July 1, 1967, to December 31, 1967, and I am informed that in all probability the committe will turn back in excess of $6,000 of this authorization. Since we are now requesting only $10,000 for the month of January and are turning back $6,000 of our current funds, it really means that the Senate will provide only $4,000 in new money if the Senate resolution is agreed to.

Mr. President, this resolution is necessary to salvage the work that the committee has done. Many Members will remember the bill was on the floor for a considerable amount of time, during which it was modified and amended, and all issues were thoroughly discussed. I would dislike to see this work lost by the expiration of the committee, when it needs to be extended at least until January 31 of next year, to give that much time to try to work out some type of agreement with the Rules Committee of the House as to what kind of bill can be brought to the floor of the House.

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

Mr. MONRONEY. I yield to the Senator from Montana.

Mr. METCALF. I deem it a privilege to cosponsor this resolution for the continuing of the joint committee. I want to compliment the Senator from Oklahoma for his superb leadership as cochairman of the committee. We had dozens of hours of hearings, heard scores of witnesses, produced page after page of testimony, comprising thousands of pages, and volumes of hearings, from experts, political scientists, historians, Members of Congress, members of bureaus, and administrative agencies downtown.

All of that work will go for naught and will die unless we give the House another chance to pass this bill, which passed the Senate by a substantial majority.

I think it is imperative if the skill and the leadership that both cochairmen have exercised and the amount of work that has been put into this measure by the committee, composed of both Senate and House Members, is not wasted and that there be another opportunity, at least a final one, for the House to pass this bill before we have to say that we will abandon the ship and abandon all the good work, all the compromises, all the steadfast work that the Senator from Oklahoma did in getting the bill through the Senate.

I want to compliment the Senator from Oklahoma for the achievements he has accomplished and for bringing this resolution up today to give us one last chance for the Congress to pass the most significant Reorganization Act since the time when the Senator from Oklahoma, as a Member of the House, participated in the La Follette-Monroney bill, which was the last reorganization bill we had.

Mr. MONRONEY. I thank my distinguished friend for his very kind compliments, and also the junior Senator from Montana for the great service he has rendered throughout this matter. I send the resolution to the desk for appropriate referral.

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

The resolution (S. Res. 188) was referred to the Committee on Rules and Administration, as follows:

S. RES. 188

Resolved, That the Special Committee on the Organization of the Congress, established by Senate Resolution 293, 89th Congress, agreed to August 26, 1966 (as amended and supplemented), is hereby continued through January 31, 1968.

SEC. 2. The special committee is hereby authorized to exercise the powers conferred upon it by section 2 of Senate Resolution 311, 89th Congress, agreed to October 17, 1966, through January 31, 1968. The expenses of the special committee from January 1, 1968, through January 31, 1968, shall not exceed $10,000, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

WHEAT PRODUCTION AND RESERVE INCENTIVES

Mr. MONRONEY. Mr. President, I take the floor to strongly urge that before the year is ended, the distinguished members of the Senate Committee on Agriculture and Forestry take up the bill (S. 2617) of which I have the honor to be a coauthor, together with the Senator from South Dakota [Mr. MCGOVERN].

This bill is very similar to the Purcell bill on wheat. It would set up an emergency reserve on wheat in the amount of 200 million bushels, to be controlled by the farmer, and for the storage of such wheat. This would provide an ever-normal storage situation for this most vital of all crops.

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

Mr. MONRONEY. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say I completely share the point of view of the Senator from Oklahoma and the Senator from South Dakota and, the next time the bill is printed, I should like to be included as a cosponsor.

Mr. MONRONEY. I should be very grateful for the great assistance the senior Senator from Oregon could provide on this bill.

This is the cheapest means of assuring the safety of our food supply I have ever had the privilege to support. It will cost us only the amounts that will be required for the storage, at the regular market rate. But the farmer, and not the politician, will be in charge of releasing the wheat if the carryover should drop below the normal annual requirements.

This would keep the wheat supply from moving up and down like a yo-yo. We have been adjusting the wheat acreage upward 1 year and then, through the good fortune of having a bumper crop when other wheat-producing nations also have high yields, we have an oversupply. This tears the price down and requires a reduction of acreage.

This measure, as I have stated, follows closely the Purcell bill, which I regret to say was killed by the minority members of the Agriculture Subcommittee on Grains of the House of Representatives. To have reported that bill instead of killing it would have been a great step forward. I am sorry to say all but two of the votes were strictly along party lines, and the bulk of the influence in killing it was the result of an adamant and, I think, unreasonable minority.

After it was killed, the price of wheat dropped some 10 cents a bushel in price, and the price has remained low, because we have an overhang from the increase of our acreage and the increase of our supply.

I urge hearings by the Committee on Agriculture on this bill, so that we can give some hope to the wheat farmers that they will not, by excess production, suffer the price penalty that endangers the supply of a food vital for human consumption.

An outline of the bill, prepared not by myself but by the National Association of Wheat Growers, strongly supports the McGovern-Monroney bill. The association has summarized and briefed the bill very succinctly, and I ask unanimous consent that the outline, as published in the National Association of Wheat Growers Report From Washington of November 3, 1967, be printed in the RECORD at this point.

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

1. The Secretary of Agriculture is authorized to enter into agreements with producers to place not more than 200 million bushels of wheat from the 1967 crop in storage as reserves.

2. The stored reserves would remain in the hands of the producer and in return for entering into the agreement he would receive an interest free loan of 115% of present loan values. In addition, storage costs on the reserves would be paid by the Secretary.

3. If carryover of wheat should drop to 15% of annual requirements (210 mil. bus.), the Secretary could terminate enough of emergency reserve contracts to replenish the supply available to the free market by 5% (70 mil. bus.). If the emergency absorbed that and stocks fell again, he could terminate more contracts, but not more than 5% of a year's supply at a time.

4. Producers could terminate the agreement at the beginning of a marketing year by giving notice of such termination not less than 60 days before the beginning of such marketing year.

5. If the Secretary initiates the termination, the producer could sell the commodity and repay the loan or he could continue to

hold at his own expense (storage and interest). He would have a year to arrange for other credit to repay the advance, to sell and settle, or deliver the grain to the Secretary.

6. If the producer initiates the termination, he must repay the loan at time of sale or deliver the wheat to the Secretary.

7. Provision would be made for stock rotation.

8. Provisions are also included in the bill for feed grains and soybeans.

Mr. MONRONEY. Also, because the bill itself is brief and, strangely enough for an agricultural bill, easily understandable by a lay reader. I ask unanimous consent that it be printed in the RECORD. It provides a clear indication of the great good its passage would do.

Again, I appreciate deeply the endorsement of the bill by the senior Senator from Oregon, and the great help I am sure he can provide toward securing its early passage.

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

S. 2617

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It is the policy of the Congress to establish and maintain reserves of storable agricultural commodities adequate to meet any foreseeable food and fiber shortage which might arise in the Nation as a consequence of any natural disaster, adverse food production conditions for one or more years, military actions, or other causes, and to assist other nations of the world in any food emergency. It is further the policy of Congress to establish much reserves in the control of producers in years of surplus production and to assure their segregation from the commercial market so that existence of the reserves will not affect the level of market prices.

SEC. 2. The Secretary of Agriculture is authorized to enter into agreements during fiscal year 1986 with producers of not more than two hundred million bushels of wheat, five hundred million bushels of corn and/or its equivalent in other feed grains, and seventy-five million bushels of soybeans, all from the 1967 crop, to place such commodities in storage under their control until released under the provisions of this Act. To the extent possible, the opportunity to make such agreements shall be extended to producers who are cooperating in the appropriate programs on a pro rata basis. In consideration of the producers' agreement to store such commodities, the Secretary shall make loans to the producers at 115 per centum of the current price-support loan rate on the commodities stored out of funds of the Commodity Credit Corporation, without interest, and shall pay reasonable storage charges each year so long as the commodities are not required for consumption: *Provided,* That when the domestic supply of wheat available to the commercial market at the beginning of a marketing year drops below 15 per centum of the year's requirements, the supply of feed grains drops below 10 per centum of the year's requirements, or the supply of soybeans drops below 5 per centum of the year's requirements, the Secretary of Agriculture may, on sixty days' notice, terminate the payment of storage charges and waiver of interest charges on a sufficient amount of the earliest agreements to restore the commercial market supply of wheat and feed grain to a level 5 per centum of one year's requirements above the level at which the release of such emergency reserve commodities occurs, and of soybeans to a level 3 per centum above the release level. The holder of an agreement thus terminated shall have not less than a year following the termination notice to repay any Government advances against the commodity involved, or until the time of sale of such commodity if it occurs earlier, together with interest at a rate of not more than 5 per centum per annum from the date of termination of the reserve agreement, or to deliver the commodity to the Government, in discharge of any obligation.

SEC. 3. Producers may, under regulations prescribed by the Secretary of Agriculture, rotate commodities to keep the reserve stocks in good condition. A producer may terminate his agreement to carry emergency reserves at the beginning of a marketing year for such commodity by giving the Secretary of Agriculture notice of such termination not less than sixty days before the beginning of such marketing year, and by repaying any loans or advances to the Government at the time of sale, or by delivering the commodity to the Secretary of Agriculture.

SEC. 4. The Secretary of Agriculture is hereby directed to have a study made of national and world food reserve requirements. Such study shall cover (1) wheat; (2) feed grains, including corn, barley, sorghum, oats, and rye; (3) soybeans; (4) upland cotton; (5) rice; and (6) flaxseed. A report of findings of such study shall be filed with the President of the Senate and the Speaker of the House of Representatives as soon as possible but not later than May 1, 1968, and it shall include, but not be limited to:

(1) The average year-to-year yields of each of such commodities since 1900, adjusted for trend, and the differences in annual production such variations in yield might make from an acreage adequate at average yield to meet estimated national requirements in 1968;

(2) The cumulative deficit in supply which might result from a succession of below-average years comparable to any such succession of below average years which has occurred since 1900;

(3) The differences in year-to-year requirements for each commodity domestically, and in foreign trade and use, to reflect upsurges in demand on our supplies of each commodity resulting from natural disasters here or abroad, below average crops here and abroad, wars, or other causes.

THE SOCIAL SECURITY AMENDMENTS OF 1967

Mr. MONRONEY. Mr. President, I wish to say that I consider the Bayh amendment, which was agreed to by a vote of 50 to 23, to raise the limits of what a retiree on social security can earn from $1,500 to a total of $2,400 a year, as being one of the most important steps we have taken in social security matters. I have urged the adoption of this principle over a period of a great many years, as a member of both the House of Representatives and the Senate.

This, I believe, is a great forward step in assuring the dignity of our elderly citizens, insuring that they shall not be penalized because they are industrious enough, their work habits are strong enough, their health good enough, and their desire to be useful great enough to seek employment.

It has always seemed to me a tragedy for a system which has held itself out to the world to be a model for the world to follow to say to a beneficiary of our old age assistance system, "If you earn more than $1,500 a year, you are going to be penalized progressively for the extra work that you do."

We can utilize without hindrance by this amendment a great reservoir of wonderful people. They will pay social security taxes and income taxes on their earnings, and the only way that I can rationalize the costs that are attributed to this amendment by the committee is to say that they will result from reducing the amount of money that would otherwise be taken from those retirees who choose to work.

As the law now stands, if they work hard enough, if they are successful enough to obtain employment despite their age, then the Government will exact a tax that runs up to 50 percent of everything they make, in order to comply with a completely obsolete social security rule. That rule was put into the first social security law, when we were frightened at the number of people in our labor supply.

We know now, from experience, that our labor supply can run short, particularly in many of our highly industrialized areas, and we should seek to use this pool of skills we have. We should not let it deteriorate, and these people become the victims of depressive feelings because they are not allowed to work, or, if they do work, will be forced to forfeit so much of their earnings that they will feel they have been put on the shelf, that the country has passed them by, that their day of usefulness has ended. If they choose to do so, I think they should be permitted to work, and I commend the Senator from Indiana [Mr. BAYH] for his foresight and his able advocacy of this amendment.

I plead with the members of the conference committee, when they go to conference, to insist, as the No. 1 condition of bringing the bill back, upon this long-postponed right which our elderly citizens should have to make themselves useful, when they are healthy enough and when they desire to do so, and can go out and find a job. It has always seemed to me that being over 65 is hard enough without, in addition, having to pay such a penalty. Having to pay back what you earn over $150 is contrary to American traditions, and contrary to the interests of the people who have retired. I commend Senator BAYH for his great insight in conceiving this amendment, and his generalship in having added to the bill something that will long be remembered as a giant stride forward in social security, in fair treatment of the retired, and in preserving the human dignity of our people over 65, who have not grown old—because 65 is no longer old—but who, by the standards of our giant industrial corporations, must be pushed aside on the day they attain that age, and who, under our American system, are apt otherwise to have to spend the rest of their lives in idleness and indignity.

I point to the examples of two leading citizens of Oklahoma to illustrate my point.

The chairman of one of the leading banks in Oklahoma, the Honorable Dan Hogan, passed his 100th birthday last week. The President of the United States sent him a wire of congratulations. He is still active in the bank, and only 2 years ago gave up quail hunting because he had passed the age of 98.

The publisher of two of Oklahoma's outstanding newspapers, also a man who manages not only those, but the Farmers' and Stockmen's Magazine and radio and television stations all over the country, is working actively at the age of 94, and he walks more erectly, more rapidly, and with greater vigor than do I and many of my younger friends in the Senate.

So, I say that there is the value of gold in this change in the social security law. These people must not be wasted by America. America must not allow them to feel cast off and out of society in a Nation that prides itself on work and work habits.

I appreciate again the authorship of the amendment by the distinguished Senator from Indiana [Mr. BAYH] and I thank him for his great ability.

I thank the distinguished Senator from Oregon [Mr. MORSE] for his able support of this very fine amendment that was agreed to by a majority of 50 to 23.

I thank the distinguished senior Senator from Indiana [Mr. HARTKE] who has worked in this field, and I believe he would have offered an even greater opportunity for income had the Senate seen fit to go along with his proposal.

Mr. BAYH. Mr. President, I thank the senior Senator from Oklahoma for his kind remarks and for his support in securing the adoption of this amendment. The Senator from Oklahoma, the distinguished chairman of the Post Office and Civil Service Committee, long has championed the cause of the elderly. He has urged, on numerous occasions, that our civil service laws be revised so that capable senior citizens may continue to contribute to society.

I join with the Senator from Oklahoma in urging the distinguished Chairman of the Finance Committee [Mr. LONG] to press the conferees to accept this needed change in the earnings test. The emphatic endorsement of this amendment, by a vote of 50 to 23, late last evening should indicate to the conference committee that we feel very strongly that the new $2,400 limitation should be retained.

Again, I thank the Senator from Oklahoma.

Mr. MORSE. Mr. President, I commend also the distinguished Senator from Indiana for the legislative record he has been making on the floor of the Senate today in support of the social security bill that we passed earlier this morning.

It is a record that needs to be made in view of the gross misstatements that have appeared in the American press and American periodicals of recent date concerning the soundness of the social security fund.

I think it is most regrettable that as a result of this type of journalism many old people in this country have been instilled with fear and uncertainty concerning the stability of the social security fund, its financial soundness, and its actuarial soundness.

I have two reservations about the bill we passed that I think give us a challenge for correction in the immediate future.

The minimum monthly benefit is raised to $70 a month in the Senate bill compared to $50 a month in the House bill. However, $70 a month, in my judgment, is far short of the monthly support that anyone on social security should receive if we are to carry out our moral and humanitarian obligations to the old people of this country.

Let us not forget that it is the population of America that makes our economic system, not our financiers, except only to the extent that they are part of the population.

I am often amused as I listen to a lot of stuffed shirts in this country tell about what great self-made men they are. However, I have yet to meet the first self-made man, for all of us are the beneficiaries of the environment through which we have lived our lives.

Some have greater opportunities and some have advantages thrust upon them. I, of course, would be the last to deprecate incentive and ambition and hard work and insight. But, there is little support ever received from me on the part of the wealthy who seem to think that what they have they are entitled to keep without any relationship to carrying out their moral obligations to the less fortunate. For what they have is the product not so much of their own efforts, but rather they are the beneficiaries of a great economic system.

So I joined with the Senator from New York [Mr. KENNEDY] in S. 1009, through which we sought to raise the minimum social security benefit to $100. And the senior Senator from Oregon will never lag in that drive to accomplish that legislative goal.

All the people owe it to the elderly. We need to demonstrate that it is because of our system of economic freedom that the entire population produces the goods by varying degrees of efforts and there are contributions on the part of each person to build up this great national economic productive effort.

But I have another reservation with regard to this bill. That relates to the tax provision which calls for a payroll tax of 5.2 percent on employer and employee starting in 1971. It rises to 5.8 percent by 1980.

It is my personal feeling that that payroll tax is scheduled to go entirely too high. It is my personal feeling that it should be leveled off to not more than 5 percent, and then whenever additional revenues are necessary to keep the trust fund sound—and it is sound today—it should not be by way of increased social security taxes on either the worker or the employer. The necessary additional funds should come out of the General Treasury, on the basis of a recognition of a national obligation, through the Federal Treasury, to see that the social security trust fund is kept in an actuarially sound position, so that an adequate amount of monthly benefits can be paid the aged of this country so they can live out their lives in health and decency and happiness.

I hope that this change can be made before the payroll taxes go above 5 percent. That is why I hope another drive will be made next year to see that the tax is brought back to not more than 5 percent.

Now I wish to direct a question or two to the Senator from Indiana.

The tax provisions contained in the Senate bill will mean that the social security trust fund will remain sound financially. Am I correct in that conclusion?

Mr. HARTKE. Not alone sound, but also, a surplus is created each year.

Mr. MORSE. As the Senator pointed out earlier this morning, an attack was made upon the amendments that were adopted in the Senate to this bill, amendments which are long overdue. The attack made on the floor of the Senate sought to leave the impression with the American people that those amendments would leave this fund financially unsound. I ask the Senator from Indiana, is it not true that even the cost of the amendments we have adopted will not leave this trust fund unsound?

Mr. HARTKE. It will leave the fund absolutely sound. The Senator is 100 percent correct in his assessment.

Mr. MORSE. Well, scare articles have appeared in magazines and newspapers. Every Senator has received a quantity of mail from frightened old people who have read a deceptive article in a recent issue of Reader's Digest, giving the American people the impression that the social security trust fund is unsound.

It is most unfortunate that such misleading writings are perpetrated upon the old people of this country, to stir up the fright that that article and others have stirred up.

The money collected from the payroll tax goes into the trust fund and cannot be used for any purpose other than claims for social security benefits. In making our legislative history at this time, I wish to ask the Senator from Indiana, a member of the Committee on Finance, who offered some of the amendments that have been adopted and who took a leading role in writing this bill within the Finance Committee, if it is not true that the payroll tax goes into the trust fund and cannot be used for any purpose other than claims for social security benefits.

Mr. HARTKE. This is the law, and anyone who violates that provision would be violating the law. The Senator is correct.

Mr. MORSE. Yet, if you read the Reader's Digest article, with the shocking journalism that characterizes this article, you get the impression that this money is siphoned away, to be used for other purposes, that it even can be used for some of our foreign aid programs. But the Senator from Indiana has given the answer, and the answer is that this money can be used only to pay social security claims.

That is not to say that all this cash is kept in the trust fund. Whatever is not needed to pay current claims is invested in Government bonds. I suppose that is where the charge originates that it is used for other purposes.

But the Government bond is as sound as the Government currency. The workingman who buys a U.S. savings bond has not spent his money; he has saved

it in the soundest form of investment there is.

The same is true of his payroll tax that goes into the social security trust fund.

Mr. HARTKE. This is correct.

I believe it should be clarified that there is authority in the law for the Treasury to borrow money. But if they borrow money from the trust fund, just as they would from any private bank, they have to pay interest to the trust fund for all the money they borrow.

Mr. MORSE. That is my next point, but one does not get this from reading the yellow articles to which I have referred. The trust fund earns money from the interest.

Of course, the trust fund is subject to borrowing by the Government. But what is behind the borrowing? The Treasury of the United States, the wealth of the Nation.

Mr. HARTKE. The Senator is correct.

Mr. MORSE. No stronger security is available in the world.

When these writers give the impression that something tricky, that something unethical, that something shady is being done by their Government in connection with borrowing money from this trust fund, or other trust funds, I believe that the comments I am making on the floor of the Senate this afternoon are called for, because I believe in correcting falsehoods.

Mr. President, it is too bad that such falsehoods have been spread and perpetrated upon innocent old people, to frighten them and cause them to believe that something is being done by their Government that jeopardizes their hope for economic security, to the extent that social security gives them economic security, in their old age.

Is it not true that funds not needed to pay immediate claims are invested in Government bonds?

Mr. HARTKE. That is true.

Mr. MORSE. The Senator being the financial expert he is, will he agree with me that there is not a sounder investment in our country than investment in Federal Government bonds?

Mr. HARTKE. That is absolutely the most sound investment, backed up by the wealth of the United States, the full faith and credit of the United States; and therefore it receives a lower rate of interest than any other instruments of the United States.

Mr. MORSE. Does it not also follow that when an individual worker puts his savings into Government bonds, he really has not spent his money, but he has saved his money and draws interest on this money and helps his Government to make funds available so that it, in turn, can meet the budgetary costs of Government expenses, and that the face amount of the bond is paid back at maturity to the owner of the bond?

Mr. HARTKE. The Senator is correct.

Mr. MORSE. I appreciate the Senator's assistance in making this legislative history; because, as we all know, what is said on the floor of the Senate at the time a bill is passed has much bearing on future interpretations of the bill from the standpoint of the intent of Congress.

I hope we will hear no more about the social security fund being insecure, and I also hope that future Congresses will alleviate what the Senator from Louisiana rightly calls the highly regressive nature of the payroll tax, by leveling it off to 5 percent, and making further contributions to the trust fund out of general revenue.

The Senator from Louisiana, the chairman of the Committee on Finance had hoped to remain in the Chamber in order to participate in this colloquy with the Senator from Indiana and the Senator from Oregon. As always, I tried to accommodate other Senators who had to leave, by waiting to present material of my own until they had been accommodated. The Senator from Louisiana remained in the Chamber as long as he could, but I am privileged to say that he agrees with the observations that the Senator from Indiana and the Senator from Oregon have made concerning the soundness of the social security trust fund. I thank the Senator from Indiana very much.

Mr. HARTKE. Mr. President, I yield the floor.

DEATH OF MRS. NANCY KEFAUVER

Mr. BAKER. Mr. President, on Monday, November 20, 1967, Mrs. Nancy Kefauver, the widow of the late and distinguished Senator Estes Kefauver, died in Washington.

Mrs. Kefauver was a woman of great substance and stature in her own right. She added great stature and luster to the distinguished career of her statesman husband who predeceased her.

It was an extraordinary and unusual thing that on the occasion of this past Monday evening, I had talked with Mrs. Kefauver at some length about her continuing interest in the promotion of American art for distribution among the embassies of this Nation around the world and about matters of common interest in Tennessee and about numerous friends that Mrs. Kefauver, Estes Kefauver, and I have enjoyed over the years in Tennessee.

I felt the loss of Mrs. Kefauver's untimely demise even more keenly for the immediate conversations I had with her some 30 minutes before her death in the banquet hall on the occasion of the awards dinner for the veterans of the Office of Strategic Services.

Nancy Kefauver and Estes Kefauver are survived by a fine family. But more than that, Mrs. Kefauver and her husband are survived by great reputation and by great stature in their native State of Tennessee.

Estes Kefauver's following in Tennessee was in fact and in deed bound up with the admiration and respect that the people of Tennessee held for his wife, Nancy. And she contributed significantly to the building of that Kefauver following which was so distinct and which existed so strongly in the State of Tennessee during his career in the House of Representatives and in the State and does, in fact, still exist in Tennessee.

I first met Estes Kefauver when I was a very young child. My father and the late Estes Kefauver had attended the University of Tennessee together.

I met Mrs. Kefauver shortly after Senator Kefauver and she were married in the midthirties. I have known her since that time and until her untimely death on Monday of this week.

I simply say for the RECORD, Mr. President, that Tennessee, the people of our State, Republicans and Democrats alike, the Nation, the world of the arts, and the entire world have lost a great human being and have witnessed the end of a great legacy of public service with the death now of the widow of the late Senator Kefauver, the two having contributed so much to the fabric and tradition of the political life of this Nation.

STANDARDS OF CREDIBILITY

Mr. MORSE. Mr. President, for some time I have been concerned, as I am sure other Senators have been, about the credibility gap. I have not been one who has been backward about criticizing the administration in its conduct of foreign affairs, especially as it pertains to Southeast Asia.

However, I am concerned that we are developing in this country different standards of credibility and different types of credibility gaps. There appears to be one credibility gap for Republicans, another for Democrats. There appears to be one standard of credibility for Republican Presidents, or would-be Presidents, another standard for Democratic Presidents. There even seem to be two standards of credibility for the east coast and the west coast.

I am reminded of this because of recent developments in California wherein Gov. Ronald Reagan denied that he had dropped two homosexuals from his staff. This is not a pleasant subject to discuss, but it was certain Republicans in the era of McCarthyism who first raised the subject of homosexuals in government, and in 1964 it was Republicans who were highly critical of the fact that one unfortunate man on the staff of the White House was discovered to be in this category.

I am not so much concerned about the question of homosexuality in this particular case as I am in the question of truth. Without truth governing American public life, we are headed for decadence.

I am particularly concerned about the suppression of truth and suppression of news by some Republican newspapers.

I have before me a report by Tom Wicker, published on page 1 of the New York Times of November 5, which states that although Governor Reagan "publicly has denied that Lyn Nofziger, his press secretary, told reporters that two Reagan staff members had been dismissed as homosexuals, the New York Times has learned that Mr. Nofziger did make such a statement on several occasions."

The Times goes on to name three reporters, Paul Hope of the Washington Star, David Broder of the Washington Post, and Carl Flemming of the Los Angeles Bureau of Newsweek, to whom Nofziger had unfolded and confirmed the manner in which the unfortunate members of Reagan's staff were dropped.

The Times also reports that Nofziger "made the same allegation to three west

coast reporters, Carl Greenberg of the Los Angeles Times, Jack McDowell of the San Francisco Examiner, and Bill Ames of the Columbia Broadcasting System."

I ask unanimous consent that the article be printed in the RECORD.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, however, what I am concerned about is that very few California newspapers published the original column carrying the account of Reagan's handling of this case. I am particularly concerned about the report that Governor Reagan had an arrangement with California newspapers that they would not publish the "Washington Merry-Go-Round" column of October 30 on this subject. Reagan, in his press conference of October 31, made statements to the effect that some papers had "violated the agreement." This apparently referred to an agreement not to publish.

This would appear to be a strange case of voluntary suppression of the news, censorship if you please, exercised directly or indirectly by the Governor of California. Some of these newspapers on the west coast have been highly critical of the so-called credibility gap in Washington. Practically all of these newspapers are Republican. In fact, I am informed that there are only three Democratic newspapers in the entire state of California.

Recently there has been a move to combine the once many newspapers in San Francisco into only two and the many newspapers which once flourished in Los Angeles into two. I wonder, therefore, whether this trend toward monopoly of the news also means suppression of the news.

In Los Angeles the Los Angeles Times has been involved in an antitrust suit brought by the Federal Government against it and a Federal court has ordered it to divest itself of the San Bernardino Sun. The Los Angeles Times is owned by the Chandler family. Recently there was apparently some kind of an agreement with the Hearst family that one family would monopolize news in the morning field, the other in the evening field.

Does this mean that the Governor of California is able to manipulate the press? Does it mean that there can be a credibility gap on the west coast and the newspapers of California will ignore it? I note that the New York Times report said Carl Greenberg of the Los Angeles Times was aware of the facts in this case but did not report on them and did not comment on the credibility gap after it was published in the East.

There appears to be two different standards for the east coast and the west coast in this case as well as two different standards for a would-be Republican President, Governor Reagan, and a Democratic President, Lyndon Johnson. On the east coast the Washington Star, as well as the New York Times, has spoken out regarding Governor Reagan's attempt to suppress the news. I ask unanimous consent to have printed in the RECORD an editorial from the Star of November 7.

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

(See exhibit 2.)

Mr. MORSE. Mr. President, I have asked the Library of Congress to research the news treatment given by the California press when a somewhat similar incident occurred in Washington in the fall of 1964 when President Johnson dropped a member of his staff. The contrast is striking in the extreme. There were big headlines in the California newspapers calling attention to the homosexual who was dropped from the White House staff. But President Johnson did not conceal it. President Johnson expressed great sadness, as any of us would, over such a human tragedy; but he did not seek to deny the fact.

In contrast there was a wall of silence in the California press regarding the two homosexuals who were dropped by Governor Reagan. And there was a blackout of the "Washington Merry-Go-Round" column dealing with this subject on October 30, 1967.

Let me quickly point out that the discovery of homosexuals on any staff does not indicate that it reflects upon the employer. That is lost sight of by many persons. The fact that the homosexuals are found in no way reflects upon their boss. I, therefore, from that standpoint, am at a loss to understand why this coverup in this case.

I ask unanimous consent to have printed in the RECORD the accounts of the White House action in 1964.

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

(See exhibit 3.)

Mr. MORSE. Mr. President, for some time Representative JOHN MOSS, of Sacramento, our distinguished colleague in the other Chamber, has been conducting a very salutary investigation of the suppression of news by the Federal Government. I hope Mr. Moss has also concerned himself with suppression of news by Republican newspapers and the suppression of news in the State of California. I suggest perhaps that this is a subject to which he might give some attention. There appears to be a very definite difference in the treatment of credibility on the west coast as against the east coast.

This has not always been the case. It appears that when a Republican candidate for President or a Republican President is in office that the press is much more lenient with him whether it be the east coast or the west coast.

I recall that during the 1960 election there was revealed an amazing story showing that the brother of the then Vice President, Don Nixon, had borrowed $205,000 from Howard Hughes on rather insignificant security—a loan which had many political ramifications due to the fact that Mr. Hughes, a defense contractor, had various questions and problems before the Federal Government. So big a loan—$205,000—would not have been given to an ordinary individual unless he was very close to a man in a powerful position, such as the Vice President, who was then running for President.

What I am interested in, however, is the news treatment given to this story. Significantly the New England newspapers, concerned over the failing influence of the press, appointed a board of distinguished editors to examine the news treatment of the credibility gap. This board was composed of Norman Isaacs, managing editor of the Louisville Times; Carl E. Lindstrom, former editor of the Hartford Times; and Arthur Edward Rowse, an assistant city editor of the Washington Post. They chose as an illustration of news treatment the $205,000 loan to Vice President Nixon's brother, together with the move of the Roman Catholic bishops in Puerto Rico to influence the election there at a time when John F. Kennedy's religion was a campaign issue in the 1960 election. The latter story was highly embarrassing to the Democratic nominee, yet the editors found that the Puerto Rican Catholic story was played big in the New England press.

The second story regarding Nixon's brother and his loan was embarrassing to the Republican nominee for President, and this was played down in the New England press.

In other words, the editors, appointed to study the credibility gap and the waning influence of the press, found that there was a specifically and definitely different credibility gap regarding a Republican candidate for President of the United States and a Democratic candidate.

This is so serious a charge and is so important to our body politic and to a free press that I ask unanimous consent to insert this study in the RECORD.

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

(See exhibit 4.)

Mr. MORSE. Mr. President, a study of its findings will show an amazing blackout by the Republican press of all references to the Howard Hughes loan to Nixon's brother. The Nixon office had issued a denial of the story, and this was given considerable space, even though the original story regarding the loan had not been published.

In other words, we do have two standards of credibility for a Republican as against a Democrat when it comes to our 80-percent Republican press.

I am sure that most Senators will remember that the press carried headlines regarding the hi-fi set given to the then Senator from Texas, Lyndon Johnson, by the then Senate Secretary, Bobby Baker. The revelation of the hi-fi set was made when Mr. Johnson had entered the White House, but the gift occurred when both the donor and the recipient were in the Senate.

I am sure that many of you will recall also that headlines were carried in almost every newspaper in the United States when a Deepfreeze was given to President Truman through his military aide, Gen. Harry Vaughan, from a manufacturer's agent in Wisconsin. The value of the Deepfreeze at that time was stated to be $1,200. The hi-fi set was valued at around $800. These widely publicized stories were regarding Democratic Presidents. However, when a Republican

President, Dwight D. Eisenhower, received many gifts for his Gettysburg farm, ranging from a John Deere tractor with radio, to a completely equipped electric kitchen, various ponies and prize black Angus, landscaping, furniture, and other farm machinery worth more than half a million dollars, there was very little reported in the press. One exception was the Des Moines Register, whose Fletcher Knebel carefully listed the amazing number of gifts presented to the Republican President. But there were no headlines in the rest of the press.

There was an even greater blackout of the news when it was revealed that the President had received a monthly income from three oilmen, W. Alton Jones, then head of Cities Service; Billy Byars of Tyler, Tex.; and George E. Allen, director of about 20 corporations, who had paid the expenses and losses for the Eisenhower farm and maintained a joint bank account for this purpose in the Gettysburg National Bank.

The chief expenditure for the Eisenhower farm had been the construction of a show barn, $20,000; three smaller barns, about $22,000; remodeling of schoolhouse for the home of John Eisenhower, $10,000; remodeling of Eisenhower's main house, $110,000; landscaping of 10 acres around the Eisenhower home, $6,000; salary of Gen. Arthur S. Nevins, farm manager, at $10,000 a year; assistant manager's salary and expenses for 6 years, $60,000; salary for hired hands, a total of about $180,000.

This was a far greater series of gifts than the $1,200 Deepfreeze to Harry Truman or the $800 hi-fi set given to then Senator Lyndon Johnson. However, the credibility gap was such in the American press that the American people still do not know of the gifts to Eisenhower, whereas I am sure they remember the relatively minor gift to Harry Truman and the minor gift to Senator Johnson.

I am not sure that any committee of the Senate has jurisdiction over the suppression of the news as does the committee of the House under Representative Moss, of California. It may be that the Judiciary Committee of the Senate would have jurisdiction over the question of whether California newspapers have violated the Sherman Antitrust Act to a point that they are suppressing the news.

I call this matter to the attention of my senior colleague from Michigan, the distinguished chairman of the subcommittee on monopoly, and suggest that he may care to look into the matter.

Mr. President, the last item to which I want to refer, which I will ask to be printed in the RECORD later, but wish now to read a paragraph or two, is from the November 19, 1967, San Francisco Examiner and Chronicle in an article written by Marianne Means.

It reads in part as follows:

Political leaders of both parties here are deeply perplexed and disturbed by Governor Reagan's angry denial that he fired two staff members for belonging to a homosexual ring.

His statements were made in bland disregard of the fact that one of his current employees had personally informed reporters about the problem.

Reagan's later protestations that his denial was merely to protect the individuals involved did not explain why he originally did not simply refuse to comment rather than attempt to mislead.

Mr. President, let me make this comment about this rationalization or alibi of Governor Reagan, that he did it to protect the individuals involved. But not a thought, apparently, was given by him to his false charge that the Drew Pearson story was not true. In the story which first brought out the fact that he did dismiss these two men, he referred to the writer of that story, Mr. Pearson, as a liar.

Now I hold no brief for Mr. Pearson. I have had my disagreements with Mr. Pearson but as a lawyer, I always confine myself to the facts of the instant case. Mr. Pearson is known as a journalistic muckraker and probably has no peer in the history of American journalism as a journalistic critic of misconduct by government officials. Sometimes he makes mistakes of fact and mistakes in accusations and he himself doesn't hesitate to admit them. However, it is generally recognized that his courageous journalism has served the country well time and time again as he has carried out in his column his journalistic watchdog activities.

Mr. President, in the instant case, the columnist wrote the truth. Reagan as a potential candidate for a possible Republican nomination to the Office of President of the United States lied when he told the press that the Pearson column was not truthful.

All I want to say, as a lawyer, is that we lawyers know, when we find a witness to be untruthful on one occasion in one respect, that we cannot rely upon him or at least he is under suspicion as to his veracity in other instances.

The fact is, when the heat was on, Reagan lied. The documentation is unanswerable. The witnesses are available. There is no question as to what was told the newspaper reporters about the dismissal of these two unfortunate and tragic individuals from his staff.

Mr. President, I ask unanimous consent to have the entire article written by Marianne Means printed in the RECORD at the close of my remarks.

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

(See exhibit 5.)

Mr. MORSE. Mr. President, I want to say that the American people are entitled to have the credibility gap closed, on both coasts and in between, in regard to misstatements by Republicans and Democrats alike.

I happen to believe that the viability of our system of Government depends upon those who hold public trust to tell the truth. That is why this voice has been raised in protest so many times in my 22 years of service in the Senate, time and time again, over misrepresentations whenever I have come upon them.

I think that this misrepresentation by the Governor of California is so gross that it needs to be answered. I think that the press had a duty in this case to keep faith with a free press in this country and not squelch the news.

Mr. President, I yield the floor.

EXHIBIT 1

[From the New York Times, Nov. 5, 1967]

REAGAN REBUTTED ON AIDES' OUSTER—HOMOSEXUALITY WAS REASON, PRESS SECRETARY ADMITTED

(By Tom Wicker)

WASHINGTON, November 4.—Although Gov. Ronald Reagan of California publicly has denied that Lyn Nofziger, his press secretary, told reporters that two Reagan staff members had been dismissed as homosexuals, The New York Times has learned that Mr. Nofziger did make such a statement on several occasions.

Mr. Nofziger gave that explanation of the dismissals to at least three reporters aboard the S.S. Independence, as it sailed to the Virgin Islands last month with the 1967 National Governors Conference aboard.

Mr. Nofziger, reached by telephone at the Santa Monica Airport, said:

"This is a closed subject and I don't have any comment to make."

The three reporters were Paul Hope of The Washington Evening Star, David Broder of The Washington Post and Karl Fleming of the Los Angeles bureau of Newsweek magazine.

Before that, Mr. Nofziger made the same allegation to three West Coast reporters Carl Greenberg of The Los Angeles Times Jack McDowell of The San Francisco Examiner and Bill Ames of the Columbia Broadcasting System.

None of them would comment publicly, either.

Mr. Nofziger made his comments to these reporters long after the men in question had left the Reagan staff. Therefore, the reporters considered the incident closed and none of them wrote or broadcast about it.

Last week, however, the columnist Drew Pearson alleged in a syndicated article that two homosexuals had been dismissed from the staff and that Mr. Nofziger had told this to reporters aboard the Independence.

Mr. Reagan then held a news conference at Sacramento last Tuesday.

Of the report that Mr. Nofziger had told reporters aboard the Independence that two aides had been dropped for homosexual activities, the Governor said:

"I'm prepared to say that nothing like that ever happened."

DENIAL BY REAGAN

Later in the news conference, Mr. Reagan said that he had "even heard rumors also that behind closed doors I have made statements to the press and this is just absolutely not true."

"I want to confirm it, Lyn?" he asked.

Mr. Nofziger, who was at the news conference, raised his hand and said "confirmed."

The two statements together constituted apparent denials that either Mr. Nofziger or Mr. Reagan had told reporters aboard the Independence that two staff men had been dismissed as homosexuals.

The New York Times has learned, however, that one reporter asked Mr. Nofziger directly why a former member of the Reagan staff had left. The press secretary replied with the allegation that the man in question was a homosexual.

The reporter asked Mr. Nofziger why he would give out such information.

Mr. Nofziger replied that the deposed aide had been spreading the word that he was still influential with Governor Reagan. Therefore, Mr. Nofziger said, some members of the Governor's staff had decided to give the facts when asked about the former aide.

EXHIBIT 2

[From the Washington Star, Nov. 11, 1967]

THE FALLEN KNIGHT

Ronald Reagan, the white knight of the GOP presidential hopefuls, has just undergone his first major trial in the journalistic

lists and has fallen flat on his face. Whether he can ever restore his armor to its original dazzling shine is very much open to question.

The California governor's unhorsing came when he was asked, during a televised press conference, about a syndicated article by columnist Drew Pearson in which it was stated that two homosexuals had been fired from Reagan's staff. Reagan, the article said, had harbored the two men for months after the scandal became known. Pearson added that Lyn Nofziger, Reagan's press secretary, had told a few reporters during the recent governors conference about the firing and the reasons for it.

Up until the moment of the press conference, Reagan had acted with integrity and propriety. When the rumors started, an investigation was carried out. As a result of that investigation, the two men were quietly dropped from Reagan's staff. The governor's insistence on morality in official life and his personal compassion for tragic human frailty were both well served.

When asked about the matter, it would have been simple—and quite legitimate—for Reagan to present himself in a most favorable light, while making Pearson appear as something of a cad for bringing the whole thing up. Instead he denied that the unfortunate affair had happened, and denied that he or his aides had ever told any members of the press any such thing had taken place.

The fact is that Nofziger, during the governor's cruise aboard the S.S. Independence, did tell a handful of newsmen—The Star's political writer Paul Hope among them—that two of Reagan's staff members had been fired for homosexual activity.

The black mark on Reagan's record is not that he hired such men, or that he was slow in firing them. Where he stumbled was in his histrionic denial and in calling Drew Pearson a liar when he must have known that Pearson's article was factually correct. The motivation of this extraordinary performance is not easily discerned.

It was, in any event, a serious error of judgment in Reagan's first real test under pressure. And it must inevitably raise very real doubts about his personal dedication to the truth and his fitness for the high office to which he so obviously aspires.

EXHIBIT 3

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE.

The attached information is forwarded in response to your recent inquiry. We hope it meets your needs in this matter.

Please do not hesitate to call on us for further assistance.

Sincerely,

LESTER S. JAYSON,
Director.

[From the Sacramento (Calif.) Union, Oct. 17, 1964]

FBI CHECKUP: JENKINS' ARREST IN 1959 TOLD IN 1961

WASHINGTON.—The FBI informed the Secret Service in April, 1961, that President Johnson's former aide, Walter W. Jenkins, had been arrested two years earlier, it was learned Friday. The FBI did so on the Secret Service's request for a check on Jenkins. The Secret Service may not have known, however, that the arrest involved a morals charge.

ANY FOLLOWUP?

What followup investigations—if any—were made was not known. Johnson was vice president at the time.

Jenkins resigned Wednesday after public disclosure of his arrests in January, 1959, and last Oct. 7 on morals charges at the Washington YMCA. He is now under treatment for "extreme fatigue" at a Washington hospital.

Neither the FBI nor the Secret Service would comment Friday on reports that Jenkins' arrest record was known.

ASKS INVESTIGATION

Johnson said Thursday night he never had received any information questioning Jenkins' personal conduct before Wednesday. He has asked the FBI for a full investigation.

It was learned Friday that after Jenkins' first arrest in 1959, the Washington metropolitan police asked the FBI to check Jenkins' fingerprints to determine whether he had a previous criminal record.

The FBI reported that the man had no such record.

The police card bore the notation "investigation suspicion." Apparently neither the police nor the FBI realized at the time that Jenkins was Johnson's top aide.

The FBI left the Jenkins fingerprint card in its identification file along with 172 million others.

In April, 1961, at the Secret Service's request for a check on Jenkins, the FBI turned up the "investigation suspicion" notation and informed the Secret Service.

Ironically, Jenkins only last month advised the heads of federal departments and agencies to have the FBI check the backgrounds of prospective appointees.

In a memorandum dated Sept. 10, Jenkins said "it would be unfortunate if undesirable individuals were put on the federal payroll simply because sufficient precautions were not taken prior to their appointment."

[From the Sacramento (Calif.) Union, Oct. 17, 1964]

BRITISH VIEW: JENKINS CASE WILL HURT LBJ

LONDON.—The British press said Friday the morals scandal over White House aide Walter Jenkins is a serious setback to President Johnson in his election campaign.

The Daily Telegraph, the only London morning newspaper with an editorial on the scandal, said, "It is a civilized trait that a people demands to be governed by leaders whose characters command respect. Scandals, real or alleged, have catastrophic impact and may deflect public policy.

"Grasping this new weapon within three weeks of the polls on Nov. 3, Mr. (Barry) Goldwater's Republican forces may be expected to wield it pitilessly. It is to be hoped that, in the inevitably inflamed atmosphere of the campaign, the voters will not lose sight of the greater issues they have to decide."

The Times of London, in a report from Washington, said, "President Johnson's campaign has received a severe setback."

It said, "It matters not that Mr. Jenkins is a Lieutenant-Colonel in the Reserve Air Force Squadron commanded by Sen. Goldwater, or that the disclosures might have been as carefully engineered by the senator's staff as the regimented applause at his political meetings. There are at least grounds for suspicion; apart from last night's first announcement from Republican headquarters. The senator, after fluffing many issues, decided over the weekend to press his charges of immorality and corruption."

The news of the scandal, although extensively reported, was pushed into the inside pages of the London newspapers by the British general election and the end of Nikita Khrushchev's power in Moscow.

The Daily Mail, in its report from Washington, said Johnson's "prospects of a landslide victory were seriously threatened."

The Daily Express said "a great political storm that could lose Lyndon Johnson the November 3 presidential election" had broken over the scandal.

The Daily Mirror said, "it can have a serious effect on the American presidential elections."

The Sun said it had "shaken the presidential election campaign."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

GOP DEMANDS: L. B. J. EXPLAIN JENKINS CASE

WASHINGTON.—Top Republicans, including vice presidential candidate William E. Miller, insisted Thursday that President Johnson answer publicly questions raised by the morals charge arrests and resignation of his senior White House aide, Walter W. Jenkins.

At the same time, FBI Director J. Edgar Hoover announced that Johnson had asked for an immediate full investigation of the Jenkins case. Hoover said an inquiry was already in progress and a report would be submitted to the President as soon as possible.

Campaigning in the Chicago area, Miller said the two arrests of the long-time Johnson assistant on disorderly charges at the YMCA in Washington, D.C., raised "serious questions."

Johnson himself has said nothing about the scandal surrounding his trusted assistant since 1939. But Mrs. Johnson issued a statement Thursday which said her heart was "aching" for Jenkins.

MEDICAL HELP

"He is now receiving the medical attention which he needs," the First Lady said. "I know our family and all of his friends and I hope all others pray for his recovery."

Republican National Chairman Dean Burch declared that Johnson must explain "why he covered up for five-and-a-half years" the fact that Jenkins had been arrested in 1959 and was permitted to hold a top White House post.

NIXON DEMAND

Former Vice President Richard M. Nixon demanded that Johnson go before a nationwide audience and tell what he knew of "this sick man."

Nixon, appearing in Fort Wayne, Ind., said that the Jenkins disclosure and the Bobby Baker case showed that Johnson's "two closest associates" turned out to be "bad apples."

RESIGN POST

The White House announced that Jenkins had resigned his post Wednesday shortly after it was learned that the 46-year-old special assistant and long-time Johnson aide had been arrested on two occasions by police—once in January, 1959, and again on Oct. 7 of this year.

In both cases, Jenkins was picked up at the Washington YMCA and both times forfeited collateral. The 1959 arrest record showed him charged with "disorderly (pervert)." The arrest record last week carried the notation "disorderly, (indecent gestures)."

Burch told a news conference that the President should make a full public account of the case.

He said: "The Walter Jenkins episode raises grave questions which only the President can—and must—answer. The story up to now is only partially revealed."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

L. B. J. SAYS JENKINS CASE WAS SURPRISE

WASHINGTON.—President Johnson said Thursday night that he had never received any word questioning the personal conduct of resigned White House aide Walter W. Jenkins until late Wednesday.

The President made his first public comment on the Jenkins' case after flying back to Washington from a two-day campaign tour in New Jersey, Pennsylvania, and New York.

Jenkins resigned as a special assistant to the President Wednesday night after disclosures that he had been arrested twice in Washington on morals charges.

FBI PROBE

The Chief Executive said he had requested Jenkins' resignation and ordered FBI Director J. Edgar Hoover to undertake comprehensive investigation and report promptly to the public on his findings.

Earlier Thursday, Republican National Chairman Dean Burch declared that Johnson must explain "why he covered up for 5½ years" the fact that Jenkins had been arrested in 1959 and allowed him to hold a top White House post.

STATEMENT

Here is Johnson's statement:

"Walter Jenkins has worked with me faithfully for 25 years. No man I know has given more personal dedication, devotion and tireless labor.

"Until late yesterday, no information or report of any kind to me had ever raised a question with respect to his personal conduct. Mr. Jenkins is now in the care of his physician and his many friends will join in praying for his early recovery.

COMPASSION

"For myself and Mrs. Johnson, I want to say that our hearts go out with the deepest compassion for him and for his wife and six children—and they have our love and prayers.

"On this case, as on any such case, the public interest comes before all personal feelings. I have requested and received Mr. Jenkins' resignation.

"Within moments after being notified last night I ordered Director J. Edgar Hoover of the FBI to make an immediate and comprehensive inquiry and report promptly to me and the American people."

SENT TO HOSPITAL

The White House announcement of Jenkins' resignation did not say that the President had requested his senior aide to resign. Jenkins was hospitalized Wednesday for treatment of "extreme fatigue."

The President's statement came after top Republicans, including GOP vice presidential nominee William E. Miller, insisted that Johnson answer publicly questions raised by the resignation of Jenkins.

Republican presidential candidate Barry M. Goldwater refrained from comment on the development. He was understood to be reluctant to let the two arrests of Jenkins become a campaign issue except as they applied to security procedures.

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

BARRY TELLS TEXAS: REGIME OF L. B. J. SCANDAL RIDDEN

HOUSTON.—Sen. Barry M. Goldwater charged in President Johnson's home state of Texas Thursday that the White House is "dark with scandal" and marked by official cover-up. The GOP presidential candidate applied his remarks to the Bobby Baker and Billie Sol Estes cases—not to the campaign-jolting resignation of White House aide Walter W. Jenkins.

Texan Jenkins, now hospitalized, resigned Wednesday after disclosure that he had been arrested twice on morals charges.

Goldwater's determination not to publicly discuss the Jenkins case—unless his security clearance becomes an issue—did not extend throughout his campaign hierarchy.

ESTIMATED 10,000 AND 17,000

The Arizona senator spoke to an estimated 10,000 persons at Harlingen and to 17,000 at Beaumont.

Goldwater tackled foreign policy at Houston Thursday night with a charge that the administration's handling of it is a matter of "drift, deception and defeat."

BLASTS JOHNSON

He said in a speech prepared for delivery at Colt Stadium that "Lyndon Baines Johnson has sowed the wind of weakness. He has reaped the whirlwind of war."

"This administration has declared a moratorium on government until after the election is over—and you know it," Goldwater said.

"I charge that this administration has a soft deal for communism—and you know it.

FOREIGN POLICY

"I charge that this administration has a foreign policy of drift, deception and defeat. And you know that, too.

"Drift, deception and defeat—these are the watchwords of my opponent and his curious crew."

At Beaumont, Goldwater said this has been "the most successful week" of his campaign.

"It's coming when we wanted it to come—in the middle of October," he said. "The polls are showing us on the way up. And there are a growing number of undecideds."

COVER UP

At Harlingen, Goldwater charged before more than 10,000 persons that the President is "using every power of his great office . . . to cover up one of the sorriest rumors we ever had in the nation's capital." He said he was referring to the Baker case—not Jenkins.

"The people have looked at the White House and have found it dark with scandal," he said. "The people have looked at the man who now occupies the White House and have found him shadowed by suspicion which no amount of handshaking and hurrah can chase away."

[From the Sacramento (Calif.) Union, Oct. 16, 1964]

JOHNSON URGES ELECTION OF KENNEDY

NEW YORK.—President Johnson campaigned enthusiastically through upstate New York Thursday, urging the election of Robert F. Kennedy to the Senate. He ordered an investigation into the Walter Jenkins scandal but did not mention the case in his political speeches.

The President and former attorney general, accompanied by top state party leaders, flew to Rochester and Buffalo and were greeted by cheering thousands.

Then they returned to New York for appearances in Brooklyn and at a Liberal party rally Thursday night in Madison Square Garden.

FBI Director J. Edgar Hoover disclosed in Washington that Johnson had ordered a "full and complete investigation" of the Jenkins bombshell.

PIERRE PARES JENKINS CASE

UPLAND.—Sen. Pierre Salinger, D-Calif., campaigning to retain his interim senate seat, said Thursday he did not think the Walter W. Jenkins incident would hurt President Johnson's campaign.

"It's most unfortunate about Mr. Jenkins. I think when a person who works in the high levels of government and is subjected to great pressure becomes ill and has a nervous condition and has a breakdown . . . we should all regret it," said Salinger.

MILLER SEES DANGER SPOT

CHICAGO.—Rep. William E. Miller said Thursday the disclosure of presidential aide Walter W. Jenkins' arrests on morals charges raised "serious questions" that should be answered by President Johnson.

The GOP vice presidential candidate, stumping for the strategically important vote of Chicago and its suburbs, said the President should explain why a man with such a background "should be entrusted with such a high office."

EASY TO ENTRAP

"Such a man could be compromised quickly and dangerously," Miller said.

Miller commented on the Jenkins case during a question period after a luncheon address to the Chicago Executives Club.

In his speeches during a 40-mile sweep across the densely populated metropolitan area, he steered clear of the case of the resigned presidential aide and drummed on the theme that the Republicans will make city streets and parks "safe for our women and children."

[From the Sacramento (Calif.) Union Oct. 15, 1964]

JOHNSON AIDE OUT: EXPOSED AS MORALS CASE—RESIGNS, GOES TO HOSPITAL

NEW YORK (UPI)—Walter Jenkins resigned Wednesday night as special assistant to President Johnson, the White House announced, following disclosure he had been arrested Oct. 7 on a disorderly charge involving "indecent gestures."

President Johnson accepted the resignation and appointed Bill D. Moyers to succeed Jenkins, an associate since 1939.

NEWS CONFERENCE

The announcement was made by White House Press Secretary George E. Reedy in an extraordinary news conference in the Waldorf Astoria Hotel.

United Press International reported from Washington Wednesday night that Jenkins was arrested on a disorderly charge involving "indecent gestures, and elected to forfeit $50 collateral.

Reedy assembled reporters in the White House press room on short notice and read this statement:

"As I told some of you earlier today, Walter Jenkins, who has been suffering from fatigue, went into the hospital this afternoon on orders from his doctor.

"Walter Jenkins submitted his resignation this evening as special assistant.

"The resignation was accepted and the President has appointed Bill D. Moyers to succeed him."

SINCE 1939

Jenkins, who has been working with Johnson since 1939, was admitted to George Washington University Hospital in the nation's capital. His doctor said he was hospitalized for "nervous exhaustion and high blood pressure."

Moyers, an ordained Baptist minister, has been deputy director of the Peace Corps and came to the White House when Johnson succeeded the late President John F. Kennedy after Kennedy's assassination.

A White House source said the President first learned about the Jenkins situation when he received queries from newspapers.

The source said the first information came to the President shortly before he visited Mrs. John F. Kennedy Wednesday night.

When the President returned from his visit he "had some inquiries made" about Jenkins' condition, the source said.

A check of District of Columbia police records revealed the incident Wednesday after rumors had been sweeping Washington political circles that Jenkins had been arrested by officers of the D.C. Morals Division.

The record showed that Jenkins, 46, was picked up at the YMCA by two plainclothesmen of the Morals Division Wednesday, Oct. 7, on a charge of "disorderly (indecent gestures)". It said he "elected to forfeit" $50 collateral.

SECOND ARREST

Police refused to go beyond the official record in the case. The record showed that an Andy Choka, 60, a timekeeper at the soldiers home here, was arrested at the same time by the same officers and also elected to forfeit $50 collateral.

Jenkins is one of the men Republicans want summoned as a witness in the resumption of the Bobby Baker investigation by the Senate Rules Committee.

[From the Los Angeles (Calif.) Times, Oct. 16, 1964]

PRESIDENT COMMENTS ON JENKINS—DECLARES QUESTION ABOUT CONDUCT OF AIDE NEVER RAISED

WASHINGTON.—President Johnson said Thursday night he had never had any information before late Wednesday that "had ever raised a question" about the personal conduct of Walter Jenkins.

The President made this statement as Goldwater forces stepped up their "scandal" accusations against the Johnson administration and said that the Jenkins moral case raises grave issues of national security.

Jenkins, long-time confidant and top aide to Mr. Johnson, resigned suddenly Wednesday. It was disclosed that Jenkins had been arrested on Oct. 7 on a charge of "disorderly conduct (indecent gestures)" and that he had been arrested five years before on a charge of "disorderly conduct (pervert)." In both cases he forfeited collateral.

PUBLIC INTEREST PUT FIRST

The President disclosed he had asked for and received Jenkins' resignation Wednesday. He also said he had asked FBI director J. Edgar Hoover to make an immediate and comprehensive inquiry on the case and report promptly "to me and the American people." The President noted that in any such case, "the public interest comes before all personal feelings."

Jenkins is now in George Washington University Hospital suffering from what his doctor called "extreme fatigue."

The President in his statement Thursday night, issued on his return from a political campaign swing in New York state, said no information or report had ever come to him before Wednesday that would raise a question about Jenkins' personal conduct.

CITES FINE RECORD

Taking cognizance of the 25 years that Jenkins has been in his employ except for military service during World War II and a brief fling in politics on his own, Mr. Johnson said:

"No man I know has given more personal dedication, devotion and tireless labor."

The President said, "For myself and Mrs. Johnson, I want to say that our hearts go out with the deepest compassion for him and for his wife and six children and they have our love and prayers."

The President's statement was, in effect, a reply to an allegation by Dean Burch, chairman of the Republican National Committee, that Mr. Johnson had covered up for Jenkins for five and one-half years—an allegation based on the fact that Jenkins had been arrested on a morals charge in 1959.

Burch said the "Walter Jenkins episode raises grave questions of national security which only the President can—and must—answer. The story up to now is only partially revealed."

Burch said the President must be aware of the "vulnerability of morals offenders to blackmail . . ."

Sen. Barry Goldwater, the Republican nominee, was asked for comment at a campaign stop in Denver and replied:

"I haven't seen an account of it. We just had a report. I don't intend to comment on it at any time."

EXPLANATION ASKED

Here are other reactions:

Rep. William E. Miller, the Republican Vice Presidential nominee in Chicago, called upon Mr. Johnson to explain how "this type of man" could occupy such a high position in the government. Miller said that if Jenkins "had information vital to our survival, it could be compromised very quickly and very dangerously."

Richard M. Nixon in Ft. Wayne, Ind., demanded that President Johnson tell the nation what he knows of morals charges placed against Jenkins. He said Americans would "not stand for immorality in the White House."

Clifton White, chairman of the Citizens Committee for Goldwater-Miller, in Washington—"The effects upon America both nationally and internationally can only be surmised at this time."

"HEART ACHING"

Democratic Vice Presidential nominee Hubert H. Humphrey, on the campaign trail in Pennsylvania, said: "I'm sure the White House will make whatever statement need to be made."

Mrs. Lyndon Johnson, in Washington, issued a statement saying "My heart is aching" for Walter Jenkins, whom she described as "someone who has reached the end point of exhaustion in dedicated service to his country."

Sen. Kenneth B. Keating (R-N.Y.), seeking re-election against Democrat Robert F. Kennedy, said he had no intention of exploiting the case. "It has nothing to do with my opponent."

Sen. Jacob K. Javits (R-N.Y.)—"I think security is an issue and if it turns out that security is at stake, this will become an issue."

W. Averell Harriman, an undersecretary of state and former New York governer, accompanying Mr. Johnson on his New York campaign tour—"I don't think it will hurt. I think it will arouse sympathies for Jenkins."

WAGNER COMMENTS

Mayor Robert F. Wagner of New York City, a Democrat, asked whether the case would hurt the Democratic campaign—"I don't know what the reaction will be. Certainly, people will realize this is just an individual person."

Sen. Karl Mundt (R-S.D.), in Sioux Falls, declined to speculate upon the effect the Jenkins case might have on the election. "This is not unprecedented. It has happened in both political parties as long as I've followed politics," he said.

Meanwhile, it was learned that Mr. Johnson had ordered the FBI to attempt to determine particularly whether the Jenkins case involved any violations of national security procedures or laws.

TO QUIZ ASSOCIATES

The investigative agency also will look into Jenkins' past history and interview associates within the government in an effort to ascertain whether or not anyone in government had reason to believe he had homosexual tendencies, it was said.

Mr. Johnson, it was understood, told the FBI to employ as many agents as necessary in the task.

Once the inquiry is completed, it is expected that the FBI will submit its findings to the White House and that they will be made public by the President.

One high source said it was hoped this report might be available for public release in about a week.

[From the Los Angeles (Calif.) Times, Oct. 16, 1964]

JENKINS CASE POSES QUESTIONS

The arrest of White House aide Walter Jenkins on a morals charge is a personal tragedy for all concerned. It also comes as a deep shock to the nation.

It is unfortunate that such a scandal should break less than three weeks before a national election in which far greater issues are at stake than the personal behavior of one man.

However, Jenkins has been one of President Johnson's closest associates for 25 years, and it is inescapable that the episode will become a factor in the presidential election.

On the strength of the notorious Bobby Baker case, Sen. Barry Goldwater has already made "morality in the White House" a major issue.

Now Richard Nixon demands to know why two "bad apples" have shown up in Mr. Johnson's immediate entourage. And GOP National Chairman Dean Burch has charged that the President "covered up" for Jenkins on a similar previously undisclosed offense in 1959.

Until further details are available, fair and compassionate men will withhold judgment on all such allegations.

The most troublesome aspect of the case—the question of national security—transcends politics, the Bobby Baker case and elements of personal tragedy.

There is no reason to suppose that Jenkins is other than a loyal American. But it is commonly recognized that persons suspected of deviant conduct are vulnerable to blackmail attempts by the Communists. As a result, they are denied security clearances.

Yet Jenkins apparently had access to secret information both before and after Mr. Johnson moved to the White House. He received an FBI security clearance in 1958, before his first alleged offense. But the FBI conducts such investigations only upon request of executive agencies—and it reportedly received no request from the White House on Jenkins.

President Johnson now has ordered a full FBI investigation of circumstances leading to the Jenkins resignation. The report should be made promptly, and publicly.

In the process, the FBI should answer some questions about its own role, too:

Why, as a result of routine federal-local police co-operation, didn't Jenkins' arrest in 1959 show up in his security file? Or, if it did, why was his security clearance not reconsidered?

The American people deserve assurances that future Presidents—including whoever is elected Nov. 3—obtain security clearances on all their associates, no matter how close.

[From the Los Angeles (Calif.) Times, Oct. 16, 1967]

RUMORS LED TO POLICE BLOTTER IN JENKINS CASE

WASHINGTON.—The grapevine of rumor and finally the words on a police blotter—all within hours Wednesday—unlocked the story of Walter Jenkins' arrest on morals charges and his resignation as a top White House aide.

Several newsmen received anonymous tips about Jenkins' arrests a short time before Republican National Chairman Dean Burch issued a statement charging:

"The White House is desperately trying to suppress a major news story affecting the national security."

ACCESS TO BOOK

Reporters went to District of Columbia police headquarters, where officers gave them the usual free access to the arrest book of terse reports.

Case No. 2208 gave this report:

"8:35 p.m., Oct. 7. Name: Jenkins, Walter Wilson, 3704 Huntington St., N.W., date of of birth 3-23-18. White. Born Jolly, Tex. Occupation: Clerk. Married. Collateral $50 (CCB). Parents: Anna, John. Charge and place arrested: at the YMCA disorderly (indecent gestures). Complainant R. L. Graham. Officer L. P. Drouillard. Disposition: Elects to forfeit."

MISSED BY REPORTERS

The record, however, did not immediately attract the attention of police reporters, who did not connect the name with that of the White House aide. Police normally record the occupation of a person arrested—Jenkins was listed as "clerk"—but do not regularly list his employer.

The tipsters had told of a 1959 charge against Jenkins and reporters checked back

on that. Case No. 174 of Jan. 15, 1959 gave this report:

"Time: 10:20 p.m. Name: Jenkins, Walter Wilson, 3704 Huntington St., N.W., Born 3-23-18, Jolly, Tex. Occupation: Clerk, married. Read and write, yes. Male. Collateral: $25, Mother Anna Morgan, father John B., charge disorderly conduct (pervert)."

CHECK ON NAME

Was this the same Walter Jenkins who had been President Johnson's close aide for over 20 years? Reporters had to be sure. The name, the address, the birthplace, the age, the parents' names all matched. Had somebody used his name?

As painstaking checking went on, White House aides announced in New York that Jenkins had been hospitalized for extreme fatigue. Newsmen there tried to check out if the arrested man was Jenkins of the White House staff. Asked about Burch's statement, White House press secretary George E. Reedy said:

"I don't know what he's talking about."

JENKINS RESIGNS

Nearly three hours later, Reedy announced that Jenkins had resigned. Reedy said Mr. Johnson had first learned about it as a result of the reporters' queries.

Meanwhile, Jenkins' doctor, Charles Thompson, verified that Jenkins was ill, with "sky high" blood pressure, insomnia, tensions, agitations and extreme exhaustion. The doctor would not comment on the morals charges.

SECURITY ASPECT OF JENKINS CASE CITED BY MILLER

CHICAGO.—Rep. William E. Miller said Thursday that the Walter Jenkins incident poses "very, very serious" national security questions that President Johnson should answer for the American people.

The Republican Vice Presidential nominee said Mr. Johnson should explain how a man such as Jenkins could occupy so high a position in the government.

Commenting on Jenkins' arrest on a morals charge and subsequent resignation as a top-ranking White House aide, Miller said:

"If this type of man had information vital to our survival, it could be compromised very quickly and very dangerously."

Among other things, he said, Mr. Johnson should say whether Jenkins ever sat in on meetings of the National Security Council or of the Cabinet.

ANSWER QUESTIONS

Miller discussed the Jenkins case during a question-and-answer period following his speech at a luncheon of the Executive Club of Chicago.

It was one of six speaking appearances during a full day of campaigning here.

Miller had told newsmen previously he would have no comment on the Jenkins affair. But a request for his reaction was among questions read by the toastmaster at the luncheon.

Miller responded by discussing the Jenkins incident in some detail and also bringing up Jenkins' role in the Bobby Baker case. He said Jenkins had been "protected by the White House" in the Baker case.

JENKINS CASE HURTS JOHNSON DRIVE; SOVIET SHAKEUP MAY OFFSET HARM

(By Laurence Burd)

WASHINGTON.—The Walter Jenkins case struck President Johnson's election campaign amidships, with heavy damage, just when it seemed to be cruising smoothly toward victory in November.

Disclosure that Jenkins, long-time top aide and confidant to Mr. Johnson, was twice arrested on morals charges, plays right into the hand of GOP Presidential nominee Barry Goldwater's campaign against "moral decay" in the Johnson administration from the White House down.

Political strategists of every stripe agree that the Jenkins episode, standing alone, would cost the Johnson ticket a good many votes in November.

But, by one of those twists of fate, the damaging impact on Mr. Johnson of the Jenkins case could be offset, at least in part, by a completely unrelated development 5,000 miles away—in Moscow.

The surprise replacement of Russian Premier Nikita S. Khrushchev a day after the Jenkins case erupted Wednesday, poses new global uncertainties.

Although it is too early to tell whether the Moscow shakeup could presage an East-West crisis, its occurrence less than three weeks before the U.S. election is almost sure to have an impact on the voting here.

If the past is any guide, the backlash from Moscow is likely to help Mr. Johnson politically more than Goldwater. The majority of American voters traditionally tend to rally in times of global crisis or uncertainty to the incumbent administration as a safer haven than a new team of leaders.

Republicans will seek to make political capital out of both the Jenkins episode and the Moscow shakeup, but they have a much more salable issue in the Jenkins case.

Former Vice President Richard M. Nixon signaled the Republican line on the Kremlin re-shuffle Thursday when he said that this is "all the more reason Sen. Barry Goldwater should be in the White House."

Nixon said the United States needs Goldwater's "hard line" in dealing with the new Moscow regime, rather than the softer line of accommodation with Russia that President Johnson has taken.

Mr. Johnson can defend publicly, as he has, his foreign policy stewardship, including U.S. dealings with Moscow, but the Jenkins case has left the President politically embarrassed.

Mr. Johnson is deeply vulnerable concerning Jenkins, regardless of any explanation he or his associates may make in the President's defense.

SECURITY RISK ISSUE

The most damaging aspect to the President of the Jenkins case, stems not from Jenkins' arrest last week on "disorderly (indecent gestures)" charges, but his arrest Jan. 15, 1959, on similar charges. Both arrests were made at the Washington YMCA only two blocks from the White House, and in both cases Jenkins forfeited collateral.

The earlier arrest raises, as the Republicans have, the troubling question of how the President could retain as a top aide, with access to top-secret material, a man whose moral background, based on the 1959 incident, could expose him (Jenkins) to blackmail and make him a security risk.

Anonymous White House source have indicated that Mr. Johnson was unaware, until Wednesday, of either the 1959 or the recent arrest of Jenkins. But this leaves the President open to the accusation that he neglected elementary precautions that would have uncovered a potential security risk within his official family.

It is the "security risk" issue that the Republicans are pressing publicly in the Jenkins case, while letting the voters make their own judgment on its moral aspects.

However, Goldwater and his campaigning associates are continuing to press their argument against "scandals" and breakdown of morals against the Johnson administration, without specific mention of Jenkins. Thus, Goldwater said Thursday the President has used "every power . . . to cover up one of the sorriest rumors we have ever had in the nation's capital"—and then explained he referred to the Bobby Baker case, not to Jenkins.

Jenkins himself was a key figure in the Bobby Baker investigation conducted by the Senate Rules Committee earlier this year, but the committee's Democratic majority refused to accede to Republican members' demands Jenkins be called as a witness.

Don B. Reynolds, an insurance agent, told the committee he bought $1,200 of advertising time on a Johnson family television station in Texas after Reynolds sold $100,000 worth of life insurance to Mr. Johnson.

JENKINS IN DEAL

Reynolds swore that arrangements for the purchase of advertising time were made by Jenkins, who denied it in an affidavit to the committee.

In continuing to hammer at the administration for a "cover-up" of the Bobby Baker case, the Republicans can, if they choose, remind the voters that Jenkins was a figure in that controversy.

Some Republicans believe the whole Jenkins episode may give the Goldwater ticket a big enough shot in the arm to carry it to victory in November.

The Democrats and some neutral political analysts doubt the Jenkins' case impact will be that great, particularly in view of the Khrushchev shakeup.

However, even Democratic sources, concede that the party is likely to lose some votes because of Jenkins. They are concerned that the episode could, in possibly cutting down Mr. Johnson's vote, bring defeat of some Democratic Senate and House candidates where the races were close even before the Jenkins' misfortune struck.

FBI DIDN'T NOTE CHARGE IN 1959

(By David Kraslow)

WASHINGTON.—Both the FBI and the Secret Service knew in 1961 that Walter W. Jenkins, the resigned White House aide, had been arrested by District of Columbia police in 1959.

But what they did not know, apparently because of a failure to check police records, was that a morals charge was involved.

This was learned Thursday following another arrest on a morals charge last week of Jenkins, 46-year-old father of six.

As a confidant of Mr. Johnson for more than two decades, Jenkins was close to vital government secrets.

TIGHTER CLEARANCE SEEN

Whatever the effect on the Presidential campaign, the Jenkins case seemed certain to result in tighter security clearance procedures for persons employed at the White House.

High administration sources were dismayed, after learning that the FBI and Secret Service knew of the 1959 arrest, that no further investigation was made to determine the circumstances.

Some sources suggested that persons employed in high positions and who work under intense pressures should be subjected to a security investigation every year or so.

There is no such system now for White House personnel. In fact, the FBI which normally acts in such matters only at the request of the executive branch, has not run a security check on Jenkins since early 1958.

Jenkins at that time was the chief aide to Mr. Johnson, then the Senate majority leader.

The FBI security check was made at the request of the Atomic Energy Commission, which then gave Jenkins a "Q clearance," the highest there is.

"I guess everyone figured that once he had received a Q clearance there was no reason to check him out again," a source said.

The FBI and Secret Service declined comment, but it apparently learned of the 1959 arrest this way.

Jenkins was picked up by officers of the District of Columbia's police department's morals division at the downtown YMCA, just a few blocks from the White House.

APPARENTLY NOT NOTIFIED

After receiving the fingerprint card with the "investigation-suspicion" notation, nothing further was heard of the case.

The FBI apparently was not notified of the

formal charge finally recorded by the District of Columbia police against Jenkins, that of "disorderly conduct (pervert)." Jenkins forfeited $25 collateral which closed the case as far as the police were concerned.

The fingerprint card on Jenkins went into the files of the FBI's identification division, where some 170,000,000 other fingerprint cards are kept. These records are entirely separate from the FBI's general files.

The D.C. Police Department, as do many others, voluntarily sends to the FBI fingerprint cards on all arrested persons.

In 1961, the Kennedy-Johnson administration took office. As it does routinely with every new administration, the Secret Service fingerprinted all persons on the staffs of Mr. Kennedy and Mr. Johnson prior to issuing White House credentials.

SECRET SERVICE SILENT

The Secret Service sent Jenkins' fingerprint card to the FBI on a routine check.

The FBI sent the Secret Service the information it had on Jenkins' 1959 arrest, which showed only the charge of "investigation-suspicion."

The Secret Service declined to discuss the matter because of the investigation announced Thursday by Hoover, but apparently it did not ask the D.C. police in 1961 what became of the "investigation-suspicion" case against Jenkins.

Last week Jenkins was again picked up at the YMCA by morals division officers. He was charged with "disorderly conduct (indecent gestures)" and forfeited $50 collateral.

The FBI, it was said, would question Jenkins' associates to determine if any suspected him of tendencies such as those that led to his arrests.

PRESIDENT'S "CURIOUS CREW" DENOUNCED BY GOLDWATER—SENATOR MAKES NO DIRECT MENTION OF JENKINS CASE

(By Robert E. Thompson)

HOUSTON.—Sen. Barry Goldwater, without making direct reference to Walter Jenkins, heard the name of the deposed White House aide shouted from a fervid crowd Thursday as he denounced President Johnson's "curious crew."

The Republican Presidential nominee, who reportedly has decided to avoid making Jenkins' morals arrest a campaign issue unless he determines that it involves national security, flew across the President's home state lambasting the administration as one of drift, deception and defeat.

SOFT ON COMMUNISM

Standing before 31,000 cheering, placard-waving fans in the Houston Colts' stadium. Goldwater also attacked Mr. Johnson for his association with Bobby Baker for an alleged drift toward socialism and as being soft on communism.

Over and over again, the Arizonan ridiculed what he called the "curious crew" around Mr. Johnson.

He listed among its members Baker, Billie Sol Estes and Matthew McCloskey. Amid tumultous cheers, someone in the crowd asked "What about Walter?"

A number of persons in the crowd shouted derogatory remarks about Jenkins.

KREMLIN SHAKEUP

Goldwater also said that "communism, no matter who speaks for it, will never bury us."

It was the candidate's first statement bearing on the Kremlin shakeup in which Soviet Premier Nikita S. Khrushchev was displaced in a mid-campaign development which jolted both political parties.

Goldwater revised the prepared text of his speech which had read that "Khrushchev will never bury us."

Instead, he took note of the change in Soviet leadership by substituting the words "Communists, no matter who speaks for it, will never bury us."

Goldwater received enthusiastic receptions in Harlingen and Beaumont early in the day. But upon his arrival in Houston, he drew sparse, disappointing crowds as he motorcaded more than 12 miles through the city, Texas' largest.

Although Goldwater has ruled initially that he will not discuss the arrest of Jenkins on a morals charge, he released a statement defining the former Presidential assistant's status in the 9999th Air Force Reserve Squadron, which Goldwater commands.

JENKINS FULL COLONEL

The report, signed by Maj. Gen. Barry Goldwater, USAFR, pointed out that Jenkins is a full colonel and has been a member of the reserve unit since about Jan. 15, 1961.

In reply to a question about Jenkins' efficiency rating, the senator explained that Mr. Johnson's long-time aide is assigned to headquarters command and, therefore, "I was not required to give him an efficiency rating."

The brief Goldwater statement pointed out that Jenkins already had been cleared to receive classified material before he joined the squadron.

During his first three years in the squadron, Goldwater said Jenkins attended 75% of the meetings. But this year, the Presidential nominee added, Jenkins, who resigned Wednesday, has participated in only three sessions.

CLOSE TO WHITE HOUSE

While the Air Force secretary decreed in June that all members not identified with Congress would be forced to transfer from the unit. Goldwater said Jenkins was retained "because of his closeness to the White House."

Under the June decree, Pennsylvania Gov. William W. Scranton, who unsuccessfully sought the GOP Presidential nomination against Goldwater, had to leave the squadron.

Sources close to Goldwater said the senator had determined that he will make no mention of Jenkins' arrest on a morals charge Oct. 7 unless he believes the government was derelict in granting Jenkins clearance for participation in national security affairs.

But Sen. John Tower (R-Tex.), who traveled with Goldwater across the state, indicated to newsmen that the Republicans have a major issue in security questions arising from the Jenkins case.

The Jenkins case reportedly was high on the agenda of a night meeting in Houston between Goldwater and his top compaign advisers. GOP national chairman Dean Burch, campaign director Dennison Kitchel, research director Edward McCabe, and John Greiner, deputy director of the Republican National Committee.

PRESTIGE DECLINE CLAIMED

Goldwater emphasized at all three cities his view that Mr. Johnson is leading the nation toward socialism and is grasping for power.

Stating that no man can "withstand the temptation" of power now vested in the Presidency, Goldwater told an outdoor audience of about 12,000 at Beaumont that his first act in the White House would be "to see that powers are returned to the executive branch."

In Beaumont, where labor is strong, Goldwater also criticized compulsory arbitration between labor and management. He said that as President, he would invoke the law only in strikes where outsiders are hurt.

[From the Los Angeles Times, Oct. 17, 1964]

ATTEMPT TO SOFT PEDAL JENKINS STORY REVEALED—TOP DEMOCRATIC LAWYERS VISITED OFFICES OF CAPITAL PAPERS TO MAKE REQUESTS

WASHINGTON—Two prominent Democratic lawyers, both possible candidates for attorney general in a Johnson administration, tried to soft pedal the Walter Jenkins story in Washington newspapers, it was disclosed Friday.

Jenkins, 46, a trusted aide and close friend of Mr. Johnson for 25 years, resigned his White House post Wednesday night after the disclosure that he had been arrested on morals charges in 1959 and again last week.

The two lawyers who visited three Washington newspapers to suggest that the story be withheld or treated "kindly" were Abe Fortas and Clark Clifford, both friends of and advisers to Mr. Johnson.

PUBLISHER'S STORY

Last December Fortas withdrew as defense counsel for Bobby Baker. He said he did it to avoid possible "embarrassment" arising from "certain assignments" he had undertaken for the new Johnson administration. Fortas has been mentioned as the possible choice to succeed Robert F. Kennedy as attorney general.

Clifford was a White House aide to President Harry S. Truman. In 1963 he was named by President John F. Kennedy to head his foreign intelligence advisory board. He also has been mentioned as a possible attorney general.

Newbold Noyes, editor of the Washington Star, said Friday that Fortas and Clifford came to the Star's office Wednesday after the Star began making inquiries at the White House about Jenkins after learning of his arrest.

REQUEST MADE

"About a half hour after that Fortas and Clifford walked into the office," said Noyes. "In all fairness, it was in response to our call that they came."

Noyes said the two lawyers confirmed Jenkins' identity, said he was sick and was entering a hospital. Noyes also said they told him the final decision would be up to the President, but that they were "certain he (Jenkins) was out." Jenkins now is in a hospital.

"They asked us in what seemed to be a very proper and low-key way to consider whether this was a story that we would want to print." Noyes said.

The Star did not publish the story that day.

John T. O'Rourke, editor of the Washington Daily News, said the News had the story in memorandum form when the two Johnson advisers arrived. He quoted them as asking him to "treat it as kindly as you can, and not at all if possible."

Alfred W. Friendly, managing editor of the Washington Post and an acquaintance of both men, said he learned of the arrests from them. He said they told him the "whole story" and did not ask that it not be published. Jenkins earlier had told Fortas the story.

THE PEOPLE SPEAK: JENKINS CASE TO CUT SHIFT OF GOP VOTERS

(By Samuel Lubell)

The arrest of President Johnson's key aide, Walter Jenkins, is likely to reduce somewhat the number of Republican voters who have talked of shifting to Mr. Johnson on Nov. 3.

The arrest will also strengthen the disgust with both candidates that already exists and is particularly strong in the South.

But the "Jenkins scandal" is not likely to defeat Mr. Johnson for election.

These judgments are offered on the basis of my interviews with typical voters all across the country during the past three months.

Those interviews revealed, as I reported previously that the attacks on Mr. Johnson's personal integrity were the one aspect of the Goldwater-Miller campaigning that was having an appreciable impact on the voters.

SWITCH LIMITED

The arrest of Jenkins, who is so intimately linked with the Bobby Baker case, is bound to intensify prevailing suspicions of President Johnson's personal honesty—suspicions which have been mentioned by a steadily increasing number of voters during the past months.

Up to now these suspicions have caused only a limited number of Democratic voters

to switch to Sen. Barry Goldwater. I would expect that to continue to be the case, although this is a point I will be checking carefully in future interviewing.

Often Johnson supporters have confessed that they felt "uneasy" or "uncomfortable" about the handling of the Bobby Baker case, but they have suppressed these misgivings because of much stronger fears of what Goldwater would do.

FEELINGS EXPRESSED

A Memphis widow summed up a widely held feeling when she said, "Johnson is out for all he can get, but Goldwater scares me to death."

Distrust of the President has also been a major factor in the indecision of appreciable numbers of Republicans who have talked hesitantly about switching to Mr. Johnson. Many of them have said. 'I'd go for Johnson if I didn't think he was personally involved with Bobby Baker."

These wavering or undecided Republicans are most likely to be affected by the Jenkins development. The "scandal" may also have an important impact on the voters who have been torn between a dislike of both candidates. These voters are quite numerous in the South, where a strong conflict is raging between resentments over civil rights and economic fears stirred by Goldwater's policies.

JENKINS CASE SEEN AS HELP FOR GOLDWATER

SIOUX CITY, IOWA.—Denison Kitchel, executive director of the Republican Presidential campaign, predicted Friday that the Walter Jenkins affair would have a significant effect on the election.

"I don't see how it can do anything but help Barry," said Kitchel as he rode up the Missouri River with Sen. Barry Goldwater.

Kitchel then told newsmen he did not think "we ought to say anything at all about it (the Jenkins case)."

Kitchel said the high-level GOP strategy conference held Thursday night in Houston did not touch on the resignation of Jenkins as a top aide to President Johnson. Jenkins quit Wednesday after revelations that he had been arrested twice on morals charges.

Kitchel said that most of the conference was devoted to a discussion of Goldwater's schedule in the final two weeks of the campaign. He said it was decided to step up the Senator's television broadcasting in the final weeks of the campaign.

He said that the campaign so far was going on schedule and that they had decided to leave Goldwater's agenda flexible, "so that we can wait until we see where we need a little extra effort."

Kitchel said Goldwater already had scheduled two half-hour nation-wide television appearances next week, two more the following week and one on election eve.

[From the Los Angeles Times, Oct 15, 1964]

JOHNSON AIDE RESIGNS FOLLOWING MORALS ARREST—JENKINS, PRESIDENT'S LONGTIME ASSISTANT, ACCUSED OF INDECENCY

(By David Kraslow)

WASHINGTON.—Walter W. Jenkins, one of President Johnson's principal assistants, was arrested last week on a disorderly conduct charge involving "indecent gestures," it was revealed Wednesday.

In New York, the traveling White House announced within hours that Jenkins had resigned. President Johnson accepted the resignation and appointed another White House assistant, Bill D. Moyers, to take Jenkins' place.

The arrest of Jenkins, who figured prominently in the Bobby Baker investigation, came to light in District of Columbia police records after rumors of the arrest swept Washington during the day.

POLICE RECORDS CITED

The police records show that Jenkins, 46-year-old father of six children, was arrested on Oct. 7 at the downtown YMCA in Washington by officers of the morals division.

The police records also showed that Jenkins was arrested on a similar charge at the YMCA on Jan. 15, 1959. In both cases, Jenkins "elected to forfeit" collateral ($25 in 1959, $50 last week) rather than contest the charges.

The charge last week was "disorderly conduct (indecent gestures)." In 1959, it was "disorderly conduct (pervert)."

The charges against Jenkins were misdemeanors. With the forfeiture of bond, the cases are closed as far as the police are concerned.

An FBI spokesman declined comment when asked if the bureau had known of Jenkins' arrest in 1959.

Security checks on persons appointed to high office by the President usually are made by the FBI. Jenkins started working for Mr. Johnson 20 years ago and had the title of "special assistant" to the President before he resigned.

Jenkins was not available for comment. A secretary in his office said Jenkins' doctors ordered him to a hospital Wednesday for a "checkup" because he was "physically exhausted."

Later, Dr. Charles Thompson, Jenkins' physician, said Jenkins was admitted to George Washington University Hospital suffering from "nervous exhaustion and high blood pressure."

Earlier in the evening, before Jenkins' resignation was announced, newsmen asked White House Press Secretary George Reedy if he knew anything about Jenkins' arrest last week.

"Walter Jenkins has been suffering from extreme fatigue." Reedy replied. "He has been sent to (the) hospital by his physician . . ."

Asked again if he knew anything of the arrest, Reedy said. "I know nothing of any arrest."

The White House statement later on the resignation made no referrence to Jenkins' arrests.

CONTROVERSIAL FIGURE

Shy and mild-mannered, Jenkins was a controversial figure in the Senate Rules Committee's investigation of Baker, the former secretary to Senate Democrats and a chief aide to the President during Mr. Johnson's days as Senate majority leader.

Insurance agent Don B. Reynolds testified before the Rules Committee last spring that at Jenkins' suggestion he purchased $1,208 in advertising time on the Johnson family's television station in Texas. Reynolds said this was done in 1957 after he wrote $100,000 in insurance on the life of Mr. Johnson, then a senator.

Jenkins said in an affidavit to the committee that he had no knowledge of any arrangement by which Reynolds purchased the advertising time.

Democratic members of the committee repeatedly overruled Republican requests that Jenkins be called as a witness.

CHIEF OF STAFF

Jenkins often was referred to by his associates as Mr. Johnson's chief of staff, beginning with Mr. Johnson's service in the House and Senate and continuing on through his days as Vice President and President.

He has been a close family friend as well as a man to whom the President entrusted a variety of confidential chores, political and otherwise. A native Texan, Jenkins once was both an officer and stockholder in the Johnson family broadcasting corporation.

Jenkins' arrest came to light after rumors began circulating in Washington. Police made no attempt to suppress their records when reporters began checking.

Shortly after 6 p.m. Wednesday, Republican National Chairman Dean Burch issued this statement:

"There is a report sweeping Washington that the White House is desperately trying to suppress a major news story affecting national security."

Republican officials apparently knew of Jenkins' arrests, but Burch and GOP press spokesman Lee Edwards declined to elaborate on Burch's statement.

Asked about Burch's statement, Reedy said, "I don't know what he's talking about."

Jenkins periodically has attended meetings of the National Security Council, which deals with the country's most vital secrets.

In 1959 and again last week, Jenkins gave his occupation as "clerk" when booked at police headquarters.

The story did not come to light before now, although it was a public record, because Washington police reporters did not connect Jenkins on the police blotter with the one working in the White House. In listing his occupation as a clerk, Jenkins would have raised no suspicions.

Jenkins was arrested at 8:35 p.m. on Oct. 7. The police records also showed that Andy Choka, 60, a timekeeper at the Soldiers Home in Washington, was arrested at the same time, at the same place, in a men's room of the YMCA, by the same officers and also elected to forfeit $50 collateral. Choka could not be reached late Wednesday.

Jenkins' doctors said he had "just worn himself out" and was expected to remain in the hospital for at least four or five days.

A hospital official said Jenkins' doctors decided it was best to have Jenkins rest up from the "trying time" of the Presidential campaign.

The official said Jenkins' condition is "satisfactory at the moment."

Jenkins' long service with Mr. Johnson was interrupted twice—for service during World War II and when he made an unsuccessful race for Congress in Texas in 1951.

His war service took him to Africa, Corsica and Italy. He was discharged as a major.

While in the Army, he was married to the former Marjorie Whitehill in 1945. They have two daughters and four sons.

Jenkins attended the University of Texas.

PRESS SECRETARY TELLS APPROVAL OF RESIGNATION

(By Don Irwin)

NEW YORK.—President Johnson Wednesday night accepted the resignation of White House assistant Walter W. Jenkins three hours after learning of Jenkins' arrest in a Washington morals case.

The resignation of Jenkins, a close Johnson associate for 20 years, was announced at 10:15 p.m. at a briefing hastily called by George Reedy, White House press secretary.

As Reedy met reporters, Mr. Johnson waited in white tie and tails to address an audience at the Alfred E. Smith dinner in the Waldorf-Astoria Hotel. Reedy announced the resignation in the following terse statement:

"As I told some of you earlier today, Walter Jenkins, who has been suffering from fatigue, went into the hospital this afternoon on the orders, of his doctor.

"Walter Jenkins submitted his resignation this afternoon as special assistant. The resignation was accepted and the President has appointed Bill B. Moyers (another special assistant) to succeed him."

In response to a query. Reedy said the resignation had been accepted shortly before he issued his announcement. Before Mr. Johnson went to the dinner, Reedy was closeted with the President for more than an hour in Mr. Johnson's 35th floor suite. The President failed to appear for a reception preceding the dinner but was on hand looking grave when the speaking period began.

NO FURTHER COMMENT

Reedy had no further comment on the embarrassing affair, but a White House source said that the President had first learned of Jenkins' arrest shortly before he

left the Waldorf-Astoria at 6:35 p.m. for an unpublicized call on Mrs. Jacqueline Kennedy.

Presidential assistants insisted the first knowledge the White House had received of the matter came from queries put to Reedy by newspapermen. There was no report from District of Columbia police at the time of the arrest, they said.

On his return from the visit to Mrs. Kennedy, the President was said to have directed that inquiries be made about the Jenkins affair. Shortly thereafter, Jenkins' written resignation, effective immediately, was submitted at the White House and the President was advised of its receipt, sources said.

White House associates declined to characterize in any way the President's reaction to the news that led to the resignation of his old associate. They declined to name anyone with whom he had discussed the case.

No White House source accompanying the President on his New York speaking tour was ready to say whether Jenkins had any security clearance. It has been standard practice since the Truman administration to conduct security checks on all policy-level officials on the White House staff.

There was no hint here whether Jenkins' departure from the White House staff would make him more readily available for questioning by the Senate Rules Committee.

The committee has had before it for some months testimony that Jenkins handled the gift of a stereo phonograph to Mr. Johnson from a Washington insurance man. The set was given before Mr. Johnson became Vice President in 1961.

NERVOUS COLLAPSE

White House staff members stood by the report that Jenkins is suffering a nervous collapse, but they said they believed he had been at work at the White House as recently as Tuesday.

Jenkins' White House associates had nothing but praise for his performance of his duties. One of them said his service had been considerably more than "satisfactory" and called Jenkins "one of the finest men I know."

EXHIBIT 4

NEWS COVERAGE OF TWO 1960 PRESIDENTIAL CAMPAIGN STORIES IN 43 NEW ENGLAND DAILY NEWSPAPERS

A. THE STUDY

This report results from a resolution adopted in 1959 by the New England Society of Newspaper Editors authorizing an experimental study of objectivity in the news columns of daily newspapers in the region during the campaign period preceding the Presidential campaign of 1960.

The resolution stipulated that the study "should be conducted exclusively by trained newspapermen" and that their "approach should be frankly professional and even subjective, rather than purely mechanical or 'scientific.'"

Three trained newsmen were prevailed upon to undertake the task. They are Norman E. Isaacs, managing editor of The Louisville Times; Carl E. Lindstrom, former editor of The Hartford Times and a past president of the New England Society; and Arthur Edward Rowse, an assistant city editor of The Washington Post.

Mr. Isaacs, a former president of the Associated Press Managing Editors, was familiar with the problems facing any group about to study newspapers during a campaign period since he had been chosen by Sigma Delta Chi to be chairman of its national Ethics Committee established in 1955 to examine the feasibility of a nation-wide newspaper study.

Mr. Lindstrom has long been familiar with New England journalism and was the first editor of *The American Editor*, established by the Society. He joined the Committee after completing a year as professor in journalism at the University of Michigan.

Before joining The Washington Post, Mr. Rowse had served in New England journalism and he is the author of *Slanted News*, a case study of the Nixon and Stevenson fund stories during the 1952 Presidential campaign.

The three men held a preliminary meeting in Providence to review the prospects and to determine upon a course of action. Since funds were not available to study the entire scope of election coverage during the 1960 campaign, they agreed that it would be wise to wait out the campaign to see what specific situations might arise and decide later upon what to focus.

In the meantime, they decided to obtain a representative sampling of the largest newspapers in each of the New England states. They selected forty-three newspapers to be studied. A list of these papers, indicating their respective circulations and news services in 1960, is appended to this report.

Issues for each of the forty-three newspapers between October 1 and November 9, 1960, were obtained by subscription. In each case, the subscription order was for the particular edition having the largest circulation. Only a very few editions were not received and tabulations indicate that these do not appear to affect the over-all findings. It is possible that newspapers with multiple editions and which are recorded in the study as not publishing certain stories may have carried some material in editions which were not received. The central fact remains that the Committee attempted to concentrate on the prime editions of the newspapers being studied.

The Committee continued to consult, much of it by long-distance telephone. The search had been for a story or stories that might reflect newspaper attitudes in the handling thereof. There was no single story that could be found, but there were two stories, on opposite sides of the political fence.

One story was embarrassing to the Democratic nominee; the other could reflect upon the Republican nominee.

The one which affected the Democratic Party was the direct move of the Roman Catholic bishops in Puerto Rico to influence the election there. With John F. Kennedy's religion already a campaign issue, this could not but be a story which reflected upon the Democratic nominee's affiliation.

The story affecting the Republican nominee concerned the loan of $205,000 to Vice President Richard Nixon's brother, Donald, by Howard Hughes and his Hughes Tool Company. The Committee considered this a story of potential significance because only eight years earlier Mr. Nixon had been the center of the famous $18,000 expense fund in the 1952 campaign.

Before this decision to study the two stories was reached, several universities engaged in journalism research were sounded out about performing the eventual processing work that would be required by the Committee. A final arrangement had been reached with Boston University, an institution with which the Society is associated.

Once the stories to be studied were selected, the newspapers were shipped to Boston University. There, they were processed by graduate students in the School of Communications. This phase of the work was under the supervision of Dr. David Manning White, who has long been active in journalism research and who did the original "gatekeeper" study of telegraphic news handling some years ago.

The processing teams searched through each newspaper for the stories on the Nixon loan and the Puerto Rican issue. Each story located was marked on a tabulating form for page, head size, placement in the page and length. The tear pages were then attached.

This work at the University was financed by voluntary contributions from member newspapers of the Society. This was the only expenditure in connection with the study, since Messrs. Isaacs, Lindstrom and Rowse contributed their services without fee, and also paid their own travel and incidental costs.

When the processing was completed in Boston, the tabulated forms and tear pages were transmitted to each of the three Committee members in turn. Each also was provided the wire files on both stories by The Associated Press and by United Press International.

The newsmen then studied the entire accumulation independently, reporting to the others at the conclusion of their research.

Although the Committee members were in general agreement, a first draft effort resulted in vigorous debate over phrasings and over interpretations. A second draft smoothed out some of these differences, and a final meeting was then held in Washington to review the basic findings and to make a careful recheck of certain of the aspects surrounding the two stories.

This report represents a third and final draft concensus of the Committee members' professional conclusions, reached after thoughtful consideration and debate, and based upon the data obtained from the newspaper editions available, the wire service files and the processing supplied by Boston University.

B. THE NIXON STORY

As has been noted in Section A, the Committee considered the loan to Nixon's brother of potential significance partly because of the Vice President's own difficulties eight years earlier. It will be recalled that more than a few American newspapers reacted extremely slowly to the episode in 1952 involving the Vice President. Some papers were openly accused of bias. There was a tentative supposition on the Committee's part that most newspapers would desire to be swift and comprehensive in the reporting of any new fund story or stories.

Although the two funds (1952 and 1960) each involved possible conflicts of interest, they were different in some important aspects. Whereas the 1952 fund had been set up by 76 constituents for Nixon's use, the 1960 case involved a $205,000 business loan to Nixon's brother, Donald, by Howard Hughes and his Hughes Tool Co.

The first 1960 story to appear in print came not as the result of any independent research, but came direct from the Nixon organization. It was given exclusively to Peter Edson, Washington columnist for the Newspaper Enterprise Association (NEA).

Edson's columns are regularly included in the NEA Service packages, received by member newspapers in advance, normally in printed form. Eleven of the forty-three newspapers studied are listed as subscribers to NEA and therefore presumably received the Edson column. Only three of these newspapers, however, were listed as using the story.

Edson's column led with a statement that Democratic opponents of the Vice President were investigating his brother Donald's business deals in an effort "to publicize these transactions just before the election in some way that will reflect discredit" upon the Vice President.

"In an attempt to offset any such move," continued the Edson column, "the Nixon headquarters in Washington has made available to this reporter a full explanation of all relevant facts in the record, to get the story out in the open and end the gossip."

Robert H. Finch, Nixon's personal campaign manager, was quoted as stating that the Vice President never had any part or investment in his brother's business enterprises and that most of the deals were not known to the Vice President until after their completion.

Edson then described the $205,000 business loan to Donald Nixon, secured in part by a mortagage on a small plot of land owned by the Nixon brothers' mother, Hannah. Accord-

ing to the Edson column, the money came from Frank Waters, described as an attorney and high school friend of Donald Nixon's wife. Waters was then depicted as deeding the property to Frank Reiner, who was identified in the column as a creditor who had threatened to foreclose on Donald Nixon.

Only the Quincy Patriot-Ledger published the Edson column on October 25. The following day, two more newspapers published the column. The Hartford Times carried the headline: "Nixon Makes Clear Brother's Deals Do Not Involve Him." The New Haven Register headline read: "Nixon Family Finances Are Smear Target."

The eight NEA subscribers which did not use the Edson column were the Bangor Daily News, Boston Traveler, Fall River Herald News, Lawrence Eagle-Tribune, Lowell Sun, Manchester Union-Leader, Nashua Telegraph and Springfield Union.

On October 26, there also appeared a Drew Pearson column, in which the assertion was made that the money loaned to Donald Nixon had come from Howard Hughes. In this column, Pearson stated that at the time of the loan in December, 1956, Hughes had "various important matters before the government" and went on to contend that "many of these problems got better treatment after the loan."

According to the Pearson column, the following things happened to Hughes' owned firms after the loan: "A route from St. Louis to Miami was granted TWA. A Justice Department civil antitrust suit against the Hughes Tool Company was settled by a consent decree on April 4, 1958. TWA's Far Eastern route was extended to Manila, January, 1957. And Hughes Aircraft was awarded defense contracts early in 1957 totalling around $16,000,000."

Only three New England papers could be found to have used the Pearson column. The Waterbury American used it on October 26 under the Page 1 headline: "Attempted Backfire Story Bares Nixon Family Loan."

The Springfield Daily News and The Portsmouth Herald used the Pearson column the following day, both also on Page 1. Efforts of the Committee to obtain a list of newspapers to which the Pearson column was available were unsuccessful.

There was no wire service treatment of the loan story until late in the day of October 26. UPI transmitted a story at 4:08 p.m., and the Associated Press followed at 10:26 p.m.

The AP's lead was on a strong denial of the Pearson statements by Finch. He called the story "an obvious political smear," and he denied the loan was from Hughes. He said the Vice President was not involved in any way. UPI also carried Finch's denial, but this was down in the body of the story.

Despite the availability of these two wire service accounts, nothing was found in eight of the morning papers on October 27. These were the Boston Globe, Boston Herald, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Rutland Herald and Worcester Telegram.

For evening papers of October 27, both wire services cleared stories between 5 and 6 a.m. Both stories led with Finch's statement.

There was no sign of either wire story in twelve of the afternoon newspapers. These were the Barre-Montpelier Times-Argus, Boston Evening Globe, Boston Traveler, Brockton Enterprise, Fall River Herald-News, Hartford Times, Holyoke Transcript, Nashua Telegraph, Salem Evening News, Stamford Advocate and Worcester Gazette. Of these, the Hartford Times had earlier carried the Edson column.

The Committee at this juncture merely notes that of the forty-three newspapers being examined, nineteen, or nearly half, are recorded as passing up a wire-serviced news story with some of the same undertones as marked the fund episode two elections earlier.

Of the twenty-four newspapers that did use the story, nine elected to place it on Page 1. These were the New Britain Herald, both the Waterbury American and the Republican, both the Springfield Union and the News, the Concord Monitor, Lowell Sun, New London Day and Portsmouth Herald. Of these newspapers, the Waterbury American and Springfield News had carried the Pearson column.

A four-column headline on the top right side of the New Britain Herald was the best play the story received. Aside from the Springfield News, no other Page 1 headline was larger than single column in width. The Lowell Sun treated the story without headline, placing it as a run-in to other campaign matter.

Most of those newspapers which put the story on inside pages ran about eight inches of type under one-column headlines varying from 14 points to 24 points in size. The New Bedford Standard-Times put the Finch statement at the end of a long Nixon campaign dispatch on Page 3.

For morning newspapers of October 28, both wire services moved dispatches leading with a Justice Department statement that Pearson's linking of the loan to Donald Nixon with the settlement of the Hughes Tool Company antitrust suit was a "baseless inuendo." The Department asserted that the antitrust action had been filed after the loan was made.

Nothing of this story could be found in twenty-eight of the papers studied on that date. Some of the fifteen newspapers that did use the story cut it sharply and placed small headlines on it. Some of the headlines were questionable. The Providence Bulletin reported in its headline, "Justice Dept. Nails Pearson Charge." The Boston American head said, "Writer Hit In Nixon Smear Try."

A second column by Drew Pearson appeared on October 29. The columnist charged that the Nixons had gone to great lengths to keep the Hughes loan a secret and to avoid paying capital gains taxes. Pearson also asserted that Vice President Nixon's name had appeared on a list of prospective purchasers of Nixon business stock.

This Pearson column could be found in only one New England paper, the Portsmouth Herald, which published it on Page 13 under a two-column head.

Up to this point, it could be debated by professional newsmen as to whether there was actually a solid news story, or not. The Committee takes the position that it definitely became a news story on the night of October 26, after both wire services had transmitted accounts, and that it was one of potential, if as yet unproved, significance.

In the Committee's judgment, the matter passed beyond any debate stage on October 30, when the AP sent a dispatch from Los Angeles at 5:38 p.m., reporting that Donald Nixon had admitted that the $205,000 loan had originated from the Hughes Tool Company.

But nothing of this could be located in nine of the morning newspapers. They were the Bangor Daily News, Boston Herald, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Portland Press-Herald, Providence Journal and Rutland Herald.

The story, however, did appear prominently on the front page of three morning papers, the Boston Globe, Waterbury Republican and Lewiston Sun. A fourth, the Boston Record, cut the story to six inches and put it on Page 17.

Both wire services sent out rewritten versions of the story early Monday morning, the AP at 4:30 a.m., UPI at 6:59. The AP lead said Donald Nixon "acknowledges" that the loan came from Hughes. UPI, however, treated the story differently. It started out: "Donald Nixon denied last night that his brother Vice President Richard M. Nixon ever had any financial interest in his company, Nixon's Inc., or that he had ever asked his brother for governmental favors." The dispatch went on to say that Donald Nixon accused Drew Pearson of trying to smear the Republican nominee. The first mention of Donald Nixon's admission that the loan came from Hughes appeared in the 70th line of the dispatch. A casual reader could easily have missed it.

Neither AP nor UPI story could be found in ten of the evening papers. These were the Barre-Montpelier Times-Argus, Boston Traveler, Brockton Enterprise, Fall River Herald-News, New Bedford Standard-Times, New Britain Herald, New London Day, Portsmouth Herald, Salem Evening News and Springfield News.

Some of the newspapers that did use the story did not headline Donald Nixon's admission. The Worcester Telegram, for example, based its headline on the second paragraph of the AP story, saying: "Nixon's Brother Denies Loan Won Favors." The Springfield Union's headline came from the fourth paragraph: "GOP Nominee's Brother Flays Pearson Story." The Waterbury American said: "Donald Says Brother Was Not Involved." The admission of the loan appeared in the subheadline. In the Boston American, the headline said: "Donald Nixon Explains Loan." In the Stamford Advocate, the headline phrase was "Reports Details." The Newport Daily News preferred "Explains." The Concord Monitor used this variation: "Brother Of Nixon In Explanation Of Loan." Other newspapers used words like "Admit" and "Concedes."

On the same day, October 30, the AP cleared a story at 6:03 p.m., reporting that Finch admitted he was misinformed when he denied in the beginning that the loan had come from Hughes. Twenty-two minutes later, the AP transmitted a short story that Drew Pearson had asked for a congressional investigation of the loan.

Only two morning papers printed either story. They were the Waterbury Republican and Lewiston Sun.

As to the second story (Pearson's request for investigation), the fact that the vast majority did not use it can easily be justified on the ground that a columnist's request for a congressional investigation is not necessarily a news story.

The Finch story raises a problem, however. On the one hand, the Committee earlier noted that twenty newspapers did not carry the first wire stories in which Finch denounced Pearson's charges. These twenty could reasonably hold that they were not obligated to correct a statement they had never carried.

But what of the twenty-one newspapers which had carried the earlier Finch denials? Giving thoughtful weight to the principle of equity of news treatment, the Committee can find no excuse to justify the omission of the October 30 Finch statement by these twenty-one newspapers.

On November 1, the first edition of the New York Post carried a story from Los Angeles quoting accountant Frank Reiner as saying that "all major decisions concerning a $205,000 Hughes Tool Company loan to Donald Nixon were cleared with his brother, Vice President Richard Nixon."

The AP cleared a report on this at 9:59 a.m. and UPI at 10:51 a.m. However, it could not be found in twenty-one of the twenty-eight New England afternoon papers. Stories were found in seven papers—Boston American, New Bedford Standard-Times, Pawtucket Times, Woonsocket Call, Waterbury American, Springfield News and Lowell Sun. Two of these papers, the Waterbury American and Springfield News, also printed a new Pearson column relating the difficulties encountered in trying to ascertain the truth of stories like the Nixon loan.

The wire services moved night leads on the New York Post story for next day's morn-

ing papers, but nothing could be located in nine of the fifteen papers. These were the Boston Herald, Boston Record, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Burlington Free Press, Worcester Telegram, Rutland Herald and Bangor Daily News.

The six morning papers that did print the story were the Boston Globe, Lewiston Sun, Portland Press-Herald, Providence Journal, Springfield Union and Waterbury Republican. The last-named paper was the only one to put it on Page 1.

Box score on this single story: Used by thirteen, omitted by thirty.

Wire dispatches for evening newspapers of November 2 led with ex-President's Truman's jibe that Vice President Nixon needed "a bigger dog," referring to the famous Checkers mentioned in Nixon's television defense of his fund in 1952.

Three of the twenty-eight evening papers used this story, the Quincy Patriot-Ledger, the Springfield News (on Page 1) and the Fall River Herald-News. The Woonsocket Call used a one-column picture of Donald Nixon and a caption based on the New York Post story, which it had published the previous day.

For morning papers of November 3, the wire services moved a story that Nixon's mother supported her son Donald's explanation. A similar dispatch went out for evening papers. This story appeared in four of the forty-three papers. They were the Boston American, New Bedford Standard-Times, Waterbury Republican and Woonsocket Call.

The final news story before the election came on November 3 when Representative Jack Brooks (Texas Democrat) said he had received allegations that the Civil Aeronautics Board was influenced in its decisions on Hughes firms by the Nixon loan. Brooks said he was asking for an investigation. Both AP and UPI moved this report between 6 and 7 p.m. and sent rewritten day leads the next day before 8 a.m.

This story could not be found in twenty-nine of the New England papers. Of the fourteen papers which did use either of these dispatches, three put them on Page 1. They were the Manchester Union-Leader, New Britain Herald and Waterbury Republican.

Summarizing, it must be reported that the remarkable part of the story of the Nixon loan is that it was conspicuous by its absence in most of the New England press.

According to the Boston University processing forms, which were rechecked carefully by the Committee members, a total of nine newspapers never printed a word about the entire affair. These papers were the Barre-Montpelier Times-Argus, Boston Herald, Boston Traveler, Brockton Enterprise, Burlington Free Press, Hartford Courant, Lawrence Eagle-Tribune, Rutland Herald and Salem Evening News.

According to the same raw material, eight other newspapers used the story on only one day. These papers were the Bangor Daily News, Boston Evening Globe, Fall River Herald-News, Manchester Union-Leader, New London Day, Stamford Advocate and both the Worcester Telegram and Worcester Gazette.

Technically, the story could be listed as active on seven days. Only two of the forty-three papers carried an article on each of the seven days. They were the Waterbury Republican and Woonsocket Call. Of the two, the Waterbury morning paper gave much the heavier coverage, putting five of the seven stories on Page 1.

Nine other papers printed four or more stories or columns. These were the Boston American, Berkshire Eagle, Lewiston Sun, Lowell Sun, New Bedford Standard-Times, New Haven Register, Pawtucket Times, the Quincy Patriot-Ledger, Springfield Union and Waterbury American. Many of the articles in these newspapers were short. Some were those which could be classified as of little significance. Many carried small headlines on inside pages.

Outside of the two Waterbury papers, there were only fourteen occasions when any of the Nixon loan developments made the front pages of the papers under study.

Wire dispatches were usually printed without any sign of editing. Cutting of stories invariably was done from the bottom, as if by the scissors-editing method. Some of the questionable headine treatment has already been noted.

The Committee's attitude about the basic news value of the story has already been expressed. Seeking to explain the behavior of the New England press, the Committee finds itself perplexed.

It is a truism that newspaper editors are ambivalent in their attitudes about columns. They purchase them, they publish them, they frequently run them in news space, then contend that they are not news.

Drew Pearson is not the most popular of sources among some editors. The Committee recognizes that these two general attitudes, placed in juxtaposition, could have caused some editors to have decided either that the loan story was being treated out of news proportion or needed confirmation. However, as was stressed earlier, the Committee feels that this line was crossed on October 30 with Donald Nixon's admission about the source of the loan.

It is possible that some papers may have omitted, or played down, the story deliberately because of political reasons, but this will never be possible to prove.

The central fact is that whatever the motives or the news-judgment reasoning, the total coverage of the forty-three New England newspapers being studied on this story was meager and incompetent enough to give critical readers sufficient room to suspect actual political bias.

C. THE PUERTO RICO STORY

The Puerto Rican story burst full-blown on the night of October 21. From San Juan came the wire service news that the three Roman Catholic bishops of that American territory had issued a pastoral letter forbidding Catholics to vote for Gov. Luis Munoz Marin's Popular Democratic Party.

The pastoral letter took issue with Munoz Marin's administration of three issues—religious instructions in schools, a law permitting teaching of birth control and allowing sterilization, and public tolerance of common law marriages.

In New York, Democratic Nominee John F. Kennedy issued an immediate statement, asserting that he considered "wholly improper" any church interference in the voting intentions of its members.

The basic issues in Puerto Rico have from time to time been controversial matters in New England and, therefore, might be expected to receive swift and thorough news coverage.

Extensive coverage on the morning of October 22 was given by both the Boston Globe and the Providence Journal. The morning's major story was the report of the fourth Kennedy-Nixon television debate, and this naturally occupied top position. The Globe gave the Puerto Rico story a two-column head at the bottom right of Page 1, jumping to Page 11. Nominee Kennedy's comment appeared in the shoulder of the story, also jumping to Page 11. On Page 11, the Globe ran a six-column line, with a photo of Munoz Marin. Total space covered, included headlines, ran 33½ inches. The Providence Journal began its two-column headlined story at the top of Page 1, at the side of the TV debate play story. It also jumped to Page 11, under a single-column head. Total space, including headline ran 23½ inches.

Only one other morning paper saw it as Page 1 news—the Springfield Union, which gave the story 10¾ inches, starting under a one-column head in mid-page.

The Rutland Herald gave the story a top head on Page 2, single column, and ran 12¾ inches. Curiously, this was the only story on the subject the Rutland Herald was to carry over the rest of the eighteen-day news period—or sixteen effective news days, as it was to develop.

The Lewiston Daily Sun went to Page 4, the Hartford Courant to Page 6, the Lawrence Eagle-Tribune to Page 9, and the Manchester Union-Leader, Portland Press-Herald and Waterbury Republican to Page 16. Most of these stories were in the 10-to-12 inch range, but Manchester ran shortest—98 words.

No sign of the story could be found in the Boston Daily Record, Boston Herald, Burlington Free-Press or Worcester Telegram. Nor could it be located in the Saturday-Sunday edition of the Bangor Daily News.

By afternoon newspaper time, it was evident that the majority of New England editors recognized Puerto Rico as a major story. Of the twenty-eight evening newspapers being studied, seventeen of them had the story on Page 1, three more had it on Page 2, and one on Page 4. Only seven of the twenty-eight were listed in the blank column.

Strongest play was in the Providence Bulletin with a three-column headline and overall space usage of 22¼ inches. The Waterbury American was only fractionally behind.

Besides these two, the Page 1 brigade included the Berkshire Eagle, Boston Globe, Brockton Enterprise & Times, Concord Monitor, Fall River Herald-News, Holyoke Transcript, New Bedford Standard-Times, New London Day, New Haven Register, Newport Daily News, Pawtucket Times, Quincy Patriot-Ledger, Springfield Daily News, Stamford Advocate and Woonsocket Call.

The three which used the story on Page 2 were the Boston Traveler, Hartford Times and Portsmouth Herald. The Page 4 user was the Boston American.

The seven evening papers in which the story could not be found were the Barre-Montpelier Times-Argus, Lewiston Evening Journal, Lowell Sun, Nashua Telegraph, New Britain Herald, Salem Evening News and Worcester Gazette.

For the Sunday papers of October 23 there was a new angle. Gov. Munoz Marin announced he planned a protest to the Vatican. This was the AP's lead. UPI was leading with the San Juan Star's strong criticism of the bishops.

But only three Sunday papers could be found with either of these stories—the Boston Advertiser with a 10-inch story on Page 12, the Providence Journal on Page 32 with a two-column head, and the Lowell Sun with a six-column head on Page 36.

By Monday, October 24, there was a whole series of stories. In San Juan, a crowd had booed one of the bishops. In New York, Francis Cardinal Spellman declared that Puerto Rican voters would be within their rights in disregarding the pastorial letter. From Vatican City was a statement "issued by an authoritative but not official spokesman" that the Puerto Rican bishops had been within "their episcopal authority."

Nine of the morning papers carried some portion of the stories. These were the Bangor Daily News, Boston Globe, Boston Herald, Hartford Courant, Lawrence Eagle-Tribune, Lewiston Daily Sun, Portland Press-Herald, Providence Journal and Waterbury Republican.

Nothing could be located, however, in the Burlington Free-Press, Manchester Union-Leader, Rutland Herald, Springfield Union or Worcester Telegram.

In the afternoon field, usage was again heavy. Stories appeared in twenty-two of the twenty-eight evenings, five of them on Page 1. These were the Concord Monitor, Lewiston Evening Journal, Pawtucket Times, Quincy Patriot-Ledger, and Waterbury American. Five others chose Page 2—the Berkshire Eagle, Boston American, Hartford Times, Holyoke Transcript and Worcester Gazette. The Gazette's story ran slightly over 13

inches, and it was the first time the story had appeared in Worcester.

The Lowell Sun carried no news story, but devoted a two-column-long editorial on the subject.

Many of the stories, including those used on Page 1, were short. Major space was used by the Boston American and the Boston Globe.

To this point, almost all of the headline treatment had been of a uniform nature. On this day, the majority of the headlines said something to the effect that Puerto Rico was "split" over the pastoral letter, or that the bishop had been jeered. The Committee found itself pausing over the Boston Traveler. On the Saturday previous, the Traveler had carried a two-column headline saying "Bishops' Letter Stirs Puerto Rico." On this Monday, the Traveler preferred an overline, "Puerto Rico Campaign" and then a strong two-column head, "Catholics Told How To Vote." In its Page 2 banner, the Boston American headlined, "Vatican Backs Vote Order," which may not have been precisely accurate, but which could be so interpreted by some copy editors.

The five evening papers of October 24 in which no story could be found were the Barre-Montpelier Times-Argus, the Brockton Enterprise, Nashua Telegraph, Portsmouth Herald, and Salem Evening News.

The story continued to swirl in many directions on October 25. One of the Puerto Rican bishops asserted that those defying the pastoral letter "would commit the sin of disobedience," a position at variance with that expressed by one of the other three bishops involved. The bishops were attacked by the Puerto Rican newspaper El Mundo. The San Juan Bar Association voted to study the matter. Robert Kennedy, in the United States, criticized the letter.

Eleven of the morning papers carried stories, ranging all the way from the Lewiston Sun's 4¼ inches on Page 14 to the Boston Globe's extensive coverage on Page 8, with art, running to 35 inches of space. Others covering the story were the Boston Daily Record, Burlington Free-Press, Hartford Courant, Lawrence Eagle-Tribune, Manchester Union-Leader, Portland Press-Herald, Providence Journal, Springfield Union and Waterbury Republican. Waterbury and Burlington played the story on Page 1.

So had the Manchester Union-Leader, in what the Committee considers one of the most unusual news treatments of the whole run of the story. On Saturday morning, October 22, the Union-Leader had carried the 98-word story previously mentioned. Nothing thereafter appeared on Sunday or Monday, but on this Tuesday, the Manchester paper appeared with an eight-column 72-point banner line above its masthead, reading, "Puerto Rican Church-State Rift Widens." Above the fold, there was the one-column head tie-in "Puerto Rico" and "Catholics Told How To Vote: People Divided." Total space: Just short of 30 inches.

No sign of the story appeared for the Bangor Daily News, Boston Herald, Rutland Herald or Lawrence Eagle-Tribune.

The afternoon newspapers of October 25 continued their heavy play of the Puerto Rican story. Twenty-two evenings were represented with stories or columns. The six missing were the Boston Globe, Brockton Enterprise, Concord Monitor, Holyoke Transcript, Salem Evening News and Springfield Daily News.

David Lawrence's column appeared that day in seven of the afternoon newspapers. This column took the position that the Puerto Rican bishops' action was something not confined to the Catholic clergy; that "advice to voters is given constantly by clergymen of all faiths." No news story appeared in two of the papers on the October 25 that the Lawrence column appeared. These were the Lowell Sun and Stamford Advocate, both of which carried the column on inside pages. The New Bedford Standard-Times carried three paragraphs on the San Juan developments deep in the heart of a political story.

Puerto Rican developments made Page 1 news in four newspapers, the Barre-Montpelier Times-Argus, the Lewiston Evening Journal, New London Day and Portsmouth Herald. The Barre-Montpelier paper gave the story 5½ inches. It was the only time during the entire period that it was to touch upon the story.

October 26 and 27 saw a lull in coverage. Eight morning papers carried nothing that could be found. Three of the mornings, the Providence Journal, Manchester Union-Leader and Portland Press, carried extensive news stories. The Providence paper's coverage included a New York Times Service background story. Four other mornings, the Burlington Free-Press, Lewiston Sun, Lawrence Eagle-Tribune and Springfield Union, carried only the Lawrence columns.

Among the afternoon newspapers on October 26, only five of the twenty-eight evening papers carried news stories, all very brief. These were the Holyoke Transcript, New Britain Herald, Quincy Patriot-Ledger, Springfield News and Waterbury American. The Nashua Telegraph published the Lawrence column.

On October 27, news coverage in three of the morning papers—Providence Journal, Waterbury Republican and Worcester Telegram—was modest. A fourth, the Springfield Union, carried a story less than three inches long in its "World News" roundup. The Providence Journal also carried an editorial examining the hierarchy's position. The Lewiston Sun carried only an expository editorial. This innocuous presentation, however, was headlined: "Puerto Rico Bishops Inflame Religious Row."

In the afternoon of October 27, only three newspapers carried stories, the Fall River Herald-News, Quincy Patriot-Ledger and Waterbury American.

On October 28, the story burst into major proportions again, and this was to continue over until the 29th. It was to be the last major attention given the story by the New England press.

In Boston, Cardinal Cushing issued a statement saying that church leaders in the United States who would try to tell Americans how to vote would be "totally out of step with the American tradition." In Mobile, Archbishop Egidio Vagnozzi, the apostolic delegate, expressed himself as "confident no such action would ever be taken by the hierarchy in this country." In South Bend, one of the Puerto Rican bishops (James Davis) defended his position. There were lesser developments in San Juan.

Cardinal Cushing held the news attention in the morning papers of October 28. Four of the papers placed the story on Page 1, the Boston Globe, Manchester Union-Leader, Portland Press-Herald and Waterbury Republican. Also carrying stories on inside pages were the Boston Daily Record, Boston Herald, Hartford Courant, Providence Journal and Springfield Union. Major space was given by Waterbury, Springfield, The Boston Globe and Providence. The Bangor Daily News carried only the Lawrence column.

Nothing could be found in five of the mornings—Burlington Free-Press, Lawrence Eagle-Tribune, Lewiston Daily Sun, Rutland Herald and Worcester Telegram.

The afternoon field on October 28 found six newspapers in which nothing could be found. These were the Barre-Montpelier Times-Argus, New Britain Herald, New London Day, Newport Daily News, Stamford Advocate and Waterbury American.

All twenty-two other afternoon newspapers carried stories. Most of the articles were datelined from Mobile. The AP roundup included Cardinal Cushing's statement. There was a separate story, reporting the (liberal Catholic) weekly *Commonweal's* position against the bishops. Three of the afternoon papers, Berkshire Eagle, New Haven Register and Woonsocket Call, gave Page 1 space to the stories. The others all ran on inside pages. The New Bedford Standard-Times included its story as part of a general political roundup.

By Saturday, October 29, the Puerto Rican bishops had stiffened their stand. Some newspapers were catching up with Bishop Davis' comments at South Bend. There was one story from Vatican City that received variable treatment. It was a lengthy report detailing how the Vatican was avoiding involvement in the United States election. The last three paragraphs dealt with Puerto Rico. Two newspapers ran the story in full. At least four others ran it with the Puerto Rican material dropped. One paper also carried a Milburn Akers column on the Puerto Rican issue.

In any event, there was coverage in ten of the mornings on October 29. Only the Boston Globe and Providence Journal carried the stories on Page 1, both strongly.

Nothing could be found in four of the mornings, the Boston Herald, Burlington Free-Press, Rutland Herald and Manchester Union-Leader.

In the afternoon field, nothing could be found in eleven of the papers, the Barre-Montpelier Times-Argus, Boston American, Boston Globe, Boston Traveler, Brockton Enterprise, Concord Monitor, Lowell Sun, New Britain Herald, Newport News, Salem News or Worcester Gazette.

Of the seventeen papers that did use stories, ten did so on Page 1. These were the Berkshire Eagle, Fall River Herald News, Holyoke Transcript, Lewiston Journal, New London Day, Newport News, Pawtucket Times, Springfield News, Stamford Advocate and Waterbury American.

By this time, the story, for all purposes, had run its major course. Although the news was occasionally to be of some eye-catching appeal—the silent parade of protest in San Juan, the second pastoral letter from the bishops, and the attack on the bishops by the San Juan Bar Association—coverage in the New England press turned sporadic and spotty. A few newspapers continued their interest in the story over the rest of the period, but they were a distinct minority.

The most thorough coverage over the whole range of the story's life was given by the Providence Journal. On thirteen publishing days, the Journal gave what was usually effective and thorough treatment to the story. Close behind was the Waterbury Republican, which had a record of ten days of similar coverage. Tied with nine days of coverage were the Hartford Courant, Providence Bulletin and Quincy Patriot-Ledger. The Boston morning Globe was attentive to the story eight days.

At the other end of the scale, only one four-inch story was found in the pages of the Salem Evening News, that having to do with Cardinal Cushing's comment. As reported earlier, the Barre-Montpelier Times-Argus carried only one story, that 5½ inches long. The Rutland Herald carried only the first-day story, then nothing thereafter. On October 29, Rutland also published the Vatican story, but the Puerto Rico paragraphs were edited out.

The Brockton Enterprise found it a story on only two days—on the first day and again when Cardinal Cushing spoke up.

The Burlington Free-Press was interested only three days, and this includes one day when all that appeared was the Lawrence column. For the New Britain Herald, the story held only a three-day appeal—October 24, 25 and 26. The Boston Herald also found only three days of news interest, one of these including a Sunday edition.

Surveying the scene, the Committee finds the New England performance an erratic one.

Obviously, there were more than a few newspapers which gave competent, con-

sistent, fair and adequate coverage of the Puerto Rican episode.

The Committee is astounded by the slowness with which some of the New England press responded to the story. Unlike the Nixon story, this one of the Puerto Rican bishops carried a direct regional interest. It was related to the religious affiliation of the candidate who represented the New England area; it touched on the issue of church vs. state, and few areas in the nation are more sensitive to this issue than New England. For newspapers with circulations running above 20,000 daily to as high as over 300,000 to react so casually to a story of this nature casts a cloud upon the professional competence of editors and staff members. Almost a dozen of the area's newspapers acted unaware of the proportions and significance of the story for entirely too long a news period.

Even among those newspapers which endeavored to give full coverage there were a few examples of headline carelessness. The Waterbury Republican, one of the top ranking papers in coverage, slipped in this regard on the first day when its headline gave this misleading information: "Catholic Bishops Protest Pastoral Letter On Voting." General carelessness showed in the Concord Monitor's treatment October 22, when it headlined "Pope Urged To Shift Bishops," but the story neglected to tell what the bishops were protesting in Puerto Rico.

The final verdict on the Puerto Rican story must read: No indicated bias.

But the Committee is compelled to repeat that there are clear indications of poor judgment and neglect on wire desks.

D. GENERAL CONCLUSIONS

The Committee would emphasize that there is no reason to believe that a similar study in other sections of the country would have produced different results. The Committeee also stresses that this particular study, confined to New England, should not be misinterpreted to draw invidious regional comparisons.

Instead, the New England Society of Newspaper Editors deserves praise for subjecting its member newspapers to study and critical examination. It is believed to be the first time that any group of American newspapers has volunteered to have itself examined for bias, and it is a pioneering effort worthy of the nation's pioneer group of newspapers.

This report comes at a time when there is restiveness about self-criticism in journalism. More than one current leader in American newspapering has spoken up against criticism and asked that the spotlight be placed on the constructive. The Committee believes that the two go hand in hand. As Erwin Canham, the distinguished editor of the Christian Science Monitor and former president of the United States Chamber of Commerce, has said: "American newspapers must live up to and fulfill their high professions of news objectivity. And, somehow or other, their job must be critically analyzed. Through such rigorous self-examination, newspapers can become and remain worthy of their urgent responsibilities."

In doing such an analysis of the New England press, the Committee has been perfectly conscious that there is no norm in American journalism. Each editor's judgment must dictate the kind of newspaper he presents. News judgments vary from newspaper to newspaper, and properly so.

Professional goals do exist, however. American editors are agreed that among the most important of these goals is the fullest possible dissemination of news so that the citizen-readers of the American society are informed citizens. With rare exceptions, American editors are also agreed that news should be presented as fairly as possible, and that all sides deserve representation in matters where there is controversy. And there is likewise general agreement that at no time are these goals more important of striving for than when the American electorate is weighing the choices for public office.

As to the two stories studied in this context, they were clearly of different news proportions.

Obviously, the action of the Puerto Rican bishops received far more thorough and competent coverage than the study of the Nixon loan. In view of the distinct regional interest, the Committee agrees without reservation that the Puerto Rican story deserved the more thorough treatment.

It cannot be disputed that there was a greater reluctance on the part of the New England press to handle the Nixon loan story. True, there were extenuating circumstances to some degree, but the Committee feels that the goal of full and fair news dissemination was not achieved by a continuing overlooking of the Nixon story on the part of some newspapers.

The Committee has already commented that the handling of the Nixon story was meager and incompetent enough to give perhaps some readers the suspicion of bias. However, it needs to be stressed at this point that some of those newspapers which seemed reluctant to handle the Nixon story also came up with sorry, or erratic, records on the Puerto Rican episode.

There are some newspapers, of course, which could see nothing in the Nixon story and a great deal in the Puerto Rican case. In itself this is not conclusive.

There were those, as recorded, which had excellent records on both stories. Some were competent. Some were merely passing fair.

Then there were those which handled both stories in a manner that can only be described variously as slow, sporadic or slapdash.

One might be tempted to find excuses for a smaller newspaper which is often operated with a very few, overburdened staff members. No such excuse can hold for the large newspaper with big, well-staffed desk operations and adequate facilities.

The Committee finds no proof of bias on the part of the majority of the New England press.

It is compelled to report however (and sadly) that the New England Society's next objective might well be one directed toward a raising of professional standards.

PAPERS IN THE STUDY

Paper	AP	UPI	NYT	Other	Circulation
CONNECTICUT					
Bridgeport Herald		Yes			[1] 71,838
Hartford Courant	Yes	Yes			[2] 113,846
Hartford Times	Yes	Yes		NEA	[3] 124,088
New Britain Herald	Yes	Yes			[3] 31,209
New Haven Register	Yes	Yes		NANA, NEA	[3] 99,236
New London Day	Yes				[3] 28,084
Stamford Advocate	Yes				[3] 25,538
Waterbury Republican	Yes	Yes			[2] 22,546
Waterbury American	Yes	Yes			[3] 40,709
State total					557,094
State total excluding Sunday					485,256
MAINE					
Bangor News	Yes	Yes	Yes	NEA	[2] 76,277
Lewiston Sun	Yes				[2] 31,613
Lewiston Journal	Yes				[3] 14,105
Portland Press-Herald	Yes	Yes			[2] 53,599
State total					175,554
MASSACHUSETTS					
Boston American	Yes	Yes			[3] 165,763
Boston Daily Record	Yes	Yes			[2] 371,393
Boston Globe, morning	Yes	Yes		CDN, DJ, RN, NANA, NYHT.	[2] 191,991
Boston Globe, evening	Yes	Yes		CDN, DJ, RN, NANA, NYHT.	[3] 143,950
Boston Herald	Yes	Yes	Yes		[2] 177,105
Boston Traveler	Yes	Yes	Yes	NEA	[2] 169,783
Brocton Enterprise & Times	Yes	Yes			[3] 43,669
Fall River Herald-News	Yes	Yes		NEA	[3] 40,493
Holyoke Transcript-Telegram	Yes	Yes			[3] 25,955
Lawrence Eagle / Lawrence Tribune	Yes	Yes		NEA	[4] 40,409
Lowell Sun	Yes	Yes		NEA	[3] 43,185
New Bedford Standard-Times	Yes	Yes			[3] 63,288
Pittsfield Berkshire Eagle	Yes	Yes			[3] 28,931
Quincy Patriot-Ledger	Yes	Yes		RN, NEA	[3] 47,164
MASSACHUSETTS—Continued					
Salem News	Yes				[3] 24,872
Springfield News	Yes	Yes		DJ, NANA, CT, NYN.	[3] 99,973
Springfield Union	Yes	Yes		CT, NYN and NEA	[2] 82,263
Worcester Gazette	Yes	Yes		WWP	[3] 92,860
Worcester Telegram	Yes	Yes		RN	[2] 57,783
State total					1,910,380
NEW HAMPSHIRE					
Concord Monitor	Yes				12,512
Manchester Union Leader	Yes	Yes		NANA, NEA	[4] 48,824
Nashua Telegraph	Yes			NEA	[3] 11,955
Portsmouth Herald	Yes				[3] 14,179
State total					87,470
RHODE ISLAND					
Newport News	Yes				[3] 11,969
Pawtucket Times	Yes				[3] 38,133
Providence Journal	Yes	Yes	Yes	RN, WWP	[2] 61,175
Providence Bulletin	Yes	Yes	Yes	RN, WWP	[3] 143,529
Woonsocket Call	Yes				[3] 25,742
State total					280,548
VERMONT					
Barre Times-Argus	Yes				[3] 10,445
Burlington Free-Press	Yes				[2] 32,549
Rutland Herald	Yes				[2] 20,138
State total					63,132
Total of all papers in survey					3,074,628
Total, excluding Sunday Bridgeport Herald					3,002,790
Total of all New England papers					6,211,986
Total of all papers excluding Sundays					3,933,355

[1] Sunday. [2] Morning. [3] Evening. [4] All day.

EXHIBIT 5

POLITICIANS BEWILDERED BY REAGAN

(By Marianne Means)

WASHINGTON.—Political leaders of both parties here are deeply perplexed and disturbed by Governor Reagan's angry denial that he fired two staff members for belonging to a homosexual ring.

His statements were made in bland disregard of the fact that one of his current employes had personally informed reporters about the problem.

Reagan's later protestations that his denial was merely to protect the individuals involved did not explain why he originally did not simply refuse to comment rather than attempt to mislead.

For more than two weeks congressional figures, financial giants, and administration officials have discussed little else at dinner parties and luncheons here except Reagan's questionable veracity at a time of personal crisis. Most just cannot understand why he reacted as he did.

INDEX

The private tragedies involved in the situation are not a proper matter for public discussion. But Reagan's conduct is definitely a legitimate object of public scrutiny. The nation has a vital stake in ascertaining all the mental, physical, and spiritual strengths and weaknesses of any man being seriously considered as a possible presidential nominee.

Savvy Democratic and GOP politicians regard the Governor's performance in this instance as an index to his ability to stand up under pressure. And many of them have concluded that in this area Reagan leaves something to be desired.

One Republican predicted that a large number of conservatives who had been flirting with the prospect of supporting a Reagan candidacy would react to his blunder by rushing into the familiar embrace of the new, imperturbable Richard Nixon.

The ability to stand up under pressure is a prime qualification voters seek in the man they trust with the atomic button and their very lives.

Can they feel confident that a man who blows up when in an embarrassing political position will remain calm and judicious if faced with an urgent international crisis as President?

Both admirers and detractors of Reagan have been groping for an explanation that would clarify his peculiar lack of credibility on an issue in which he could easily be proven less than truthful.

Some politicians feel that Reagan's mistake relates to the difference between the performance expected of a person in a position of public accountability and that expected of a public person of only private accountability.

This interpretation reaches back to Reagan's career as a Hollywood actor. When some unflattering aspect of a Hollywood celebrity's private life is reported in a newspaper, the celebrity simply denies it. Nobody knows—or cares—whether it is the celebrity or the reporter who is telling the truth. Such conflicting accounts of an actor's private life seldom adversely affect his public career—in fact, intrigue and controversy have occasionally helped the box office of some stars.

NOT ACCOUNTABLE

The movie celebrity is responsible only to his own conscience on the question of truthfulness; he is not held to public account for his actions and words as a private individual.

Perhaps Reagan has had difficulty in adjusting to the public obligations required of presidential aspirants. Or perhaps his recent performance can merely be attributed to inexperience.

Presidential candidates are judged by tougher, more complicated standards than are local officials, even governors. And Reagan has around him today no professional advisers practiced in the fine art of national politics.

ALLEGED PRICE FIXING OF LIBRARY BOOKS

Mr. HART. Mr. President, last year the Subcommittee on Antitrust and Monopoly held hearings on alleged price fixing of library books. Information compiled through our investigation and hearings spotlighted a conspiracy between publishers and wholesalers to fix prices on library editions of children's books.

As a result of our hearings, numerous city, county, and State governments have filed treble damage actions against these publishers and wholesalers as provided for under the Sherman Act. For instance, suits have been filed by the States of Alaska, Michigan, West Virginia, Massachusetts, Illinois, Texas, and Wisconsin, as well as the cities of Los Angeles, Philadelphia, and New York. Dade County, Fla., has filed an action along with many other governmental bodies.

Additionally, the Department of Justice brought civil action under the Sherman Act accusing 18 publishers and wholesalers of fixing prices at high and artificial levels, depriving schools, libraries, and Government agencies of the benefits of competitive bidding. And here is where the problem comes into focus.

The Government on October 25, 1967, filed proposed consent judgments to become final in 30 days. Under the proposed judgments the defendants do not admit violations of law. Therefore, injured parties may not use these judgments as prima facie evidence of conspiracy for purposes of treble damage action. They will also be denied use of documents which the Government has gathered, this for the reason that the consent judgments will put them in a state of limbo not to be unlocked for these or subsequent plaintiffs. This means that the cities, counties and States will have to start from the beginning and prove those facts which the Department of Justice probably now has in its files.

The Department could decline to enter into a consent decree unless the defendants agreed to the inclusion of an injunction against contesting antitrust liability in a suit by a city, county, or State to collect damages. This procedure has been used in *United States* v. *Lake Asphalt and Petroleum Co.*, 1960 Trade Cases 69, 835 (D. Mass., 1960).

However, the Department believes, and probably quite correctly, that the defendants will not accept a judgment containing such an injunction. The Department would then be faced with trying these cases which would tie up certain of their personnel for an indefinite period.

Although I can understand the Government's reluctance to have to try these cases, I nevertheless still have reservations about this approach. Let us examine the facts. The Department charges—and from our hearings, I believe they can sustain the charges—that the defendants conspired to fix and maintain high and artificial prices to school and public libraries for children's books. The dollar volume of these books is at least $40 million per year and from our hearings we know that the practice was in effect as far back as 1954. Overcharges are estimated at between 25 and 40 percent. It should shock the conscience that at a time when we are so eagerly attempting to encourage and aid our youth in their educational endeavors that private firms would attempt to take advantage of the public funds to increase their profits illegally.

What will the consent decrees do? They will prohibit these defendants from violating the law again. This may have some advantages but certainly it does not accomplish as much as a money payment to those public agencies which have been injured by violations of law.

It seems to me, especially in view of the fact that public moneys are involved, that the Department of Justice should carefully consider the possibility of withdrawing present consent decrees and insist on an admission of liability if such a decree is to be agreed to. I am advised that many of the governmental agencies involved in the suits have already urged the Attorney General to take such action. Certainly such action would be a great benefit to those who have been damaged by this conspiracy.

On August 30 of this year the National Association of Attorneys General passed a resolution calling for more effective cooperation between the Department of Justice and the States in antitrust matters. Certainly because of the high degree of interest by the States in these cases, it would appear that this would be a good starting point for more meaningful cooperation.

Along this line, I would urge the Department to consider in future consent proceedings the establishment of a practice of filing with the consent decree a memorandum of fact setting forth such information acquired during the investigation which is not privileged material. For instance, information identifying the parties, the place and date of suspect meetings, the general character of documents acquired and such other facts upon which the complaint was based could be included in such a memorandum. This would be of immeasurable value to the injured parties since they could use this information for their investigation and preparation for trial. At the same time, it would not deprive the defendants of any legal rights since they could still offer any defenses or mitigating circumstances available to them.

I ask unanimous consent that a letter from the attorney general of the State of Michigan to the Attorney General of the United States on this subject be printed in the RECORD.

There being no objection, the letter ordered to be printed in the RECORD, is as follows:

Re Price Fixing Conspiracies Relative to Library Books.

Hon. RAMSEY CLARK,
Attorney General, Department of Justice, Washington, D.C.

DEAR GENERAL CLARK: It has come to my attention that the Department is completing prosecutions of eighteen publishers of library books and that consent decrees against those publishers are now being considered. (*U.S. v. Harper and Row Publishers, Inc.*, U.S.D.C.,

N.D. Ill., Eastern Division, #67 C 612 et seq.) I am one of several Attorneys General representing states which have filed treble damage suits against substantially the same defendants. In fact, Michigan, along with West Virginia, Massachusetts, Texas, and Wisconsin, now has pending in the Chicago court a motion for leave to intervene in the Department's civil suits against the library book publishers, for the purpose of objecting to entry of consent judgments in the form presented to the court, and to protect the interest of the public as represented in the treble damage actions pending on behalf of our states' taxpayers. Michigan is particularly interested in protecting the work product of the Department's suit, since it was in substantial part developed by Senator Philip A. Hart, of Michigan, in hearings of the Antitrust Committee of the Senate, and made available to the federal grand jury.

The result of the conspiracy or conspiracies involved consisted of substituting library editions for trade editions sold to libraries and schools, and by this and other means eliminating previous trade discounts ranging from ten to forty percent. (Some of us who have been investigating this feel that the average loss of discount approximates 33⅓%, but we cannot state from our present knowledge how close this comes to the actual damages resulting therefrom.)

The practices which are the subject of your prosecutions and of your civil action significantly affect a substantial portion of school districts and public libraries in states throughout the nation. As you know, under Title II of the Elementary and Secondary Education Act of 1965, more than one hundred million dollars of federal money is made available to the states each year for improving school libraries, and this is only one source of funds allegedly overcharged by the conspiracy which is the subject of the litigation. Substantially all of these, and other public funds such as federal library funds, are affected by the conspiratorial diminution or elimination of trade discounts to public schools and libraries. The effectiveness of at least two major federal programs was, therefore, diminished.

In addition to the five states and numerous local municipalities which have already filed treble damage suits based on the above alleged conspiracy, other states contemplate filing similar actions. Therefore, I feel that the federal government has a significant interest in seeing that as many public agencies as possible, including the states, recover overcharges to their taxpayers resulting from the conspiratorial practices referred to. I therefore urge you to give all appropriate aid to any interested state to achieve this end.

It is appropriate in this connection that I call your attention to a resolution adopted by the National Association of Attorneys General, of which I am currently president, at its annual meeting on August 30, 1967, relative to the increasing public need for more effective antitrust enforcement by the states, and the necessity of developing better cooperation between the Department of Justice and the states as well as among the states. I write this letter as Attorney General of the State of Michigan rather than as President of the Association, of course, but forward for your attention a copy of the resolution referred to as germane to the subject being discussed.

Specifically, I request that you consider the following actions:

1. Insist on including in the consent decrees an "asphalt clause" which would protect the interests of the public money purchasers injured by the conspiracies.

2. Conducting in the Department of Justice a seminar or symposium for attorneys representing the Attorneys General of the several states and other units of government to give them the benefit of the know how and work product of these employees of the Department of Justice who have worked on this matter.

We realize that the filing of these cases was preceded by a grand jury investigation and that the transcript of grand jury proceedings or any part of it cannot be revealed without a court order. However, except for this, the know how and work product of your attorneys and economists can be made available and it seems to us it should. Especially with costs of government and taxes rising to a point of national emergency, we can see no reason why legal and economic work already completed by federal employees should be needlessly duplicated by state employees, which will be the case if the federal work product is not made available to the states. It is in the common interest of the federal and state governments to avoid such waste.

Your earnest consideration of these proposals will be greatly appreciated.

Yours sincerely,

FRANK J. KELLEY,
Attorney General of Michigan.

A PERSPECTIVE ON VIETNAM

Mr. MONDALE. Mr. President, recently I was asked to appear at an issues conference of the Young Democratic-Farmer-Labor Party of Minnesota. The issue, not surprisingly, was Vietnam.

In preparing for that session, I tried to come to grips with the dissent over the war. I wanted to describe my own position with regard to Vietnam policy as well as I could, and I wanted to try to put the war into a broader perspective of America's responsibilities abroad and at home. I also wanted to speak to Minnesota's young Democrats about political power and political parties and their responsibilities toward both.

My remarks offered a number of conclusions:

First. The differences in position among responsible people who discuss Vietnam policy are smaller in fact than they are made to seem through the polarization of views that is taking place.

Second. The courses open to us in Vietnam have implications far beyond Saigon, Hanoi, and Washington.

Third. The debate over Vietnam is drawing our attention from some other vital concerns of America—world hunger and development problems, the need for an effective international organization that will keep us from destroying ourselves, the crisis of missing opportunity for millions of Americans, the appalling ignorance in which we deal with our domestic problems.

Fourth. We badly need the idealism and devotion of our young people if we are to keep growing in America, and our growth is always likely to be less than we want—often accompanied by failure and disappointment.

Mr. President, this was a partisan group and I gave a partisan speech. But there was nothing partisan in my attempt to discuss Vietnam; one discusses that issue only as an American.

I desire to share these remarks with Senators, so I ask unanimous consent that they be printed in the RECORD.

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

YOUNG DEMOCRATIC-FARMER-LABOR ISSUES CONFERENCE ON VIETNAM

(Remarks of Senator WALTER F. MONDALE, Macalester College, St. Paul, Minn., November 11, 1967)

Student political activity—your participation in the Young Democratic-Farmer-Labor Party and this kind of issues conference—really matters, because there is a critical relevance between your activity as a student in politics and the opportunity for involvement in American political life.

My own case is not unusual. In Minnesota, young men and young women who believe in their principles and are willing to exert themselves in the political structure are quickly accepted and given access to the corridors of power in American government. This is exciting.

But more than that, it ought to be sobering. As students you cannot, any more than I, be flippant in your view of American problems. Nor can you be irresponsible in your outlook, or permit others to assume responsibilities that you are unwilling to assume.

We cannot avoid debate; we cannot avoid controversy; we cannot avoid dissent. As Americans we must choose which courses we will take. As Democrats we have the additional problem of determining the best strategy, because that is a part of politics as well.

It is impossible to deal with the issue of Vietnam in a few words, and especially not in slogans. It is enormously complex. It involves analysis of many factors and many features. But I have tried to set down, as best I can, where I stand on Vietnam, why I stand there, and why I think you should stand there, too.

Some disagree with me—there is another Senator from Minnesota who takes a different view, and I respect him as a sincere and effective public servant. In our party and in our state we have generally been right on the great issues that face mankind, whether justice, or opportunity, or human rights, or foreign aid, or free trade, or the responsibility of this nation to improve the possibilities for a stable and peaceful world. Our party has gone beyond that, and its public leaders have put meat on those bare bones. Searching for new insights, eager to seize new leadership opportunities, impatient with mediocrity—we have shaped this party to the highest standard in the nation on issues, ethics, and the competence and dedication of its officeholders.

We have often disagreed. In fact, we have a party composed of such conviction that it is becoming increasingly difficult to hold it together. When we finished last year's battle, we had proved that we really believe that there are more important things than winning. And only this year, you Young Democrats have told the National Young Democrats to chuck it and some of you have organized to defeat the incumbent President and Vice President of the United States. That includes Hubert H. Humphrey of Minnesota—whom I believe to be one of America's greatest citizens.

It may be that factionalism is the price of superiority. And yet the unique function of a political party is to translate ideas into political power and to legislate that power into administrative reality. You can't do that when you are out of office. We are out of office in Minnesota, and some of you, reluctantly, and some eagerly, would have us out of office in Washington.

I just can't believe that makes sense. Nor can I join those who would withdraw from Vietnam or pursue other policies that amount to the same thing.

It would be wonderful to see that great issue more clearly, to speak out more eloquently, to couple my deep distress over the Vietnam tragedy with a plea or demand for a single dramatic act that would bring it to

an end. But there is no way to wave a magic wand and have the issue disappear. There is no way to talk it, or shout it, or march it out of existence.

I am all too conscious that my position is not a popular one here. But there are two kinds of crusaders in this debate, and I just can't join either kind.

Just as I cannot subscribe to a domino theory or a monolithic communism theory, I cannot subscribe either to a demon theory or a dupe theory. Furthermore, I fear the passion which assigns broad significance to narrow distinction. As a young Democrat I watched another crusade—over loyalty. Like that one, though more intensely because there are two kinds of crusaders this time, I feel that this debate is on the verge of running away with us—of taking on a life of its own and sweeping us before it.

As I try to tell you what I think about Vietnam, I also want to try to put that struggle into a larger perspective. Our involvement in Vietnam is only one of our problems, and some of our others are at least as important to America and to those of us—to those of you—who must lead it. For whether we lead well or badly, it is tomorrow that we shape with whatever we do today.

First of all, I am terribly concerned about our involvement in Vietnam. I don't like the killing and destruction, the slowness of political improvement, and the colossal inflation.

Nor does anybody else. That is the first important consideration I must suggest to you. You may have to judge our policy in Vietnam as mistaken. You may have to call it ineffective. But it is not morbid, and character assassination only limits the possibility of sensible discussion.

Next, there can be little doubt that we have made some mistakes in Vietnam. I happen to think that two of them have been our gradual Americanization of the military effort and our decision to bomb beyond supply routes that directly affect our own forces. We have made errors before in domestic and international affairs, however. But the history of our involvement and the errors we have made in Vietnam have become an obsession for far too many.

Of course we need to be concerned about how we got there, what our commitments were, what better alternatives there might have been. But even if we could agree on answers to those questions, they are not worth our most serious consideration.

We must examine our presence in Vietnam in other terms than the past. Even if it be assumed that we could have done something else, something better, let us look at our present involvement and consider what we might do now.

Vietnam will end sometime. What will begin?

Some of our mistakes in Vietnam were made while we fought in Korea. What mistakes are we making elsewhere in the world as we fight in Vietnam?

We have half a million men in Vietnam today, fighting a live war. A newly elected government is threatened by the National Liberation Front, which desires to take control of South Vietnam. It is also threatened by a North Vietnamese government which is bringing troops and supplies to the South. The troops are North Vietnamese. The supplies are not.

The United States is carrying the brunt of the military struggle against both the NLF and the North Vietnamese. The United States alone is carrying on an aerial war intended to diminish the movement of troops and supplies to the South.

The South Vietnamese government has not been very successful in mobilizing an effective military effort, although there have been some very fine South Vietnamese forces involved in the fighting and I think they should be pushed far harder. The South Vietnamese government has also not been very successful in mobilizing popular public support in the areas under their control.

A massive U.S. presence has economic effects, as well as military and political effects. Remembering that we have made mistakes, seeking some improvement, what can we do? The questions of policy affect South Vietnam, North Vietnam, Asia, and the rest of our world.

One of the major dissenting groups in this country suggests the kind of escalation of military effort that will bring the North Vietnamese and NLF to their knees in some sort of abject surrender. The Administration does not seek such unlimited escalation, so this is a dissenting view.

The policy suggestions of these dissenters are dangerous, I believe. For the Chinese and the Russians cannot accept such an end to the war, and broadening it beyond Vietnam is unthinkable. Yet there are Americans who strongly favor this approach—a policy that seems to me to be an attempt to end the war in Vietnam by starting World War III.

A second major dissenting group calls just as vocally for immediate and unilateral withdrawal of our military presence in Vietnam. It goes without saying that this implies withdrawal of our economic and political presence as well. As Edwin Reischauer says in his new book, *Beyond Vietnam*, such a step, though more debatable than escalation, is not much more attractive. He considers it to be a minor disadvantage that all of Vietnam would probably fall under the control of the Viet Cong and eventually the North Vietnamese. He considers it insignificant that the United States would lose face and even suggests that we might be better off in our relations with other nations if we were not so powerful and prestigious.

But Reischauer, whose years of study and experience in Asia provide some reason for us to take him seriously, says that there could be disastrous political and psychological consequences of withdrawal. It would, he says, "send a massive psychological tremor through all of these countries (of South and Southeast Asia), further threatening their stability and perhaps sharply shifting their present international orientation."

In addition, he says, it increases the likelihood of "wars of national liberation" in the less developed countries in the world. He points out: that these unstable nations of Asia, almost uniformly, are fearful that they too might be visited by guerrilla warfare or wars of national liberation; that they continue to be concerned about what the enormous nation of China may have in mind so close to their borders; that if we were to withdraw from South Vietnam the Viet Cong and the NLF, at this point, when the stakes are this high, would be successful in causing us to withdraw; that the "high risk" politicians in the Communist world would have proved their case and the now nearly forgotten theory that communism is the "Wave of the Future" would be revived; and the prudent politicians in the Communist apparatus would lose much of their influence because they would be proved wrong.

Reischauer points out that there is something to the domino theory, though not in the simple mechanical sense in which it is typically put. In the countries closest to Vietnam, he says, there is some strong approval of our Vietnam policy and "a considerable degree of quiet support, masked either by discreet silence or by an official stance of mild condemnation."

These nations, because of internal instability or apprehension about China's intentions or the loyalties of substantial Chinese populations within their own borders, "would feel much less secure if the United States, after having committed itself to the fight, were forced to admit defeat at the hands of Communist insurgents."

In addition, Reischauer points out, the seekers for Communist control in underdeveloped countries throughout the world would see this as proof that "wars of national liberation" are irresistible. Reischauer suggests that "it would be far better proof than Ho Chi Minh's victory over the French in North Vietnam, or the Communist triumph in China, or the sweep of Communism in the wake of the Soviet army in North Korea and East Europe, because in none of these cases was the military power of the United States directly involved."

Successful Communist insurgency, Reischauer says, would depend mostly on conditions within these countries, "but a clearcut defeat of the United States in the Vietnam war would certainly be one external factor that could have a seriously adverse influence on this situation."

Reischauer also maintains that shifting American military power elsewhere, as some have suggested, would have doubtful consequences. We would be spreading military power "into areas where the Vietnam war had just shown that our type of military power was relatively ineffective."

He questions whether less developed countries would still want close alliances with us after having seen that we could not guarantee "security from the threats that menace them most—namely, internal subversion and guerrilla warfare." A new defense line might simply pave the way for more disasters like Vietnam, he says, and rejection by Asian nations of such an approach "would probably further reduce our ability to play a helpful role in Asia, even in fields other than the military."

Reischauer sums up:

"The net results of our withdrawal from the war in Vietnam, however skillfully we might try to conceal the withdrawal, would probably be an increase in instability in much of Asia and a decrease in the influence of the United States and in our ability to contribute to the healthy growth of Asia. These adverse consequences might be felt in much of Asia for years to come."

Besides changing the political climate of Asia for the worse, Reischauer speculates, withdrawal from an American commitment for whatever reasons—political, strategic or moral—could encourage doubts in such nations as Japan and our European Allies about the reliability of commitments there, and might even encourage nuclear proliferation. What is involved here, he says, is not the loss of face, but the loss of faith.

Nuclear proliferation happens to be very much a central concern of peace in our world community. We hope and pray that the recently submitted draft treaty to the proliferation of nuclear power will receive the support of nations which are now not a part of the nuclear community. If our commitments that we have made in Vietnam over and over again—despite what may have been the wisdom of those commitments—prove to be commitments that we are willing to forget, how can these nations, India and the rest, believe us when we say we will protect them from nuclear attacks?

Furthermore, Reischauer suggests, the effect at home might be even worse. Along with those who would take renewed strength from a moral stand and those who would see it as a strategic cutting of losses, there might come a kind of racist isolationism that could damage our relationship everywhere in the world. I quote him when he says "in our eagerness to (save American lives and stop the carnage in Vietnam) we might help produce such instability in Asia and such impotence in ourselves that the development of a stable, prosperous and peaceful Asia might be delayed for decades."

Now all of this is speculation, as Reischauer admits, but it is the kind of speculation that looks to the future rather than

the past. And it recognizes, it seems to me, two vital points.

First, our involvement in Vietnam is not a matter strictly between us, Saigon, the NLF, and Hanoi. What we do makes a difference elsewhere. Any major action must be considered in terms of possible consequences—both those which are obvious and those which are not.

Second, there are other considerations in addition to history and morality which may be important to the policy of a nation involved in a tremendously complex network of relationships throughout the world. Just as we cannot think only of our pride and our prestige in discussing the war in Vietnam, we cannot think only of our errors and our guilt.

No doubt this is one reason for the gap between the real differences and the imagined differences in position on Vietnam among public figures in America. A few weeks ago, in the Sunday New York Times Magazine, one of the analysts reported that the emotional gap in Vietnam seemed to be far broader than the factual gap in differences of point of view. I think there is indeed an emotion gap, one that stems from assigning broad significance to narrow distinctions.

For example, one universal point of view ties the Senate critics of Vietnam to the Administration. No U.S. Senator, to my knowledge, has publicly advocated immediate unilateral withdrawal from Vietnam. When pressed, every Senate critic of our policy in Vietnam accepts the fact that our presence will be required for the foreseeable future.

There is no great joy among Administration critics over this fact of life, but they all know what precipitous action would mean in Vietnam, Asia, and the world. They know that the United States cannot act without considering all of these consequences. They know we cannot undo the past and the present, that there are no magic wands.

Their suggestions are limited to lesser steps which they believe can be taken with lesser consequence. But the passionate read their recommendations otherwise, with far too little serious analysis of differing positions and far too much wish—fulfillment. Let me use myself as an example.

I consider myself a supporter of the Administration policy, but I feel free to criticize, and I have done so when I felt our policy was wrong.

I've said publicly that I think we were wrong to go beyond bombing supply lines, railroads, and infiltration routes, and targets of that nature. I believe that we should stay away from targets which raise the risk of striking Russian shipping or that needlessly endanger civilian lives. Moreover, I would gladly suspend bombing, if a reasonable opportunity for meaningful talks arose.

I have said publicly that negotiations must include all parties, including the NLF.

I have said publicly that the United Nations, any other international group, any single nation, or any individual, should be used to bring about negotiations. I supported Senator Mansfield's Resolution introduced a few days ago, which 57 Senators signed, asking that this matter be brought before the Security Council and, hopefully, that there be a reconvening of the Geneva Conference.

I have said publicly that the war should be fought as much as possible by the South Vietnamese—that it is the responsibility of the new government to improve its army and reduce the manifest corruption in the military, political and business structures in South Vietnam.

I have called publicly for more emphasis on real achievement and pacification and more concern about the really sad and pathetic aftereffects of the war in the villages and upon the refugees.

All of these statements, I believe, fall within the limits of support of the Administration in Vietnam. They fall there because they recognize the reality and the necessity of continued U.S. presence there. And they support the Administration's goals of a negotiated political solution to that tragic conflict.

Where, then, does the dramatic difference lie between my position and the positions of those considered critics of Administration policy? There appears to be one hard distinction.

Some of these critics—not all of them—are calling for an unconditional and complete end to the bombing of North Vietnam. That difference appears to be judged by substantial numbers of protestors as a major difference of policy. Particularly in light of the restrictions I would impose on North Vietnamese air strikes, my opinion is that this is a narrow distinction to loom so large.

Unconditional cessation of bombing might speed talks. It might also increase the flow of supplies to the South, increase American and South Vietnamese casualties, and weaken our defensive position to the point where the chances of negotiating would be substantially reduced. I think we must be willing to take a chance to get to the bargaining table, but I would like to see a hint of better accommodation by the North Vietnamese before I take that chance. It is instructive to read the article written by Wilfred Burchett, who has traditionally been used by the Hanoi government to disclose its position, about ten days ago. He pointed out that even if we cease bombing at this time, Hanoi is not interested—I think he put it—even in *contacts*, let alone *talks*, until the bombing of North Vietnam stops finally and completely. The only steps that would lead to *talks*—not *negotiations*—would be for us to stop bombing North Vietnam, cease all military activity, and withdraw our troops from South Vietnam. Then they would begin talks, Burchett suggests. Negotiations might follow.

I don't know for sure whether stopping the bombing is better than continuing, and neither does anyone else. But as I said, I would like to see a stronger hint on the part of the North Vietnamese and the NLF that they will negotiate.

That desire for negotiation does not separate supporters of the Administration from opponents of the Administration, except in the eyes of those who seek to oversimplify the debate. There *is* a group that is not in favor of negotiations now or any time, but they are the dissenters who believe in complete military victory.

Those who would discuss the war must be certain to make the real distinctions. They must be careful not to magnify differences or create them where they do not exist.

There is much more than Vietnam policy involved in this debate. I am concerned about the climate I see, that polarizes gradual differences in views on Vietnam and focuses on that subject to the exclusion of all other problems. Tom Wicker described it recently in the New York Times as an "agony" that has overtaken the nation. "Perhaps," he said, "it was summed up in a picture widely printed in the European press—the contorted face of the young American pacifist screaming with hatred, the veins of a passionate contempt outlined in his neck, his fists clutched under a policeman's riot mask. In what manner could a pacifism so fierce and so despising differ from the violence and cruelty of men in iron helmets?"

Wicker went on to say that perhaps if the war in Vietnam hadn't existed, it might have had to be invented. "Something," he said, "was needed to symbolize, and thus to give focus and energy to, a profound but voiceless discontent with the land of the free and the home of the brave—to a deep sense that something was wrong, some failure was distorting and perverting the idea of America."

As Wicker went on to say, this is nothing new in America, this disillusionment over contradiction. Righting the wrongs of past and present, whatever they are, is fundamental to the development and leadership of our nation. But as Wicker said, "there is something repugnant in it, too, in the intolerance and ferocity of disaffections, as if human failure were evil, as if a sort of inquisition were needed to scourge the money changers from the American temple."

We have failed in Vietnam, as we have often failed in one way or another to achieve the ideals we have set for ourselves. Such failures have troubled us from the beginning—they troubled Jefferson and Lincoln and Bryan and Roosevelt, Truman, Kennedy and Johnson. Our present failures go beyond Vietnam, and the danger is that in the dissent over Vietnam we will lose sight of their magnitude.

Vietnam is such an obsessive, emotional struggle that it is making us incapable of preserving ourselves in the corridors of power. I cannot see a world with only one issue and one position that can be taken on that.

Despite my deep frustration over Vietnam, my despair over the destruction of war, my concern for the dying—all the dying, I feel deeply that in all of its tragedy, our present course is the best that we have to pursue. And I cannot bring myself to magnify my reservations to the point where they would be seen—incorrectly, but probably enthusiastically—as a fundamental objection to our policy in Vietnam.

I would ask you, instead, to devote some of your attention to our other problems, where you are desperately needed, where the fragile coalition for progress is in danger of breaking down in the face of the Vietnam debate.

There are not enough of us in Congress who want to increase economic assistance to poorer countries of this world. That is our first failure of effort, the growing gap between the rich and the poor nations of this world. It is not just growing, it is exploding. And our response has been a shrug.

One of the most frustrating things a liberal can do is to try to come to grips with this issue, to mount the kind of lobby that will reconcile and implement the great ideas which have been advanced to deal with this problem.

I don't have to tell you that nearly two-thirds of the people of this world are incredibly poor—and that the population burst is making them poorer. I don't have to tell you that millions of people are continuously so hungry that they are stunted in body and mind, that well over 10,000 human beings will die today from hunger. Unless we can turn the corner on the hunger explosion, Vietnam will look like a tea party.

Meanwhile, the percentage of our Gross National Product devoted to foreign economic aid has dropped from two and one-half per cent in 1949 to six-tenths of one per cent last year. Before we are through this year we will probably have dropped it to four-tenths of one per cent, far below the average one per cent effort which experts feel the developed nations must make if there is to be steady international development. This was to be the Decade of Development; it is going to be, I fear, the Decade of Disappointment.

We promised the underdeveloped nations of the world that we would permit them to trade with us. But we have fallen miserably short of that promise, too. And today powerful Senators are proposing protectionist legislation that rivals the Smoot-Hawley tariffs of the 1920's in its restrictiveness.

Beyond that, we are stripping the underdeveloped nations of their skilled talents—their doctors and engineers and that thin veneer of professional leadership that is absolutely indispensable to them if they are to have any chance for growth.

There is, however, one area of trade where we have willingly entered into development efforts, along with every other developed country in the world. We have welcomed the underdeveloped nations of the world to the international arms race.

Since 1962 this nation has increased its grants and sales of arms to developing countries from $404.8 million in that year to $866.5 million in 1967, and almost all of the increase has been in sales, which are now more than six times as great as in 1962. The crush of the world's annual arms burden now approaches $175 billion. And in this country we are threatened by an imminent anti-ballistic missile race that could cost $50 billion by itself, to say nothing of what it will bring in reaction investment in other nations.

Some of us in the Congress have not only been concerned about these universally dangerous signs, but have worked on them. We've voted to try to change the trend. We've tried to recruit active participants for the attempt to help developing nations stand on their own feet and grow toward peace and stability. Developing an impetus for international development is as fundamental an issue as any of us face.

A second great failure, as least as important as the first, is our inability to develop the kind of workable international institution which can keep the peace. You know the history of the League of Nations, one of the truly tragic stories in American history. We are coming very close to repeating it in the United Nations.

We must do far more to strengthen that institution, to contribute our resources and our faith to it, to call upon this organization to deal with the broad, fundamental issues which this world faces. Without an international institution that has some potential for keeping the peace, the chances of preventing Armageddon are dim indeed.

Nor are all our problems confined to international affairs. We face domestic problems of fantastic proportions for which we have yet to develop solutions or even to allocate the necessary resources. This despite the fact that we are in the 81st month of the longest, most vibrant period of economic growth in this nation's history, war or no war.

We now have a Gross National Product nearing $800 billion. All of India with 500 million people has only $43 billion; all of South Asia only about $50 billion. Last year the economy of the United States grew by $10 billion *more* than the full economies of all the nations of Africa produced, excluding South Africa.

Yet we still deserve Gunnar Myrdal's judgment in *Challenge to Affluence* that "There is an ugly smell rising from the basement of the stately American mansion." That smell is in the air. It mingles with the bitter odors of gunpowder and charred ruins in American cities across the land.

We are now dimly perceiving the fact that our domestic mistakes of the past have reaped racial bitterness, human frustration and failure, and the alienation of millions of American citizens who are trapped in American ghettoes. Like the solution to the Vietnam crisis, a solution to the urban crisis defies simple identification.

Racial patterns of living are more deeply entrenched than ever before, and they are nationwide. As the chief author of the federal Fair Housing bill, I find nothing more difficult, nothing more frustrating than trying to raise this issue—which for the first time involves Northerners, not just Southerners—and call upon this nation to declare the principle that we are going to live together and not separately. Until we do so the chances of solving the maladies of this country are very bleak indeed.

I am proud as a Democrat, and I think you should be proud as Young Democrats that this week the first Negro was elected mayor of a major city in this country—and he bears our party label. And we can be proud of the election of Andrew Hatcher too. But there is a darker side of those elections that none of us can ignore.

In Cleveland only one out of four white Democrats voted for Stokes. The other three jumped over to the Republicans. In Gary, Indiana, only 17 per cent of white voters voted for Mr. Hatcher. Those ought to be sobering statistics.

There is not only a question of substance. We have a profound moral issue in this country, the question of whether we really believe in each other as people regardless of color. It is fundamental and basic and far from resolved.

Millions of Americans have educational systems hardly worthy of the word.

Insensitive law enforcement officers, inadequate public services, and an apathetic American public have created a new generation of bitterness and cynicism and hate, with leaders who see violence as an accepted method of settling grievances.

What has been our response? Too often there has been too little sympathy and too little help, and too much inclination toward suppression; a reverse violence which could make this nation even more divided.

Now, we must insist upon order, but I don't believe you can have order unless you have justice. And the objective of a liberal, objective of a decent American, must be the accomplishment of both objectives.

Yet this is a country where the poverty program is being virtually dismantled. We will be fortunate to save the structure of these programs, and we are almost certain to see only minimal increases in funding. A profoundly wealthy country, after it has made promise after promise of greater opportunity, after it has gone through one explosion after another, after the injustices have been laid out for all of us to see, may yet turn its back on the poverty program.

We have salvaged only $10 million for rent supplements, $13.5 million for the Teacher Corps, and about half of what the President asked for Model Cities.

Our effort to create an emergency public jobs program lost in the Senate by 54 to 28. A program to fight rats in American cities was laughed down in the House of Representatives. Though we now know that children are starving in Mississippi, a remedy has been stifled in the House Agriculture Committee.

It's not that we lack money. A supersonic transport made it through the Congress, $142 million and sonic booms and all. We found $4.5 billion for space and $4.7 billion for public works. Yet we could not find the resources for more than the most modest beginning attack on the problem of American cities. And that, it seems to me, is as important as any issue facing our nation—or indeed, our world.

Finally, while it may seem strange to say it, one of our biggest problems, in my opinion, is that we know so little about American society, just as we know so little about Vietnam and Asia.

When our cities exploded, public officials were astonished. Why would New Haven and Detroit—model communities under creative, sophisticated leadership—explode? Where had we failed? What could be done about it?

This past summer doctors found children, thousands of them, starving in America just as they do in India. No one in the federal government knew it was happening.

We still don't know what to do to educate the children of blighted areas. Some say the only way is full integration; others call for massive and expensive compensatory education.

But the frightening thing to me is that after generation after generation has denied charity in this country, the American educational establishment has yet to agree on what is needed to achieve something as minimal and fundamental as giving children a fair chance.

Because we do not have the knowledge we need, some of us believe that the structure at the national and local levels must be changed to bring sophisticated social scientists to the highest executive and legislative levels. We must undertake the development of social indicators that will keep us informed of human progress and failure. We must search for answers deliberately and institutionally in the pursuit of full opportunity. Otherwise change will smother us and despair will be our watchword.

Even if we could simply stop the war right now—and I don't believe we can—we would not be assured of the resources we must have.

Even in present circumstances we could have commenced significant new efforts with only the most marginal kinds of sacrifice. As I have said, we found money this year for the SST, space programs, and expanded arms credit sales to poor nations. But we barely saved new and beginning innovative programs for the cities.

There is no perfect correlation between attitudes toward the war in Vietnam and attitudes toward social programs. Some of those who have made the argument that we can't afford both guns and social programs have always voted against those same social programs. What is basic in dealing with problems at home and abroad is not the question of resources going to Vietnam, although that clearly complicates it. There is a fundamental problem of the will to see it through, to design programs and appropriate funds to alleviate human problems at home and abroad.

To do that will require your effort, your involvement in this political party, your success at the polls.

Our need is not to burn flags or draft cards, or to convert decent human beings into demons and seek to destroy them. Hating is easy and self-righteousness is satisfying, but this course destroys more than it builds. It steers people from the forces of progress and further weights the balance in favor of the reactionary, insensitive, and selfish, who already have the upper hand.

If we are to generate full opportunity for all Americans, we will need resources in unprecedented proportions.

This will require a political coalition that can obtain greatly expanded support in Congress and at all levels of government. Where will the moral, intellectual and material resources be found to remake our America? What hope is there that we can accomplish this goal of full opportunity?

I think it rests with you. Much has been said about the Generation Gap. I personally believe there *is* a difference in your generation—deeper commitment to more honest, personal, moral and intellectual standards. If my appraisal is correct, I hope you never grow up—never adjust to the apathetic compromises that deprive the nation of the committed idealism that we must have.

Our party cannot continue to translate ideas into power and action unless there is a continuing infusion of creative and inspired and selfless young leadership—prodding and pushing us, but prodding and pushing themselves toward leadership in party and government that ultimately achieves a society that fulfills the larger purposes of a humane and compassionate people.

We have been torn by a bitter fight here in Minnesota. We could be torn by an equally bitter fight over Vietnam. I fully respect and honor those who disagree with me on Viet-

nam, but my plea here today is that we see, despite this disagreement, that there is a larger objective. It could be shattered and paralyzed if we let our differences destroy the effectiveness of our party, if our great movement toward human improvement is further divided, split and shattered.

The party and its ultimate success are the only hope for millions of people in this country and in the world who hope for opportunity. This is our cause and this must be our effort, despite our mistakes. We can't succeed without you.

You are here on the specific issue of Vietnam. And you must deal with it as best you can. We all must. But I would ask that you consider two things:

First, make your decisions about Vietnam with full knowledge of the present and as much insight into the future possibilities as you can generate. Do not be deaf to the multitude of voices. See the distinctions as they are, not as you'd like them to be.

Second, pass your judgments as citizens of the world. Place Vietnam in the context of the unfinished work before us—the battle against starvation, the fight to build workable international institutions, the struggle to avert hatred and violence in our own society, the absolute demand that we plan for the kind of world and nation we want. Knowing what must be done, which party do you want to place in power? For you can't get out of the world, and it's not a pastoral symphony. And 1968 will make a difference to America and the world.

Tom Wicker concluded his New York Times article by saying:

"From reality man reaches toward promise, fails, and in an agony of failure finds his greatness by reaching again."

The fundamental requirement for trying in agony to reach and succeed next time is young leadership, unwilling to compromise where compromise is dishonest, working with energy and understanding, infusing our party and government with the idealism that we need. Not withdrawing from the process because of inevitable disappointment, but in those disappointments and in the agony of the failure of our society, reaching and trying again.

Those of us in public life certainly cannot argue that we've even approached perfection. But I think it makes an awful lot of difference whether you are willing to try; whether your dreams are still important enough to make a special effort. It is an attitude, it is a commitment, it is a willingness to be involved that's at stake here.

I see precious little chance that it is going to come from the other political party. If it comes at all, it will almost invariably come from our own. That's why what we do with this instituiton, what you do as young Democrats is not, as some would say, irrelevant to the power structure of this country. It is fundamental and it is important.

Recently I received a letter from a student in California about a speech that I had given on the generation gap. He wrote specifically about what he considered to be my thesis—that if you disagree with the system, then fight it, or reform it, from within.

"Although I am a devoted follower of the New Left (he said), I do take issue with their surprising naievete on the political system and how to change it. I heartily agree with your example of recent California gubernatorial contest and how the apathy of the New Light in that race may hold potentially tragic results. Indeed the tragic result has partially taken effect.

"You are almost totally correct in your insights into the thoughts and goals of my generation in your impression that many of us regard national politics as being largely irrelevant."

Then he suggests some reasons, some compelling ones, for this attitude.

"One of the reasons," he suggested, "is the ancient theory that you can't legislate against hate which much of today's young activists at least subconsciously believe. I take issue with this, for there is no better argument against that statement than the record of liberal legislation in America. I believe that one can legislate against evil and I further believe that one must, for I am completely assured that if one does not fight evil at the top, then its pressures will permeate our existence.

"A handful of young radicals ignoring the structure will not produce the results that we want, but it will leave that much more room for the enemy to run free, crowding the hills with billboards, clouding the air with pollution and ravaging our forests with the exploitation of packaging.

"A political system must be radically changed. But it must be internal. Obviously we can't exist without government as of yet. Nor, can we of the new left muster enough people to totally ignore the system.

"We shall show ourselves shortly around Washington. Rest assured that we make our pressures strongly felt. I myself hope to be in the front lines."

My message to you as young Democrats is that I hope you know what this young man knows. I hope you too will be in the front lines, in Washington and in St. Paul.

Maybe one of you will have to push me out to get there someday. I won't like it if that happens, but I'll have to take it. And I say better one of you within the Young Democrats than one of them.

For they'll be after me, too, and they'll be doing it inside the system, inside one of the best organized and politically powerful state Republican parties in the nation. Is that what you want? That could be what you get, if you abandon the party as a vehicle for a change in government and policy.

I hope you've thought about it carefully and deeply.

KOREA AND VIETNAM

Mr. FULBRIGHT. Mr. President, Mr. Y. J. Rhee, of Uniondale, N.Y., sent me a copy of an informative letter he wrote on November 1 to Under Secretary of State Katzenbach. In the letter Mr. Rhee makes a number of interesting comments in rebuttal to Secretary Katzenbach's analogy, in a recent speech, between the Korean war and the war in Vietnam. I ask unanimous consent that the letter be printed in the RECORD.

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

UNIONDALE, LONG ISLAND, N.Y.,
November 1, 1967.

Hon. NICHOLAS DEB. KATZENBACH,
Under Secretary of State, U.S. Department of State, Washington, D.C.

DEAR SIR: As a Korean-born American citizen, I was intrigued by your unsubstantiated analogy between the Korean War and the Vietnamese War, which you presented in your recent speech at Fairfield University, Fairfield, Connecticut.

I should like to cite several significant differences between these two wars. First of all, Korea had been a nation-state for many centuries until Japan annexed her in 1909. Vietnam, on the other hand, is a geography which has never developed into nationhood. In Korea, the North Korean troops commenced an unprovoked attack on June 25, 1950 against the government which was established under the supervision of the United Nations. The United Nations General Assembly recognized the government in Seoul as the only lawful government on the peninsula. As you are aware, none of the South Vietnamese governments have enjoyed similar recognition by the United Nations.

Secondly, the aggression from the north in Korea was an external attack, whereas, the hostilities in Vietnam are largely guerrilla type operations by the South Vietnamese against the South Vietnamese government. In other words, a military victory over the aggressors was possible in Korea, but in Vietnam the ultimate victory must be a political one, for which the United States military power can not determine its final outcome.

Thirdly, you stated that there were criticisms against the Korean government led by Dr. Syngman Rhee that it was not really representative. I regret to inform you that your information and knowledge of the Korean government before the Korean War are totally inaccurate. The pre-Korean War government under Syngman Rhee was truly representative. In fact, Rhee's Minister of Agriculture was a communist. The election which was supervised by the United Nations Commission on Korea was completely honest and a group of powerful opposition parties were in operation. Of course, during and after the War, Syngman Rhee used the American-equipped and American-advised forces of organized violence to crush his political enemies. In the end, as you are well aware, Koreans now have a war lord government which rules the country with American tanks and guns.

Lastly, your statement in connection with the complaints that the Koreans were not doing enough for themselves during the Korean War is callous. Please allow me to cite my own personal account of how much sacrifice Koreans made to repell the aggressors in cooperation with fighting men from eighteen member nations of the United Nations. I have two brothers; all three of us actively served throughout the War. My younger brother then was in tenth grade and I was in the second year of college. Like many friends of mine, we did not claim student deferments but chose to fight. When I graduated from a boys' high school in Seoul in 1949, I was one of the one hundred fifty graduates and all of us advanced to colleges. At the end of the War, I found more than a half of my high school classmates were killed in action and many more were maimed. I am familiar with your military service during the World War II and subsequent captivity in Germany. I am proud to say that my brothers and my friends served during the Korean War with the same dedication as you did for the United States.

In conclusion, I do not believe that your strained analogy of the two wars would serve any purpose in defending the dubious Vietnam policy of the Johnson Administration.

With highest esteem,
Sincerely yours,

Y. J. RHEE.

ERVIN CONSTITUTIONAL CONVENTION BILL DRAWS FIRE FROM ST. LOUIS POST-DISPATCH, CONSTITUTIONAL LAW EXPERT

Mr. PROXMIRE. Mr. President, some weeks ago the Subcommittee on Separation of Powers of the Senate Judiciary Committee held hearings on legislation introduced by Senator ERVIN to define the ground rules for the calling of a constitutional convention under article V of our Constitution. It was my privilege to testify on this significant proposal.

Two thought-provoking commentaries on the Ervin bill have since come to my attention. The first is an editorial from the St. Louis Post-Dispatch, the second, an article by Prof. Charles L. Black, Jr., Luce professor of jurisprudence at Yale Law School. Both commentaries are sharply critical of the Ervin proposal, although Professor Black feels it should be

"sunk without a trace" while the Post-Dispatch calls it a "tentative basis for hearings," feeling "it is better for Congress to decide the issue now rather than wait for an emergency."

These critiques of S. 2307 bear a striking similarity, however, in arguing forcefully that the bill completely omits the people from the convention process and substitutes State legislatures at every step of the proposal and ratification process. For example, State legislatures, not the U.S. Congress or the courts, would be the final arbiter of the validity of a State call for a constitutional convention. The Governor, the only representative at the State level of all of the people of a State, would not have a chance to veto such a convention call. State legislatures could appoint convention delegates if they so wished, bypassing the right of the people to elect those delegates.

Each State would have but a single vote in a constitutional convention, thus contravening the principle of proportional representation. As a result a convention could be submitted to State legislatures for ratification even though delegates representing 85 or 90 percent of the people in the United States objected. Finally, although Congress could decide to have any proposed amendments ratified by individual State conventions, S. 2307 would give the State legislatures the authority to set the rules of procedure for these conventions.

Mr. President, we have been told for some time now in connection with State calls for a constitutional convention on reapportionment that we should let the people decide. Senator ERVIN's bill as it is presently drafted, would let the State legislatures decide, thus bypassing the checks and balances of our Federal system. Every constitutional traditionalist should be seriously concerned about such a possibility.

I ask unanimous consent that Professor Black's article and the St. Louis Post-Dispatch editorial be inserted in the RECORD at this point.

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

LATEST MOVE IN THE "CONVENTION" GAME

(By Professor Charles L. Black, Jr., Luce Professor of Jurisprudence, Yale Law School, New Haven, Conn.)

S. 2307, introduced by Senator Ervin on August 17, is scheduled soon for hearings. The bill is compounded of futility, multiple unconstitutionality, and reckless foolishness. Its introduction is the latest move in the "Constitutional Convention" game; some background is necessary, if you have not been following the earlier innings.

Article V of the Constitution provides that amendments may go through in two ways. First (and this is the procedure invariably followed up to now) Congress may, by two-thirds majorities in each House, submit an Amendment to the state legislatures, or (at Congress' own election) to conventions in the states, three-fourths of whom must ratify. Secondly, it is provided that "Congress . . . on the Application of the Legislatures of two-thirds of the several States . . . shall call a Convention for proposing Amendments . . .," which are then to be submitted to one of the same ratification procedures (again at Congress' election) as are those originating in Congress.

In recent decades, a good many of the state legislatures have decided—if "decision" is the right name for the mindless, discussionless whooping-through which has characterized some of their proceedings—that this language empowers them to force the calling, not of a "Convention for proposing Amendments," in the sense of a convention to consider national problems and to fashion such proposals as the convention thinks ought to be made, but rather of a "convention" to vote aye or nay on a text actually proposed by the legislatures themselves. The only authority behind this reading of the text of Article V is the self-serving authority of twentieth-century state legislatures.

Between them and their goal stands Congress, with its power to decide upon the validity of their "applications," and to set such rules for representation at the "convention" as to Congress may seem to be in the national interest. S. 2307 seeks, in brief, to disarm Congress in advance, and to put the country entirely at the mercy of the state legislatures, by setting up a well-greased "standard operating procedure" for dealing with these applications, so that it would be impossible for the contemporaneous and focussed judgment of Congress to act on them as issues arise.

It is hard to strike a balance between the futility and the over-all foolishness of this proposal. I think I will start with the futility.

The measure is utterly futile because it tries to do what neither the Ninetieth nor any other Congress can do—to bind future Congresses to exercise their discretion and responsibility in a certain way. After specifying what the state applications are to contain—and in doing so resolving, probably wrongly, several crucial constitutional questions—S. 2307 reaches its bottleneck:

"If either House of the Congress determines, upon a consideration of any such report or of a concurrent resolution agreed to by the other House of the Congress, that there are in effect applications made by two-thirds or more of the States for the calling of a constitutional convention upon the same subject, it shall be the duty of that House to agree to a concurrent resolution calling for the convening of a Federal constitutional convention upon that subject."

It is entirely clear that this Congress cannot bind its succesors either by its attempted resolution of the thorny constitution problems entailed in the decision whether state applications are valid, or by its policy-judgments (embodied in the rest of the bill) as to the sort of "convention" to be called, when and if one is to be called. No Senator or Representative in any subsequent Congress could warrantedly think himself estopped to reconsider all these problems from the ground up—indeed, he would be under a plain duty to do so, and to cast his vote in accordance with his own and not his predecessors' conscience. The bill is therefore a *brutum fulmen*. Yet it is introduced for an effect—the effect of producing a momentum, an appearance of consensus. It is therefore worth talking about more fully, for it is important not only that it not pass, but also that it not make a good showing.

As to the foolishness, the most conspicuous unwisdom, as I have implied, is over-all. The entire conception of a "standard operating procedure," in respect of the discharge of this critically important Congressional function, never up to now invoked, and sure to be very rarely invoked, if at all, in future, is absurd. The amendment of the Constitution is hardly a thing to be reduced as nearly to the automatic as may be. Calling a Constitutional Convention is the last thing one would wish to see routinized.

More detailed comment on S. 2307 may usefully focus on particular sections.

Section 3(b) performs an astonishing initial act of abdication:

"Questions concerning the State legislative procedure and the validity of the adoption of a State resolution cognizable under this Act shall be determinable by the State legislature and its decisions thereon shall be binding on all others, including State and Federal courts, and the Congress of the United States."

Neither on this nor on any other matter, as I have pointed out, can the Ninetieth Congress effectively abdicate for its successors, and the provision therefore classifies easily under the futility heading, but it also would seem to be unconstitutional, in that it at least seeks to withdraw from Congress and the courts such responsibility as they might constitutionally have to determine whether the state applications are valid, and it is foolish, for it leaves to local interest to determine the "validity" of an attempted exercise of a function of vital concern to the nation.

Sections 3(c) and 13(b), which may conveniently be grouped together, provide that the state governors shall have no voice either in the state legislative decision to apply for a "convention" or in the ratification by the state legislature of such proposals as come out of the "convention." Except on the (rather questionable) assumption that Congress has power to fix the law on these matters, these provisions are nullities. On that assumption, the provisions embody strange policy choices indeed. The amendment process is the most solemn one in our government; in it we discern ultimate power. Why should Congress elect positively to ordain that each state is to take two crucial steps in that process without a safeguard—submission to the governor for possible veto—which would be necessary in the case of a bill regulating the working-hours of intrastate dog-catchers? The answer is simple, and not creditable to the draftsmen of the bill. Governors are elected statewide; no gerrymandering or other finagling can prevent their being responsible to the whole people of the state. Something roughly—though only very roughly—like the democratic principle would be introduced if the governor had to approve. Governors, too, are likely to be people of relatively high intelligence and prestige. Their actions are visible. What is wanted, obviously, is to make the Constitution of the United States amendable by the all-but-anonymous sole action of the membership of the state legislatures, with no check of any kind. Do the state legislatures, as we know them, really deserve such confidence?

I have already pointed out the futility of Section 6(a), where the attempt is made to make it the "duty" of the Houses of Congress to call a convention of a prescribed form, whatever the current judgment of Congress may be as to the obligation resting on Congress, or as to the wise manner of constituting such a convention. One other thing needs to be mentioned about this section: it provides for issuance of a convention call by "concurrent" resolution, eliminating the step of submission to the President and possible veto. Now if anything is absolutely clear, on the face of a constitutional text (Article 1, § 7) not calling for interpretation, it is that "*every* Order, Resolution, or Vote to which the concurrence of the Senate and the House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill." The excuse, presumably, for this bypassing of the President would be the 1798 case of *Hollingsworth v. Virginia*, where (in an opinion which can be seen, by anyone who cares to look at the report, to be inadequately reasoned), the Court held that a constitutional amendment, originating in Congress, *and passed by the same two-thirds as is needed to override a veto*, need

not go to the President. Whatever reason can be given for this decision obviously has no application to the calling of a convention by *simple majorities* in both Houses: there is not the shakiest ground for holding such a measure unamenable to Presidential veto, under the plain language of Article I, § 7. It is astounding—or, I should rather say, it ought to be astounding—that people who dress themselves up as strict-construction constitutional textualists are without shame in putting forward such a proposal.

When we reach Section 7, we are startled to find that "a convention called under this Act shall be composed of as many delegates from each State as it is entitled to Representatives in Congress."

Can it be that the popular principle is actually to be represented—that some precaution at some stage is to be taken to ensure that amendments are supported by at least a majority of the people? No, we should have given Senator Ervin more credit than that. Section 9(a) clears up the puzzle:

"In voting on any question before the convention each State shall have one vote which shall be cast as the majority of the delegates from the State, present at the time, shall agree. If the delegates from any State present are evenly divided on any question before the convention, the vote of that State shall not be cast on the question."

So, on *both* proposal *and* ratification, California and Alaska have an equal voice. California gets more expense-paid junkets; that is the only genuflection the bill makes to democracy. The arithmetical effect is utterly startling; even if no populous states lost their votes by a tie among their delegates, an amendment could be proposed by delegates representing perhaps 15% of the American people!

Section 7(a) goes on to provide, "Each delegate shall be elected or appointed in the manner provided by State law." The state legislatures, having procured the summoning of the "convention," are to fix the manner of selecting delegates to it. No limits are set. They may be "elected," or, perchance, "appointed," by somebody unspecified. Nothing would prevent the state legislatures from quite dominating *this* phase of the process.

Sections 12 and 13(a), together, create a puzzle. Section 12 flatly provides for ratification by the state legislatures. Section 13, belatedly, refers to Congress' option to provide for ratification by conventions in the states—but puts their "rules of procedure" under the State legislatures:

"For the purpose of ratifying proposed amendments transmitted by the States pursuant to this Act the State legislatures shall adopt their own rules of procedure except that the acts of ratification shall be by convention or by State legislative action as the Congress may direct. All questions concerning the validity of State legislative procedure shall be determined by the legislatures and their decisions shall be binding on all others."

It would undoubtedly be contended that this means that the mode of selection of the conventions is in the legislatures' hands. It is the foolishness of this that is its most conspicuous characteristic. Why hold conventions if they are to be under the domination of the very legislatures to which they are the constitutional alternative? The same question, rephrased, seems to settle the connected constitutional issue: why should Article V have given Congress the option of providing for ratification by conventions, if the legislatures thus to be bypassed were to control the conventions? Such an absurd reading of Article V cannot be right.

Summarily, what this bill tries to do is to strap the Constitution down for such operations as the state legislatures, acting alone and without any check by anybody representing the nation as a whole, might wish to perform. It would make it possible for national constitutional amendments simply to steal upon us, by local votes cast on local considerations. The bill is anti-national to the core. It traduces every sound theory of federalism. It carelessly jettisons all thought of checks and balances. The fact that it is in the end a futility—that subsequent Congresses need not and could not think themselves bound by it—should not blind us to its dangers. If it were to pass, it would constitute a symbolic victory for the ultra-right, which can still make a kind of showing in the state legislatures that it cannot make anywhere else. And it might be used to make it appear, though falsely, that some Congress of the future, exercising its own judgment as it would be duty-bound to do, was violating the standing law.

Let us hope that S. 2307 is sunk without a trace.

[From the St. Louis Post-Dispatch, Oct. 30, 1967]

OMITTING THE PEOPLE

A Senate Judiciary subcommittee begins hearings this week on one of the most important yet neglected aspects of constitutional law. The question is how Congress shall create a Constitutional Convention if the states require one.

At the moment nobody knows the answer, because there has never been such a convention, nor any ground-rules for one. But the matter is urgent because 32 states have asked for a convention to upset the Supreme Court's one man, one vote rule for state legislative apportionment. This states' rights drive seems at stalemate, yet if only two more states petition Congress, that body will be faced with the demands of establishing immediate precedent.

Senator Ervin, chairman of the subcommittee on separation of powers, rightly argues that it is better for Congress to decide the issue now rather than to wait for an emergency. The North Carolinian has introduced his own bill as a tentative basis for hearings. His purpose is praiseworthy but his bill should, we think, be no more than tentative. It would give the states, rather than the people, full control of the amending process.

The Ervin bill, S. 2307, contains some sound provisions. Principally, it forestalls the dangerous possibility that a convention summoned by the states could attempt to rewrite the entire Constitution. The bill does this by requiring the states to propose particular goals for amendments, and by permitting Congress to disapprove the results if they exceed these purposes.

Moreover, the measure allows states to rescind petitions once adopted. The authority to do this has never been clear. This proposal would deprive the reapportioned Missouri Legislature of an excuse for failing to rescind the malapportionment petition adopted by the malapportioned 1965 Legislature.

However, the Ervin bill does not require a Governor's signature on state petitions; it leaves these to the legislatures alone. In short, the rules for seeking to amend the Federal Constitution would be weaker than the rules for passing a state traffic law. The Governor, as the one state official representing a state-wide majority of the public, would be left out of the picture and so, very likely, would majority opinion.

But the most serious error of the bill, from the standpoint of popular government, is the plan to give each state one vote in the Constitutional Convention—regardless of the state's population. Nevada would have as much to say about the nature of the convention's work as New York. In theory, at least, the 26 smallest states could determine the results, though they represent only 17 per cent of the American people.

The Ervin bill leaves the whole amending process to the states or, more specifically, the state legislatures. Under the Constitution, two thirds of the states may invoke a Constitutional Convention (though they, indeed, might have less than a third of the national population), and three fourths of the states may ratify a proposed amendment.

If the individual states, through their legislatures, also dominate the convention, then the legislatures are in full control of the initiation, the deliberation and the final ratification of changes in the Constitution. We doubt that state legislatures are held in such high regard that the general public would entrust them with tampering with the rules of national government, the Bill of Rights or anything else in the basic charter of the Union.

Somewhere in the amending process there must be a voice for the people based on fair representation. Congress has represented that voice in the amending process in the past. If a convention is called, it must be fairly apportioned. The reasonable way to do it is to apportion convention delegates to the states on the basis of population, and to give each delegate, not each state, one vote.

The Ervin bill omits the people. While Senator Ervin called the hearings to establish a needed precedent, the need is grave enough to demand a sound and lasting one.

THE NATIONAL HEALTH CRISIS AND THE MEDICAL BRAIN DRAIN

Mr. MONDALE. Mr. President, Tuesday's Washington Post contains a story, "Nation Is Warned of Health Crisis," which deserves the attention of every Senator.

This report by Thomas O'Toole summarizes a report to President Johnson by the National Advisory Commission on Health Manpower. It describes a national health crisis that, according to Mr. O'Toole's report, will worsen unless there is a sweeping reform of our national health effort.

One portion of the story, Mr. President, deals with a problem in which I have a special interest. According to Mr. O'Toole, one of the recommendations of the Commission is that the Nation should—

> Gradually disapprove and phase out the Third Preference part of the immigration law that each year admits 7,000 new foreign medical graduates into the U.S., where almost 20 percent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

For 2 years, Mr. President, I have tried to focus attention on this deplorable aspect of the brain drain from developing countries. The opportunities for health and even life leave many of the developing nations of the world along with medical personnel who migrate to the United States. The richest nation in the world is not providing enough physicians for its people.

I cannot believe it must be this way, and I cannot believe we can tolerate this continual theft of critical medical talent from nations where chances for health and growth depend on that talent. The brain drain from developing countries in medicine is a national disgrace.

Mr. President, I ask unanimous consent that this timely article from the

Washington Post be printed in the RECORD.

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

NATION IS WARNED OF HEALTH CRISIS

(By Thomas O'Toole)

The Nation is in the midst of a "health crisis," said a presidential commission yesterday—one that will worsen unless the country undertakes a sweeping reform of medical schools, hospitals, heath insurers and even the way doctors themselves are licensed to practice.

The crisis we find ourselves in, said the National Advisory Commission on Health Manpower, whose 15 members (eight of them doctors) have studied the status of health services since May, 1966, is one brought on by a lack of leadership and an unwillingness to change within the health establishment.

The results, said the Commision yesterday in a report to President Johnson, are long waits to see a doctor, hurried, impersonal attention once the patient is seen, a shortage of hospital beds and services, uneven distribution of care and costs rising sharply "from levels that already prohibit care for some and create major financial burdens for many more."

To challenge this "crisis of care," the Commission recommended no fewer than 58 major changes in the way the U.S. health care system is to work. And while asking for voluntary acceptance of its proposals, the Commission nonetheless indicated they might have to be enforced

"Unless these changes are accomplished more quickly than has ever been possible in the past," the Commission warned, "a more serious health crisis is inevitable."

Among its 58 curatives, the Commission prescribed a few sure to stir controversy for years to come:

For doctors and dentists: Back-to-school refresher courses or periodic examinations for renewal of their licenses to maintain their skills and guard against malpractice and "unnecessary or overly expensive tests and treatments" by some.

For hospitals: Financial rewards for efficiency and quality care sufficient enough "to make it unprofitable for a hospital to reduce quality and community service just in order to lower costs."

For health insurance organizations: Encouragement to revise their payment procedures to share savings with hospitals and individual physicians who demonstrate medical ability.

For medical and dental schools: Incentive grants to those who raise their output of doctors and dentists and a denial of funds to those who do not.

For medical and dental students: direct financial aid over their course of study, internship and residency, with an option to repay the loans over a long term or through direct governmental service, either in the military, Public Health Service or a Poverty Corps for doctors

While these last two recommendations are clearly to increase the supply of health professionals, the Commission insisted they were made to meet future needs and expansion.

"The crisis at the present time," it said, "is not simply one of numbers," to raise the number of practicing doctors, dentists, nurses and auxiliary personnel. "We must first improve the system through which health care is provided."

One way to improve the health care system, recommended the Commission, would be to draft doctors through the communities where they work instead of through their own home towns.

So outdated is the present method of Selective Service that it has left some towns with overnight doctor shortages. Not long ago, a Commission member said, Vanderbilt University Medical School was left without a Pathology Department, when its seven-man staff (from seven different states) was drafted all at once.

Perhaps the best way of upgrading the health care system, the Commission said, would be through what it calls a "peer review" system, certain to be one of the most controversial of the Commission's proposals.

What the Commission would like to see in the U.S. is a series of review boards, at the city, county and state levels, at the hospital level, and at the health insurance organization level.

In effect, these review boards—made up of prominent physicians and health officials—would demand that doctors and hospitals account for their actions.

Besides peer review, the Commission made other specific recommendations to improve the health care system. Among them:

Gradually disapprove and phase out the Third Preference part of the immigration law that each year admits 7000 new foreign medical graduates into the U.S., where almost 20 per cent of all new medical licenses given each year go to foreign-trained doctors. Not only are these doctors poorly trained by U.S. standards, claims the Commission, their entry into the U.S. represents the "worst kind of brain drain" in the world today.

Give the highest priority to improving health care for the poor and needy. "No clear-cut solution for care of the disadvantaged has been developed," the Commission concluded. "We urge that experimentation be markedly expanded with recognition of the special problems of this segment of the population."

THE GREAT SALT LAKE

Mr. MOSS. Mr. President, in late October, Mr. Tom Tiede wrote a most derogatory article concerning Great Salt Lake which is perhaps the most famous physiographic feature of the State of Utah. Mr. Tiede is a feature writer of the Newspaper Enterprise Association, a Scripps-Howard Service, and he is based in New York.

Mr. Tiede has been described to me as a competent, even distinguished, writer, so I can conclude only that he was grossly misinformed.

Among the things which he said about Great Salt Lake are "it stinks," and "the shore, thousands of irregular miles long, is littered with garbage, carcasses, inner-tubing, rusting castaways and several million other objects which give off a sort of rotting stench."

He further said:

The water, what there is of it, is polluted with as much as 30 million gallons of sewage a day and, according to experienced natives, "it's like swimming in a septic tank."

Unquestionably, this is an extreme and prejudiced view based, I am sure, on gossip rather than personal observation. However, there is just enough truth in it that it cannot be branded total falsehood. Let me briefly comment on several of his allegations.

The Utah Water Pollution Committee states that there are 19 plants in 41 communities in the Great Salt Lake watershed now providing secondary treatment and effluent chlorination to serve a 638,000 population equivalent. These 19 plants discharge 110 million gallons per day of effluent into tributary streams of the lake such as the Jordan River, the Bear River, and the Weber River, or into irrigation and drainage channels, or, in the case of Salt Lake City, directly into the Great Salt Lake. This water is not "polluted."

There are five small communities providing no waste water treatment, serving a population equivalent of 1,160. These villages discharge approximately 100,000 gallons per day of untreated waste water into the Bear River and the Weber River, streams which flow into Great Salt Lake.

We can measure the progress made in recent years in combating the pollution problem by referring to the reconnaissance investigation of Great Salt Lake which was made by the National Park Service in 1959. I have referred to this investigation before in discussions of the proposed Great Salt Lake National Monument. The investigation team was sent from the Park Service regional office in Sante Fe.

Its report, published in November 1960, mentioned pollution as one of the difficult problems impeding development of the lake area. Here is a paragraph from that report:

During recent years, Great Salt Lake has been seriously affected by such activities as disposal of municipal wastes, industrial uses, and major construction projects. This presents a great problem in management and development if the maximum benefits from this great natural resource are to be realized.

The report also states that "pollution by both raw sewage and industrial wastes is one of the most serious difficulties."

Since that survey was made, 10 sewage treatment plants have been built. They are: Sandy, 1962; Salt Lake City, 1965; South Davis Sewer District, two plants, 1962; Central Davis Improvement District, 1961; Garland-Tremonton, 1963; Park City, 1966; Coalville, 1965; Magna, 1962; Tooele, 1967. Further, Logan is constructing a plant which will be completed in 1968.

Therefore, the pollution has been greatly reduced. But, since Great Salt Lake has no outlet, it is difficult totally to eliminate the problem, but untreated waste water is now down to about 100 thousand gallons per day discharged into tributary streams of the lake.

As to the statements concerning unsightly debris, it can be said authoritatively that none of this exists around Antelope Island or in sight of it.

It is also apparent from a National Geographic article of August 1967, that at least many areas of the other islands are clean. To say the shore is "littered with garbage" is not true. The beaches are clean and bare.

Frequent trips to Antelope Island this year have confirmed the fact that there is no pollution stink apparent around the island. Near the water, one is conscious of a somewhat acrid odor, which is unusual but not too unpleasant. This is thought to be caused by the brine fly, and is known to all Utahans as "the smell of the lake." I do not find this faintly pungent odor offensive. Nor did the hundreds of thousands of people who visited Saltair in its prime.

Any native Utahans who described swimming in the lake as being akin to immersion in a septic tank did not speak from personal experience or knowledge.

Today, the waters of the lake are clear, although salt laden, and are less polluted than they were when thousands daily swam from the bathing piers of Saltair, the area's most celebrated resort. The lake is cleaner; not more polluted. Shortly, we may be able to say that no untreated waste water flows into the lake.

Getting back to the 1959 Park Service investigation, it was noted that the falling water level has left famed Saltair high and dry. And the report said:

The beaches and boat harbor were unattractive and an atmosphere of apathy and decay prevails over much of the area.

But nowhere did it state that the beaches were littered with foreign objects. Moreover, the report also said this:

An excellent overall impression of the area was gained from an airplane flight over the lake.

The report identifies the areas which the reconnaissance team visited on the ground as: Stansbury Island, the two bathing beaches, Garfield boat harbor, Saltair, Farmington Bay and Ogden Bay State Bird Refuges, Bear River Migratory Bird Refuge, Promontory Point, Willard Bay, and Antelope Island.

It is true that a large smelting operation is located along a portion of the south shore of the lake, and that noxious odors sometimes emerge from that. And large quantities of smelter slag are piled not far from the shore. Moreover, on other portions of the shore, extensive developments are proceeding which will make it possible to take great tonnages of metals and chemicals from the brines. But such industrial development is hardly new to important bodies of water in the United States. Moreover, it is not unsightly or malodorous and it is remote from Antelope Island. It must be recognized that on a lake of the size of this one, the shores will be utilized for many purposes. The significant point is that there has been rapid progress in improving the area in the past decade. The lake is not only both scenic and interesting but affords potential industrial development.

It is regrettable that Mr. Tiede did not have an opportunity to study the facts and personally to observe more of the shoreline and surrounding areas.

FIREARMS LEGISLATION

Mr. DOMINICK. Mr. President, recently an article on the subject of the pending firearms legislation was published in the Denver Post. The article, written by Mr. Dick Thomas, is entitled "Gun Laws Challenged—Debate Heated on Congressional Firearms Control Measures."

The article is a good example and, I believe, is representative of the seriousness with which the citizens of my own State view proposed tight Federal Government restrictions on firearms.

Mr. Thomas questions, as did I in my testimony before the subcommittee earlier this year, the overemphasis on the part of the strong gun control advocates of a direct causal relationship between gun control and crime reduction.

In writing of the abuses by some of the use of firearms, he points out

These misused firearms total four-tenths of 1 per cent of all privately owned firearms in the United States if one assumes the total is 30 million, and that is probably low.

So the federal legislation is aimed equally at 99.6 per cent of the guns owned by people who respect the law as well as that fraction of 1 per cent that are used by criminals.

One of the things that have concerned me the most about the administration and Dodd proposals is well brought out by his statement that:

The disturbing thing about the bills is that they put virtually the same restrictions on sporting rifles and shotguns that they do on pistols and revolvers—the most common type of firearms used in crime.

Mr. President, this is one of the finer and more equitable newspaper presentations of the firearms picture that I have seen. It serves also to place in perspective some of the "guns are bad" philosophy of the administration and Dodd bills. I ask unanimous consent that the article be printed in the RECORD.

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

GUNS LAWS CHALLENGED—DEBATE HEATED ON CONGRESSIONAL FIREARMS CONTROL MEASURES

(By Dick Thomas)

An estimated 100,000 deer and elk hunters swarmed into the Colorado Rockies two weeks ago in an annual pilgrimage that pumps millions of dollars into the state's economy.

These men and women, engaged in the most common lawful use of firearms, tote a variety of ordnance that ranges from junk military rifles hardly safe to fire to expensive $300–$400 outfits that cost their owners another 40 cents every time they pull the trigger.

And some of them—usually through what amounts to criminal negligence—shoot other hunters. At the time this was written six such deaths had already been recorded.

This year's hunting season came at a time when the Johnson administration and a gaggle of Eastern lawmakers are making a concerted effort to enact one of the most all-encompassing firearms control bills ever before Congress.

President Lyndon B. Johnson, a deer hunter himself, observed recently that the pending legislation would "reach into every home in the land."

Like most politicians he probably overstated his case, but the basic idea is there.

President Johnson, appearing at the 74th annual meeting of the International Association of Chiefs of Police, was urging support for Senate Bill 1, which Sen. Thomas Dodd, D-Conn., has been trying to steer through Congress in one form or another for seven years.

Its cosponsors and most vocal proponents include two brothers of a slain president, Sens. Robert F. Kennedy, D-N.Y., and Edward M. Kennedy, D-Mass. Practically all the sponsors come from areas of heavy populations and high crime rates—New York, Miami, Boston, Philadelphia, Honolulu.

Ten state legislatures have gone on record as opposing the Dodd bill. They include Pennsylvania, Louisiana, Arkansas, Alabama, Michigan, Montana, Alaska, Kansas and two states that Lyndon Johnson knows well—Oklahoma and Texas.

It has been estimated that 30 million to 50 million Americans own one or more firearms, and a great many of them look upon that ownership as a part of American tradition dating back to pre-revolutionary times.

Frequently one of these gun-owning Americans shoots himself or another, accidentally or with criminal intent.

There were 2,600 accidental deaths in the United States last year from careless use of firearms and explosives, the National Safety Council said. About 800 victims were hunters, and more than 400 of them were killed by shotguns while in pursuit of small game.

There were 53,000 automobile deaths in the same period, 20,000 in falls, 7,900 in fires and 7,000 by drowning. Firearms and explosives death, meantime, were at the same level they were in the period 1913–1922, when the country's population was about half what it is today.

Thus the death rate rate per 100,000 Americans from careless firearms handling has shrunk from 2.5 then to 1.1 in several recent years. The 1962 total of 2,092 was the lowest in a half century.

There has been a marked decline in such deaths since the early 1930s, the National Safety Council said, with the most dramatic downturn coming in the years since World War II when millions of American men have been trained in firearms use.

More than 100,000 Americans a year use their own gun or someone else's in the commission of a crime. Some of them, Charles Whitman's shooting spree from the bell tower on the University of Texas campus at Austin, for instance, are dramatic proof of what a hunting rifle can do in criminal hands.

For reasons such as this, Justice Department officials and many police administrators support the Dodd bill and its counterpart in the House sponsored by Rep. Emanuel Celler, D-N.Y.

But this writer, for one, wonders whether the sponsoring officials really have a legitimate case against the guns themselves.

This writer is a gun owner, a hunter, a target shooter and a member of the National Rifle Association (NRA), but does not speak for the NRA in any capacity.

This organization, with 805,000 members, has been damned by some congressmen, newspaper and magazine editorialists and television commentators as a Minuteman-style outfit opposed to any meaningful firearms controls.

BOTH SIDES EXTREME

It has lately borne the brunt of criticism from the Dodd bill supporters, one of whom, an aide to Senator Dodd, likes to refer to "the apes in the NRA."

There are extremists on both sides of the issue, however.

Despite its denials, the NRA does constitute a very powerful lobby in Congress. Thirty congressmen are members. And two of its timeworn arguments against what it feels are harmful firearms controls are just that—time worn.

One is that the U.S. Constitution guarantees the right to keep and bear arms. This is true up to a point, but reasonable restrictions on individual ownership have been upheld in many court decisions.

Another is that registration laws lead to situations where authorities could seize every gun in the land. Action by authorities following the recent military coup in Greece and the Nazi armies' seizures in occupied countries during World War II are cited as proof.

These arguments aside, NRA policy on firearms controls, which many opinionmakers have never bothered to read or choose to ignore, can be found on page 17 of the May 1967 issue of its official publication:

"1. Amend the National Firearms Act by banning so-called 'destructive devices' such as antitank guns, bazookas and rockets.

"2. Strengthen state firearms regulations by providing federal cooperation at the interstate level.

"3. Increase penalties for crimes in which firearms are used.

"4. Ban all handgun sales to minors and require sworn statements of eligibility to buy and own pistols from buyers seeking handguns by mail order."

Those principles seem pretty clear. To the NRA's critics they are not nearly enough.

Robert Sherrill, a reporter for The Nation who had an article in the New York Times three weeks ago, urges that every firearm buyer be investigated down to finding out whether he or she is involved in a "passionate divorce case," and adds, in what the trade calls a sweeping generalization:

"The police chiefs of most of the nation's major cities would approve safeguards of this type."

CRIME IN STREETS

Even though he supports something a lot stronger than the Dodd bill, Sherrill opines that President Johnson is trying to draw attention away from the increasingly embarrassing Vietnam war with his domestic "crime in the streets" issue and:

"Nothing would please him more than to be able to sweep into the 1968 campaign waving a gun-control law, approved by Congress, to show he means business."

The Atlanta Constitution editorialized in September that "during the 13 months since this legislation was (most recently) introduced, guns were involved in 6,500 murders in this country, 10,000 suicides, 2,600 accidental deaths, 43,500 aggravated assaults and 50,000 robberies."

These figures, supplied by President Johnson, total 122,600.

In other words, firearms during those 13 months were used in 122,600 crimes—an amount equal to 3.77 per cent of all major crimes reported in 1966 by the FBI in its Uniform Crime Report.

These misused firearms total four-tenths of 1 per cent of all privately owned firearms in the United States if one assumes the total is 30 million, and that is probably low.

So the federal legislation is aimed equally at 99.6 per cent of the guns owned by people who respect the law as well as that fraction of 1 per cent that are used by criminals.

There are any number of scare tactics used by supporters of the Dodd-Celler bills to make what they call the "easy availability of guns" seem the dominant factor in the nation's rising crime rate.

LIST OF FACTORS

No such conclusion was drawn in the FBI's Uniform Crime Report last year.

Among the factors it listed as affecting the amount and types of crimes committed were population density, composition and stability; climate and seasons; economic, educational, recreational and religious factors; public attitudes toward law enforcement; the strength, standards and efficiency of local police departments; and policies of prosecuting attorneys and courts in local jurisdictions.

If guns were that important the FBI surely would have mentioned them.

The FBI report does note that "the over-all crime rate increase in 1966 was attributable for the most part to the continuing upward climb of crimes against property"—categories in which weapons of any kind are rarely involved.

The reported 10 per cent increase in murders includes justifiable homicides and all cases filed by police in which "willful killing without due process" was involved. It doesn't take into account those cases dismissed for lack of prosecution or those which ended in acquittal.

This particular statistic led to a Look magazine article entitled "The Shocking Rise in Murders" which again hit at the "easy availability of guns."

The NRA and its allies in Congress have always taken the view that firearms controls should be enacted that would impose stiffer penalties for the criminal use of guns.

The organization supported, in 1934, passage of the National Firearms Act which prohibits machineguns, sawed-off shotguns and other weapons that were then in the arsenals of Depression-era gangsters.

It also supported enactment in 1938 of the Federal Firearms Act, which regulates interstate shipment and importation of all firearms and ammunition.

The Dodd-Celler bills state that there is "a causal relationship between the easy availability of firearms and criminal behavior." This absurd statement is not even borne out by the figures supplied by President Johnson and FBI Director J. Edgar Hoover.

According to testimony before congressional committees, scores of shooting clubs, wildlife and sportsmen's associations and state game and fish departments feel Dodd and Celler are trying to swat a fly with a sledgehammer.

RESTRICTIONS RATED SEVERE

The disturbing thing about the bills is that they put virtually the same restrictions on sporting rifles and shotguns that they do on pistols and revolvers—the most common type of firearms used in crime.

Severe restrictions would be placed on surplus military weapons, thousands of which are used as is or converted to sporting rifles by hunters.

This certainly couldn't hurt Senators Dodd and the Kennedys with some of their more powerful constituents. Every major firearms manufacturer in the United States, save two, is located in Massachusetts, Connecticut and New York.

Yet the New England armsmakers also oppose the Dodd-Celler bills as too restrictive.

The State and Defense Departments, under the Mutual Security Act of 1954, may limit imports of arms, ammunition and "destructive devices"—the bazookas, antitank guns and other heavy ordnance items that NBC-TV made such a big thing of in a program titled "Whose Right to Bear Arms?"

Congress now is being asked to do legislatively what the administration has failed to do administratively. One Democratic congressman who doesn't like that aspect of the bills is Rep. Robert Casey of Houston, Tex.

DENVER INCIDENT CITED

"I—for one—am getting just a bit tired of this Congress being made the whipping boy for failure of these departments to act under the ample authority granted in existing law," he told the House Judiciary Committee.

A textbook example of such failures to enforce existing law occurred in Denver five years ago.

There is a city ordinance that requires any gun purchaser to fill out an information form provided by the dealer, which is then turned over to police for an after-the-fact background check of the buyer.

One man who provided that information was Michael John Bell, then 26, and now on death row at the State Penitentiary in Canon City.

Like most felons who wind up killing a policeman, Bell had a long criminal history.

Twice a parolee from the Kansas State Industrial Reformatory at Hutchinson and once an escapee from the Kansas Penitentiary at Lansing, he was returned to Lansing in late 1958 on concurrent sentences of 5–15 and 1–5 years for auto theft and escape.

Officials at the prison rated his chance for rehabilitation as "very doubtful." But he was a good conduct prisoner and won his parole on May 3, 1962. This was 13 years after his first trouble with the law.

In Denver the following August Bell bought an Italian-made .32 automatic and signed his own name to the dealer's information form. Two weeks went by before Denver police came across the information.

The following day, Sept. 7, the State Parole Division was notified. At this point Bell had already violated Colorado law regarding possession of firearms by felons and the terms of his Kansas parole.

He was reporting regularly to a Colorado parole officer, John D. Stanley, under the terms of the Interstate Parole Compact. It was three days, however, before Bell's regular visit to Stanley was due. He wasn't brought in sooner even though it was now known he had a gun.

On Sept. 10 Stanley questioned him about it. Bell said he had sent it to a sister in Kansas.

If that were true, it would have been a clear violation of the Federal Firearms Act. Nevertheless Stanley let Bell go.

Two days later Bell pumped four bullets from a .38 revolver into Patrolman Carl Bernard Knobbe, 39, when the officer caught up with him after a Colorado Blvd. service station robbery. Bell had bought the .38 after his visit to the parole office.

KILLERS HAVE RECORDS

A seven-year analysis of 335 police murders by the FBI shows 76 per cent of the 442 suspects arrested in the killings had been previously arrested on criminal charges.

Thirty per cent—Bell was one of them—were on parole at the time they killed policemen.

"The problem, gentlemen," said Representative Casey, "is crime—and the criminal. It is particularly the repeat offender who uses firearms to rob, rape, assault and murder."

The Dodd-Celler bills would:

Ban all mail-order sales of pistols, rifles and shotguns to individuals. Rural Americans for instance, would no longer be allowed to buy a shotgun out of the Sears or Montgomery Ward catalog. Nor could a Lee Harvey Oswald buy an assassination rifle from Klein's in Chicago.

Severely limit imports, including a man's right to bring back into this country a rifle he had previously taken out. He would have to establish to the satisfaction of the Treasury Department that it is, in fact, the same gun. This raises endless possibilities for a person who drives out of the United States into Canada, then into Alaska to hunt, and back through Canada to the contiguous states after the hunt.

Make it a federal crime to go into another state, buy a gun and bring it back home. If there is a law in your own state or a local ordinance at home that prohibits such imports. Thus if a Cheyenne resident came to Denver to buy a gun not available at home and there was a Cheyenne ordinance against his buying it, he would be subject to a federal charge whether or not he was aware of the local ordinance. No one would be able to buy a handgun except in his own state.

Give the Treasury Department broad discretionary powers in formulating regulations to implement the act.

End all sales of surplus U.S. government small arms and ammunition to members of NRA-affiliated shooting clubs. (More than 500 of these clubs are exclusively for policemen and law enforcement officers.)

MANY BILLS OFFERED

The National Rifle Association is on record many times in support of federal legislation to cover such men as the Appalachian mobsters or a Michael John Bell.

There is no question that an illegal firearms traffic exists and that it contributes to crime, but not nearly in the proportions that Dodd-Celler bill supporters would like us to believe.

There is no question either, if recent opinion polls are accurate, that many present gun owners would not object to reasonable controls. But the kind of controls is the governing factor.

Organized sportmen's groups and the NRA don't want the kind that New York has, or that New Jersey recently enacted or that Philadelphia recently passed in ordinance form.

Anyone lucky enough to get a gun permit in New York—it takes months of time and a $20 application fee—subjects himself to periodic police visits to his home to "inspect"

the firearm. He pays a $10 annual renewal fee for the license.

And if he wants to hang grandpa's old shotgun over the mantel in the den, he better do it while grandpa's still alive. When he dies his guns will be seized and dumped in the ocean. They are forbidden to become part of his estate.

Advocates of the Dodd-Celler bills like to say a gun's primary purpose is to kill (true) and the implication is there that its only purpose is to kill people (false). Millions of them are never used that way.

The whole issue has gotten out of perspective.

ADDRESS BY SENATOR SMATHERS BEFORE ALUMNI OF UNIVERSITY OF MIAMI LAW SCHOOL

Mr. HOLLAND. Mr. President, there has been much public controversy over our role in the Vietnam war. Indeed, we have seen the dissent over our conduct of the war reach unprecedented heights in this country.

My colleague, the distinguished junior Senator from Florida [Mr. SMATHERS], addressed himself to the problem of dissent in a speech he delivered to the alumni of the University of Miami Law School. Appropriately, his remarks were made on November 11, 1967, Veterans Day, which we used to call Armistice Day.

Because I believe that my colleague's exceedingly capable comments on that occasion are of value to this body, I ask unanimous consent that they be printed in the RECORD.

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

SPEECH BY SENATOR GEORGE A. SMATHERS TO UNIVERSITY OF MIAMI LAW SCHOOL ALUMNI, NOVEMBER 11, 1967

The serious problem that dissenters present to American society should concern all of us as lawyers and as American citizens.

One distinguished lawyer, Lewis F. Powell, Jr., of Richmond, former president of the American Bar Association, thinks that the epidemic of dissent today is almost a prelude to revolution.

I concur that dissent has reached ridiculous proportions and that many people are unaware of the consequences of their actions.

Some clergymen today are openly counseling young people to ignore the draft laws.

Some professors have come out for the preposterous stand that it is *permissible* to ignore or disobey what they believe "unjust laws."

Fortunately, even the Supreme Court has recognized the folly of this kind of conduct.

As Justice Black pointed out in 1966, "The crowd moved by noble ideals *today*, can be the *mob* ruled by hate and passion, and greed and violence tomorrow . . ."

In other words, dissenters have forgotten that this is a Nation built upon the rule of law.

And they forget all too conveniently that the law is their protection and shield. They are unwilling to realize that when they tolerate a growing atmosphere of lawlessness, they endanger that prospective bulwark, which shields them.

But, the law does not now—and should never—proscribe peoples' right to discuss, cuss, criticize, or dissent, and today we see these rights being exercised to the fullest.

There is raging throughout our land an acrimonious debate as to whether this Nation's stand in Vietnam is the right one.

And, as the bombing escalates, as an ever-increasing number of targets are hit, as more and more of our jet planes are shot down, as the casualties mount, and as the unpleasant threat of a tax increase to finance the war crowds around us, the anguished cries of doubt and dissent grow louder.

Criticism of policy, and even personal abuse, is being directed at those, who, under our constitution bear the clear and final responsibility for our actions in foreign policy, *generally*, and in Vietnam, *specifically*.

And, yet, those who disagree with our policies and express their dissents have an unquestioned *right* to speak out, to criticize, to disagree; for that is guaranteed under article I of the Constitution of the United States.

It is axiomatic that freedom of speech is one of the basic rights of free men, and it should always be.

But, as I see it, the question facing Americans today is not whether one has the right and the privilege to dissent, but *rather*, whether those who exercise that right, with respect to our policies in Vietnam, help or hurt the national interests of their country.

The Constitution clearly sets forth all of our fundamental rights but for every one of those rights, there is, I believe, a concurrent duty to exercise that right as responsible, intelligent and prudent citizens.

All lawyers remember the classic remark of Justice Holmes when he said that freedom of speech does not confer upon a man the right to walk into a crowded theater and scream fire. For to do so would obviously endanger the lives and rights of *others* and would be an act of irresponsibility.

In this same vein, those who exercise the right of dissent with respect to Vietnam must ask themselves as responsible citizens several questions.

Is this criticism and dissent contributing to the best interest of our Nation?

Is this dissent directly or indirectly endangering the lives and well-being of others? For example does it help or hurt our soldiers, airmen, and Marines, who are in Vietnam, performing a duty thrust upon them by the requirements of their Government?

In trying to analyze where one's rights of dissent should be self-curtailed, by an equally well developed sense of responsibility and prudence, it might be helpful to examine briefly the facts regarding our involvement in Vietnam.

It is accurate to say that we are in Vietnam because of a program and policy first outlined by President Harry Truman in 1947 when he said, and I quote, "I believe that it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities, or by outside pressures."

That policy came to be known as the policy of containment—containment of aggressive communism.

That policy has been upheld by every President of the United States since 1947 and by at least 95% of the Members of the United States Congress.

I recall vividly, as I am sure many of you do, that President Kennedy, speaking on the Capitol steps in his inaugural address in 1961 said, and I quote, "America is willing to pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and success of liberty."

That announcement on *that* day was *applauded* and *approved* by all; including those who are today vociferously criticizing that same policy.

It was the beginning of the policy of containment that led us to send General Van Fleet of Bartow, Florida, and many of our men, to fight shoulder-to-shoulder with Greek patriots in order to save Greece from encroaching communism.

It was that policy which put our men, our power, our money, into Turkey and thereby saved Turkey from communism.

It was that policy which gave birth to the Marshall plan by which we committed over $60 billion of American money to save Europe from communism.

It was that policy which nurtured the NATO treaty which today requires us to keep over a quarter million troops in Europe at an annual cost to American taxpayers of over $7 billion, all for the purpose of guaranteeing the freedom of Europe, against the 90 divisions of *Communist* troops which are quartered just inside the Iron Curtain.

It was that policy of containing aggressive and expanding communism—(which has worked out so well in Europe—) *that* led us into a *defense of Korea in 1950*.

And, even when the armistice was signed in that war, the then President, General Eisenhower, pledged this country to a mutual security treaty which required us to defend Korea against further aggression. *Remember* the United States Congress ratified overwhelmingly that pledge of security with only one no vote. We have today over 50,000 of our soldiers in Korea, and it is that 50,000, which restrains the Red Chinese from plunging across the 38th parallel to take all of Korea.

In 1954, when the French were driven out of what was then known as French Indochina and suffered a defeat at Dienbienphu, it became clear to those who were "Asia watchers" that without the French in the area, the Chinese Communists would move eastward and southward, and inexorably, take over all of that vast area of the world, with some 300 million people—if they were allowed to move unchecked.

John Foster Dulles, our then Secretary of State, believed as did President Eisenhower and practically all of the Members of Congress in the validity of the policy of containment.

And, so, we entered into a treaty in 1954 with seven other countries in Southeast Asia, the terms of which provided that if any one of the countries needed help from any one of the other countries that help must be provided. This came to be known as the SEATO pact.

It was ratified by the U.S. Senate by a vote of 82 to 1. Again, I remind you that some who speak out most vehemently against our actions in Vietnam today were the leaders in getting the SEATO treaty with its contracts and commitments accepted by the U. S. Senate.

The then Government of South Vietnam was under control of a Catholic monarch by the name of Diem. He called upon this government for assistance in his fight against, not only communism within his own country, but that from North Vietnam. It was President Eisenhower's decision—once again approved by the leaders of the Congress—that we should send assistance and aid and provide military advisors.

In 1961, when President Kennedy came into power, there were less than 2,000 military advisors in South Vietnam, but because of the increasing pressures of the Communists, Diem asked for additional assistance—and President Kennedy, with the approval of the Congress, upped the number of military advisors to well over 19,000.

Thereafter, when President Johnson came in in 1963, it is only fair to state that he inherited an already sticky, messy and unwanted problem.

As the stakes have been raised and the pressure built-up by the Communists, we have responded with the necessary men and materials.

In 1964, when our ships were operating in the Gulf of Tonkin and fired upon by North Vietnamese PT boats, our people were so outraged that the Senate Foreign Relations Committee brought out the Tonkin Resolution which not only recommitted

our Nation to the principle of providing assistance to small countries who asked for assistance, but it also authorized the President of the United States to *use such forces* as he deemed necessary in order to protect the integrity of South Vietnam, and advance our own national interest.

This resolution was adopted by a vote of 88 to 2, it was applauded by the press and the people of the Nation.

And, so, in 1966 and 1967, war goes on—it has gotten difficult.

It has begun to cost more in money and lives than we thought, and it is *now* that some—upon further reflection—think we should adopt other courses and policies.

Thus, we have criticism and dissent. Some from the left—some from the right—most from general frustrations.

Disraeli once said—"It is easier to be critical than to be correct."

Those who have the responsibility of *decision making* cannot afford to be critical. They *must be* constructive."

The proposed solutions by those who do not have responsibility range all the way from dropping the atomic bomb, on the one hand, to abject total withdrawal on the other.

I don't have time here this morning to go into these various proposals, but suffice it to say that there is no man in the United States, and possibly none in the world, who has as much desire to see us get out of South Vietnam as does the President of the United States.

For this President knows one thing above all else, that his reputation as a President, that his mark in history will be made, on how well or how satisfactorily, he can bring the war in Vietnam to an honorable solution.

And, it has been because of his desire for this type of honorable, negotiated settlement that we have seen five bombing pauses, none of which resulted in anything other than a build-up by the other side; 28 direct approaches to negotiate; at least one personal letter to Ho Chi Minh from our President—rejected out-of-hand efforts by the British to reconvene the Geneva Conference; efforts to get the U.N. to act—an unbelievable variety of other approaches—none of which have succeeded.

The old expression used to be "it takes two to tango."

I might add it also takes two to negotiate. It takes some willingness on both sides to sit down and talk, *if*, there is to be a conference.

But not we, nor our allies, can get any cooperation in this field of negotiation.

Why? Because they say they are going to win. Yes win.

Yet at this point, the Communists *know* they cannot win a *military* victory.

But they remember how they beat the French in 1954.

They remember that they actually won *back home;* when the French people, tired of the exertions; the loss of lives; the expenditures of money; and then the battle of Dienbienphu; allowed all the resolve to drain out of them, and they simply quit.

I don't know of any responsible person in America who wants that to happen to us—and, I am here today to say it won't.

We have now unmistakenly proven they cannot win militarily, and by the same token that we can.

However, our policy is not to beat anybody. We don't want anyone else's land, or to capture any peoples or to increase our obligations anywhere. We merely want to live up to our commitment and to save South Vietnam for whatever course it chooses to follow.

Therefore, we have a policy of limited warfare; limited in order not to provide the Soviet Union or Red China with any easy excuse to become participants in Vietnam. But at the same time to keep pressure mounting on the Communists—to where they will see no future in fighting—only choice to negotiate.

So what does the hue and cry of the dissenters here at home do?

Well, frankly, it hits a devastating blow at our policy.

The news media invariably give wide ventilation and publicity to those who criticize their country's leadership and its policies.

Each dissent is quickly disseminated to the Communist capitals throughout the world.

I wish I had time to show you recent clippings from the Communist press commenting upon speeches by Members of Congress who have criticized our Nation's policy.

This criticism—this dissent, and the manner in which it is *misrepresented* and *manipulated* by the Communist propagandists, encourages the North Vietnamese to think that they are winning.

Just last week, Radio Hanoi announced it was forming a "peoples' committee" to work with Americans in demanding that the United States Government put an end to its "aggressive war in Vietnam."

All during the same week, statements from Hanoi and Peking paid glowing tribute to riots and demonstrations in American cities.

During the march on Washington, the China News Agency commented that "Johnson himself was so seized with fear that he stayed in the White House all day. . . ."

Hardly a speech is made or an editorial written that is not picked up by the Communist propaganda mill.

For instance, the Hanoi radio has misquoted both Senator McCarthy and Senator Case to claim that there was open and widespread revolt on all college campuses throughout the U.S.

This encourages Ho Chi Minh to state publicly and repeatedly that there will be no settlement in Vietnam; that the only solution is a complete and total capitulation by U.S. and our allies.

He believes that our people are rapidly losing patience; that we are divided; that we are losing heart—and we will withdraw and surrender—one way or another—if they just keep fighting. General Giap said "Americans have no patience. Their morale is lower than the grass."

A few weeks ago, Premier Pham Van Dong of North Vietnam described American antiwar demonstrators "as companions in arms. The Vietnamese people thank their friends in America and wish them great success in their mounting movement." And so it goes!

I was heartened two weeks ago when a new group entered into the debate, President Eisenhower, President Truman, General Omar Bradley, Lewis Strauss, Senator Paul Douglas, and many other distinguished Americans, to counterbalance, as they said, the voices of dissent. They were disturbed by the fact that the Communists were *misreading*, and *misrepresenting* our dissenters.

So, surely we have the right to dissent and we will protect that right even to the extent that it becomes a march on the Pentagon, or burning draftcards or spitting on the flag.

The question each individual must decide for himself is where does his individual right to dissent come in conflict with his responsibility to not hurt the long-range best interests of his country?

In the State of North Carolina, they have a sign on their highways, on which is printed only a five-letter word. Its letters spell "Think."

The State Bureau of Roads in North Carolina tells me that these signs have reduced to a significant degree the number of accidents; the numbers of speeders; and the number of mistakes in judgment by motorists.

That word "think" is a good word for many occasions.

It seems to me it is a particularly appropriate word for the situation in which we now find ourselves.

For we Americans are an impetuous and impatient people. We have never been known to sit back and wait, for we like action. We are outspoken; we are spontaneous. We want solutions to all of our problems and we want them now.

Yet, I know of no citizen who wants to directly or indirectly make the job that our leaders, and our boys are doing in Vietnam more difficult. I know that our citizens are loyal and patriotic to the core, *but*, it does seem to me that in this critical and difficult situation in which we, as a Nation, find ourselves, the time has come for us *before speaking*, in criticism or dissent—to stop—to pause—and remember this phrase: "think."

ADDRESS BY SENATOR TYDINGS ON INTERGOVERNMENTAL RELATIONS BEFORE SOUTHERN GOVERNORS CONFERENCE

Mr. MUSKIE. Mr. President, there is growing awareness of the need for States to regain their position of more equal and responsible partners in our Federal system of government.

The distinguished junior Senator from Maryland recently discussed the role and problems of the States in a speech to the Southern Governors Conference.

I wish to commend Senator TYDINGS for his interest in Federal-State relations, and his concern for the future performance of State governments.

In his remarks, Senator TYDINGS refuted the popular myths that the Federal Government has stolen power from State governments, and that Federal taxes have dried up the financial resources of the States.

He went on to describe the need for modernization of State government administrative structures and of outdated restraints on the performance of the Governors, as well as the need for revision of State constitutions, improved pay for State employees, and other improvements.

Senator TYDINGS' remarks were of special interest to me because of our continuing review of the Federal system in the Subcommittee on Intergovernmental Relations. 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:

STATES AT THE CROSSROADS: THEIR FUTURE IN OUR FEDERAL SYSTEM

(Address by Senator JOSEPH D. TYDINGS to the Opening Session of the Southern Governors Conference, Asheville, N.C., September 11, 1967)

DECLINE OF THE STATES

I am pleased to have been asked to address this conference session on "Federal-State Relations," because I believe we are at a critical crossroads in the development of our national governmental structures. We have experienced a long period of growth in the importance of the federal government and a decline in the influence of the states in our political system. Senator Dirksen suggested a few years ago that we might soon see the day when "the only people interested in state boundaries will be Rand-McNally."

I believe that the decline of the states in our federal system is very dangerous, but completely unnecessary.

The decline in the role of the states is

dangerous because it violates the sound principle of our Constitution that state government should stand as a shield between the citizen and the central government.

The decline of the states as effective governmental units also jeopardizes quick and flexible government action to provide the services needed at the community level. This country is simply too big and too complex to be administered at the local level from Washington.

But the decline of the states need not continue if states will take advantage of the means readily at hand to rebuild their role as responsive and responsible units of government. In fact, the great movement toward redressing the state-federal balance has already begun in some of our states: not by enacting sterile writs attempting to annul the changes time brings in our national life, but by the much more difficult and infinitely more productive route of modernizing the machinery and methods of state government to meet the challenges of this closing third of the twentieth century.

Because I ardently believe the states can save themselves if only they will modernize, I want to talk to you briefly about what one U.S. Senator, who spent six years in his own state legislature, thinks the states can and must do to regain their place in the federal system.

MYTHS ABOUT FEDERAL-STATE RELATIONS

Let us at the outset dispense with two popular myths which can only obstruct a rational and effective revival of the state role in the federal system.

The first, phoniest, yet most frequently perpetuated myth is that the federal government in Washington has somehow "stolen" state government powers. If only the federal government would dismantle itself, this myth has it, the states will rise again.

The truth is that the states have ceased to function as effective partners in the federal system primarily because too many states too frequently have simply refused to function at all to meet the increasingly complex and costly public problems of their citizens. As the British learned during our own Colonial history, when a government ceases to respond to the needs of those it governs, those citizens will sooner or later simply shove it aside.

There is no inescapable logic of history or economics which makes education, air and water pollution, urban renewal, mass transit, housing, medical care, or adequate law enforcement the concern of the federal government. But in the first year I served in the Senate, Congress enacted programs in all these areas. We did not vote for these measures because we covet more power for Washington. The hard fact is that our constituents—who are your constituents too—were demanding action to meet these problems; and the states, for the most part, had failed to act.

Those who criticize "Washington" for interfering with "States rights" should first consider whether the federal government would have acted at all if the states had fulfilled their own responsibilities in these and other areas of proper state concern.

There do remain corners of America in which demagogues can gain office simply by playing on fears of "Big Government" and "Washington Bureaucrats," but there are few places where it is a liability to have voted for the federal Elementary and Secondary Education Act, the federal Air and Water Pollution Control Act, or any of the rest of the score of programs the federal Congress has recently enacted to meet problems most states have simply refused to face up to.

Political leaders in a healthy democratic system will always disagree on details and sometimes on programs, but the basic constant in American democratic life continues to be that the people must be served. And if the people of this country must by-pass the states and go to Washington for help, history has abundantly demonstrated that they will.

The federal government did not "steal" state power. In most cases, the states just gave it away.

A second myth which precludes rational discussion of the balance of power in the federal system is the notion that federal government has preempted all the tax dollars. The hobgoblin of the federal money-hoarder is frequently and falsely cited as an excuse for state inaction on problems their citizens then bring to Washington.

The fact is that the burden of federal taxation is no excuse for state inaction. The federal budget and taxing power simply have not preempted either the tax resources of the country in general or the income tax resources in particular. Even with the enormous defense budget—swollen $30 billion a year by the war in Vietnam—federal reserve receipts from all sources represent a scarcely greater percentage of the gross national product today than at any time since World War II. Although social security taxes have increased, federal excise taxes have been cut, and federal income taxes were reduced just three years ago by an average of 19% on personal incomes and 7.7% on corporate profits. Federal personal income tax rates are lower today than at any time since World War II, and corporate tax rates are lower than at any time during the past 15 years.

No doubt many states are raising all the local revenues the tax base in use will bear. But the tax base in too many states is predominantly property or sales, rather than income. Thus the basic state tax structure in many states is both regressive—hitting especially hard those on fixed or low income who can least afford increased taxation—and neglectful of the most fruitful tax base—income. Seventeen of our states impose no state income taxation at all. Many of the rest impose one which is either a flat rate or so inadequately graduated as to be consistent with neither the "ability-to-pay" theory of taxation or actual state financial needs.

I do not mean to say that the states have all the revenue potential they need to meet the pressing problems—some even more expensive being long neglected—they face. Because I believe in decentralized government and recognize its costs, I am an advocate of federal tax sharing with the states and have introduced a tax sharing bill in Congress. But tax sharing should supplement, not reduce, a state's own revenue effort and, in my view, should encourage more enlightened state taxation systems than presently exist in many states.

I am particularly impressed with the idea of a federal tax credit for graduated state income taxes. Such a tax sharing formula would not only make state revenue efforts easier, but would also encourage states to tap the greatest and fairest tax base in the state—the generally growing income levels America can reasonably anticipate for the indefinite future.

STATE GOVERNMENT REFORM

But merely finding the money will not shake off the lethargy which has paralized state action and fertilized the growth of federal power. To restore their role in the federal system, the states must shed the antiquated administrative structures and outdated restraints which have frequently made urgent state governmental action unlikely, if not impossible.

The greatest barrier to effective state government—malapportioned rotten-borough state legislatures—has already been eliminated. It is unfortunately symptomatic of the abdication of state power by those entrusted to exercise it that reapportionment had to come through the courts, rather than through the state action which most state constitutions required and every citizen deserved.

Reapportionment is now nearly complete. As Governor Agnew can tell you about Maryland's fully reapportioned legislature, having a legislature which accurately and equally represents the people of a state makes life a lot easier for a Governor who wants to meet the needs of his state.

The second critical step toward revival of state government is state constitutional reform. Too many state constitutions were first drafted a century or more ago under Tom Paine's theory that the government which governs least governs best. These constitutions straitjacket state legislative and executive authority. As a result, many states must try to make do with horse and buggy governments in the nuclear age.

The states cannot hope to deal with modern problems when their legislatures are constitutionally limited to short meetings, more than half of which occur only every two years. The states cannot hope to have the administrative flexibility to adapt to changing conditions as long as the state executive power is hamstrung with constitutional and legislative provisions designed to inhibit rather than enhance the executive's ability to move decisively to answer state problems.

Wholesale revision of state constitutions is essential to revival of state influence in the federal system. The states can never effectively compete with the federal government as long as their state governments deny themselves the legislative and executive flexibility the federal Constitution has always provided for the national government.

The states must also eliminate the nonconstitutional handicaps under which they labor, such as non-competitive salary scales and inadequate facilities for legislators and state officers and employees. If industry pay scales draw off the best talent from the public service, the public business, like any business, will suffer for it. Many highly motivated civil servants have labored long and hard in the public's vineyard at the inadequate levels of pay. But as they retire, and as the demands on state government require an increase in its size, the calibre of state officials and employees will be reflected in the salary scales paid.

Furthermore, the cobwebs of archaic administrative and legislative organization should be swept away. Most states are encumbered with great numbers of boards, commissions and agencies which were either ill-conceived to begin with or have outlived their useful function. The states should seek the best modern management advice to introduce maximum efficiency into their governmental structures. The place to start saving tax dollars is not by cutting essential public programs, but by the streamlining of the dusty administrative structures with which, too frequently, the states try to administer these programs.

TOWARD A NEW FEDERAL PARTNERSHIP

I recognize the practical problems which inhibit state governmental reform. But the crisis in state government is so serious, and the survival of the state role so essential, that the challenge of change must be met.

As Governor Daniel Evan of Washington has said:

"State Governments are unquestionably on trial today. If we are not willing to pay the price, if we cannot change where change is required, then we have only one recourse. And that is to prepare for an orderly transfer of our remaining responsibilities to the federal government."

In large part, revitalization of state government depends upon the will of the public and its elected officials to make the necessary changes. Too frequently today, state candidates run on platforms of negativism and defeat, blaming most state problems on the

federal government, rather than pledging initiative and imagination to make the changes necessary for the states to regain their place in the federal system. Too frequently too, critics of state government reinforce this defeatism by sneering at the states and writing them off as effective participants in the federal system.

I think both these groups are wrong, dangerously wrong. I believe we can make a breakthrough to new effective federal-state partnership in which the states play a vital and—in most domestic matters—equal role.

The completion of legislative reapportionment and the movement toward major state constitutional reform presage a hopeful new day for the states. But the path toward a new federal-state partnership will not be easy. It will require the continuing hard work and good will of both state and federal officials and legislators. But we can, if we will, form a new federal-state partnership in order to better serve those whom we both represent—the American people.

Let us replace both spiteful sniping at the federal government and sophisticated sneering at the states with a new spirit of constructive cooperation. Let us get on with the revitalization of the states as effective partners in the federal system.

RUSSIAN SOURCE SUPPORTS DOMINO THEORY

Mr. BENNETT. Mr. President, it is an unfortunate fact of time that men of vision must often await the passage of years before their vision and understanding of events is vindicated. In the years since the passing of John Foster Dulles there has been a great debate in this country about two concepts which he advocated and on which he made foundations for U.S. foreign policy. They were, of course, the domino theory in Southeast Asia and massive retaliation.

Regardless of the merits or wisdom of massive retaliation, that concept was successful simply because our potential attackers never really knew whether John Foster Dulles meant what he said or not.

The domino theory has been ridiculed on its merits and because it had been advocated by the Secretary of State who was a favorite target of partisan critics. The domino theory has been explained by many people, and consequently has many interpretations. Regardless of its precise meaning, it is very interesting to note that the theory is held and understood by some very interesting parties and governments.

In a recent speech in the Senate, I pointed out the efficacy of the domino theory and offered very persuasive statements from Southeast Asian leaders, men on the scene, who have clearly and without hesitation explained to the world that China intends to pick them off one at a time unless Red China is stopped by a coalition of American and Southeast Asian nations. Thus the people of Asia believe in the domino theory.

The Chinese in various statements and by various acts have proven that they not only believe in the domino theory, but they are pursuing it. Recently one of the most influential news commentators in the Soviet Union wrote that since 1950 Mao Tse-Tung has been pursuing a course based almost exclusively on the domino theory.

Mr. President, I ask unanimous consent that an article from the British Information Service and published in the Salt Lake Tribune of October 23 be printed in the RECORD at the conclusion of my remarks. Whether certain skeptics in the United States believe in the domino theory or not, the article clearly shows that China does. The article, coupled with the actions of Red China, certainly repudiates the attacks and questions raised by American opponents of the domino theory.

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

A BRITISH VIEWPOINT: RUSSIAN SOURCE SUPPORTS "DOMINO" THEORY

The "domino" theory—the idea that the fall of Vietnam to the Communists would cause other Southeast Asian states to topple—is discussed by the London Sunday Telegraph (Conservative). Perhaps no other political concept of our time has aroused such derision among "progressive" thinkers, the Telegraph says, then writes:

"But last week the domino theory received powerful support from a rather unexpected quarter: in an article by the most influential of Soviet news commentators, Mr. Rostovsky, widely known in the West under the pseudonym of 'Ernst Henri.' Writing in the Soviet newspaper Literaturnaya Gazeta, he reveals the existence since the 1950s of what he calls Mao Tse Tung's great strategic plan which aims at no less than the conquest of the whole of Asia, and perhaps even beyond, by gradual stages, and the establishment of a colossal 'Asiatic Reich.'

"The first step would be the incorporation of Korea and Mongolia, and of southeast Asia in the following order: Vietnam, Cambodia, Laos, Indonesia, Malaysia, Burma and so on. After that the Chinese-Communists would turn their attention to India, Soviet Central Asia, the Middle East . . . and even farther afield. This is exactly what President Johnson, Dean Rusk and their advisers have been saying for so long. Would it be too much to hope that this entirely unsolicited testimony, coming from such an unimpeachable Communist source, might make our 'progressive' pundits hesitate, and at least consider the possibility that the United States may be right?"

FEDERAL-STATE TAX SHARING

Mr. BENNETT. Mr. President, one of the great hopes for revitalizing State governments and cutting through the problems presented by the alarmingly increasing profusion of Federal programs is the proposal for Federal-State tax sharing.

This proposal, embodied in S. 694 which I am cosponsoring, would establish a fund of an amount equal to one percent of the aggregate taxable income reported on individual income tax returns for the preceding calendar year, or the amount appropriated to the tax-sharing fund for the preceding fiscal year, whichever is the greater. States will be apportioned amounts from this fund according to their population. Except for obvious prohibitions against the use of these funds for highway programs, state payments in lieu of property taxes, debt service or administrative expenses for State or local governments, there will be no strings attached to these funds.

Mr. President, my support for this measure stems from a deep concern that the Federal Government is usurping functions best handled by the States and their political subdivisions. One of the reasons for this usurpation is that the Federal Government is in a better position to obtain revenue than are State governments.

This more advantageous position of the Federal Government is traceable to several causes. First, the Federal Government's heavy entry into income tax collection has made it difficult for States to use this method of revenue gathering. Since income tax receipts increase much more with an expanding economy than do the traditional State methods of sales and property taxes, the relative position of the States is weakened as our economy continues to expand. Second, in their desire to attract and hold industry, States have become involved in mutually destructive low tax rate competition. Consequently, all the States are hurt by their need to compete with one another in providing favorable tax climates.

This problem of an increasing gap between the tax base of the Federal Government and that of the State is made even more alarming when we realize that the needs which have been traditionally and best served by the States and constitutionally delegated to the States are accelerating at a greater rate than are those served by the Federal Government.

Mr. President, our problem is quite simply stated. How do we get the money from the Federal level, where it is gathered, to the State level, where it is needed.

Over the past two decades, Congress has attempted to move this money from the Federal receipts to the needs of the States and their subdivisions via grants-in-aid. This approach has some very real problems.

One problem arises from the administration of grants-in-aid. William G. Colman, Executive Director of the Advisory Commission on Intergovernmental Relations, states:

> The number and variety of grant-in-aid programs has now reached the point that increasing difficulty is being encountered at the federal level in avoiding duplication and overlapping among or between programs with corresponding difficulties at the level of state or local government. (William G. Colman, "The Role of the Federal Government in the Design and Administration of Intergovernmental Programs," *The Annals of the American Academy of Political and Social Science*, May, 1965, p. 29).

Grants-in-aid suffer from the immense redtape generated by overcentralization. Consequently, we have the unfortunate situation where an area's grants are frequently not so much determined by its needs as by the ability of one of its administrators, a man frequently hired for this very purpose, to find his way through the bureaucracy and return home with the money.

Another problem which arises from grants-in-aid greatly alarms me. This is the ability of grants to alter the priorities of problems which State governments and their political subdivisions feel to be important. Dr. Charles Adrian, a widely recognized authority on State and local government, alludes to this problem. He states:

By reducing the marginal cost of a new or an expanded program, a grant alters the political agenda by increasing the priority that that particular activity enjoys in that particular unit of government. Not only is the function expanded beyond what would be the case without the grant, but it is possible the amount spent by the recipient unit of government will be greater than would have been the case without the grant. The result of this may, in some cases, be the curtailing of other activities at the level of government. (Charles R. Adrian, "State and Local Government Participation in the Design and Administration of Intergovernmental Programs," *Annals of American Academy of Political and Social Science*, May, 1965, p. 39.)

Tax sharing meets the major problems presented by grants-in-aid. It gets money most effectively to the areas of greatest need. It eliminates the proliferation of the maze of redtape. It leaves priority setting to the governments closest to the people served rather than arbitrarily and unilaterally setting them in Washington, D.C.

Mr. President, I feel that a basic philosophical issue is involved. In a free society, we are committed to the concept that the people should have the final say. It logically follows that people can have their say most effectively in the governmental units nearest to them. This tax-sharing proposal brings the money to units of government which the people can act their will upon much more effectively than upon the Federal Government.

Some of the opposition to this proposal shows an unreasoning fear of the potential of the States and their subdivisions and an unreasoning faith in the wisdom of policymakers in Washington. Many of those opposed to this proposal applauded reapportionment, claiming that this would dramatically improve the State governments. Since reapportionment of most States is now a fact, I cannot understand how these people can now say that these reapportioned State governments are incapable of wisely spending money gained through tax sharing.

Mr. President, I am optimistic about the future of our States. Even now a number of them are showing great vigor in attacking their needs. Witness the efforts of Michigan, California, New York, and Pennsylvania. These and other States are illustrating the capacity of State governments to deal imaginatively and effectively with the problems which confront them.

Congress has the opportunity and the responsibility of helping to put State governments into a situation where they can deal with their problems without being penalized for the Federal Government's great advantage in taxing power. Federal-State tax sharing will be a momentous step in this direction.

MANY ARE CONCERNED

Mr. BYRD of West Virginia. Mr. President, the subject of the increasing involvement of activist clergymen in political affairs is a matter of great concern to many persons. In this connection, U.S. News & World Report for November 27 contains a significant article entitled "Militant Clergy—Critics Fire Back," which I believe will be of interest to Senators and other Members of Congress. I ask unanimous consent that the article be printed in the RECORD.

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

MILITANT CLERGY—CRITICS FIRE BACK

Disquiet is deepening in U.S. churches over the role of clergymen in the turmoil and rebellion unfolding across the nation.

This concern was highlighted November 12 in Williamsburg, Va., when an Episcopal minister questioned the war in Vietnam—with President Johnson and his family sitting in the congregation. Said the Rev. Cotesworth Pinckney Lewis:

"We are appalled that apparently this is the only war in our history which has had three times as many civilian as military casualties. It is particularly regrettable that to most nations of the world the struggle's purpose appears to be neocolonialism."

Laymen and authorities of the restored eighteenth-century village immediately disavowed support of the clergyman's views.

One official described the sermon as being in "exquisite bad taste," and Governor Mills E. Godwin, Jr., of Virginia apologized to the President.

Later, Mr. Lewis said he had been "grossly misunderstood."

Developing "backlash." This incident is only the latest of many now being reported in city after city, as a "backlash" develops among worshipers and clergy against the activities of radically minded men of the cloth.

In Milwaukee, Roman Catholic laymen are up in arms over the activities of the Rev. James E. Groppi, who is leading Negroes in an open-housing drive that has brought violence—condoned by the priest—to that city.

Two Detroit pastors dismayed their congregations by offering their churches as "sanctuaries" for draft evaders.

Even more startling was an "invasion" of draft offices in Baltimore by four men, including the Rev. Philip Berrigan, a Catholic priest, and the Rev. James Mengel, a Protestant minister. They poured vials of blood over draft records—to "illustrate that, with these files, begins the pitiful waste of American and Vietnamese blood."

In Englewood, N.J., a Conservative rabbi created a stir in his congregation when he recently "forbade" the members to vote Republican because that party, he said, was using "racist" tactics.

"Made us suffer." The leading role of clergymen in a vineyard strike prompted this comment from an officer of the Southern California Council of Churches:

"Many persons have withdrawn their membership in the churches because of our participation; some have withdrawn financial support. You could say that our involvement has made us suffer."

Similar rebellion is developing over church support being given in some cities to Saul Alinsky, self-styled "professional agitator" among the poor neighborhoods. The editor of the Episcopal magazine "Living Church" wrote: "I don't want one nickel of my church offering ever to find its way to anything that this man Alinsky administers or even comes near."

A top official of the United Church of Christ proclaimed that "revolution is our business." And that revolution is cutting through the whole fabric of American society.

An article in a Protestant magazine, "The Christian Century," urged churches not merely to condone, but to promote interracial marriage.

Clergymen wander through "hippie" colonies in San Francisco and elsewhere, praising teen-age "pot" users as the 1967 version of the early Christians.

"New morality." Becoming fashionable in seminaries is the doctrine of "situation ethics" which downgrades moral systems based on firm notions of right and wrong. Typical of the "new morality" being preached by some churchmen is this statement by Anglican Bishop John A. T. Robinson in his best-selling book, "Honest to God":

"Nothing can of itself be labeled as wrong. One cannot, for instance, start from the position that sex relations before marriage are wrong or sinful in themselves. The only intrinsic evil is lack of love."

One religious-news editor commented: "It seems you can get away with any kind of behavior if you call that behavior love."

Such views represent a broad swing away from the traditional view of the churches' role as ministering to the individual's spiritual needs.

Secular movement. Today, many traditionalists are coming to see individual and social needs as interwoven. The Rev. Dr. Billy Graham, for instance, stated recently, "There is one Gospel only . . . the dynamic of God to change the individual and, through the individual, society."

Other clergymen, going further, are stating that it is the churches' job to stir members into discussing moral aspects of social issues and into reaching broad conclusions of their own.

Developing is a "new breed" of clergymen seeking to plunge their congregations wholeheartedly into social and even political revolution. Said the Rev. Cecil Williams, of the Glide Memorial Methodist Church in San Francisco:

"We go where the action is, listen with all our might, with our guts, interpret and articulate what it is that people are trying to say, and make darn sure we can translate what they want into action."

Such men were the backbone of the nationwide Conference on Church and Society held in Detroit in recent weeks under auspices of the National Council of Churches.

Delegates urged that not only should churches become "sanctuaries" for draft evaders, but that they should sponsor a 24-hour general strike across the United States should the Vietnam war be escalated sharply.

Turning to urban problems, the conference's goal appeared to be that of defining a "theology of revolution" as called for by their best-known spokesman, Prof. Harvey Cox, of the Harvard divinity school, who wrote the influential book, "The Secular City."

While deploring violence in Vietnam, delegates held it to be justified in "redressing wrongs" at home. Some churchmen felt that the "complete restructuring" of U.S. society might justify the arming of snipers and incitement to riot. Said a working paper:

"Detailed mobilization of church resources must be developed to respond to confrontation between the police-military arm of the state and subjugated, robbed and excluded populations."

Such statements prompted this comment from "The Christian Century," even though it has often sided with "activist" clergymen:

"To say, as these double-minded absolutists did, that as Christians we must oppose violence in Vietnam but use violence in the United States, that Christians must support the oppressed in *any* conflict with the government, that violence can be baptized in the name of Jesus Christ, that nothing will save our society short of total revolution, is to indulge in loose and irresponsible talk that is not only unchristian, but politically stupid."

The magazine also was critical of another highlight of the Detroit conference—a show arranged by the arts director of the National Council of Churches. The show included a film depicting, in sequence, the profile of a couple engaged in sexual intercourse, a strip-

per removing her clothes, and the gyrations of a topless dancer.

Way of the prophets? Today's revolutionaries in the pulpit sometimes are being compared with the prophets of ancient Israel who thundered against the religious and secular authorities of their day. Unlike those prophets, however, the present-day Jeremiahs are described as anything but lonely outcasts from the society that stirs their wrath.

Religious observers estimate their "hard core" at no more than a few thousands. But it is the boast of Professor Cox and others that they are moving into key posts in churches, seminaries and interreligious groups.

Often their views are getting support from the religious bodies they claim to represent.

The Community Church of New York, for instance, unloaded its stock holding in a chemical company because that firm made napalm used in Vietnam.

Several Protestant clergymen brandished denominational holdings of stock in a camera company as a weapon of pressure while attacking the firm's policies on the hiring of Negroes.

Catholics, Jews and Protestants in many cities are working together in "Project Equality," which asks church members to use their buying power to "pressure" suppliers into hiring more Negroes.

"Activist" officeholders strongly influence statements being published under religious auspices.

As one example, the World Council of Churches, which claims a membership of about 230 Protestant and Orthodox churches, last year denounced the U.S. position in Vietnam.

As a follow-up, the Rev. Eugene Carson Blake, secretary-general of the World Council, recently suggested that a vote of free Asian nations decide whether American forces should remain there or pull out.

Similarly, the National Council of Churches has come out in favor of open housing, legislative reapportionment, the rights of labor, and an end to the bombing of North Vietnam, to mention only a few of its proposed solutions to world dilemmas.

Such agencies, as well as individual clergymen, are maintaining that they speak for themselves and not "for" their denominations. But complaints are being heard increasingly about the validity of this claim. It is pointed out that the headquarters of the United Church of Christ officially released the statement of a number of its high officials who criticized the ouster of Representative Adam Clayton Powell from Congress—although the officials claimed to be speaking for themselves, not their church.

GROWING RESISTANCE

It is against that background of growing power among the activists that strong resistance is developing in many congregations across the nation.

Rank-and-file delegates to the general assembly of the United Presbyterian Church in the U.S.A. not long ago overrode a committee report that sought to put the church on record as approving "selective" conscientious objection.

In Philadelphia, where a staff member of the Episcopal archdiocese had been urging young men to burn their draft cards, there was picketing by irate churchgoers until the bishop issued an order forbidding further acts of civil disobedience by his staff.

The Episcopal bishop in St. Louis asked for the resignation of two priests active in the "militant" wing of the civil-rights movement. A Roman Catholic priest in Detroit was relieved of his duties after 10 parishioners walked out in protest against his sermons on race relations and Vietnam.

A team of sociologists from Columbia University and the University of California at Berkeley questioned 100 Episcopal bishops, 259 clergymen and 1,530 laymen. They concluded:

"Past experience has shown that, when the church has taken a strong and unequivocal position on an issue, it has alienated members whose nonreligious interests are threatened.

"There is no evidence that taking an unpopular stand has changed the thinking of many parishioners."

In like vein was the conclusion of a Methodist study group that the churches had "overextended" themselves "by so broad and superficial involvement in so many diverse aspects of society that it fails to make an impact."

What results may be. Many churchmen believe that open ruptures of the kind which has occurred in Milwaukee are developing.

There Father Groppi's militant campaign for open housing has brought decline in church contributions, and some Catholics are talking of boycotting the archdiocesan charities drive next year. Name-calling has become commonplace when Father Groppi makes a public appearance. The split among Roman Catholics in Milwaukee has been widened by what some critics have described as his tolerance of young Negro "commandos" who vandalized the mayor's office.

A parallel case is seen in Chicago's South Side where the white pastor of a Presbyterian church continues to defend a Negro gang of youths against what he calls "police harassment"—despite the unearthing of three rifles, a shotgun and 22 sabers in the church last year.

As most observers see it, U.S. religion is embroiled in controversy striking at its very roots. Dr. Franklin Littell, president of Iowa Wesleyan College, said:

"If the sixteenth century is remembered for the Protestant and Catholic reformations, if the nineteenth century is remembered as the great century of Christian missions, the twentieth century will stand out as the century of the church struggle. And, brethren, it's going to get worse before it gets better."

SOVIET UNION UNABLE TO RATIFY CONVENTION ON FORCED LABOR—ALL THE MORE REASON FOR UNITED STATES TO ACT NOW

Mr. PROXMIRE. Mr. President, the Foreign Relations Committee has had before it for a long time the Conventions on Forced Labor, the Political Rights of Women, Freedom of Association, and Genocide, the last two since 1949.

Today, I speak of the forced labor treaty which is certainly constructed in the interests of humanity. In good conscience it would seem that we should approve it by automatic reaction.

Soviet Russia has not ratified this agreement. The terrible fact is that that nation has subjected countless numbers of Baltic States peoples and others to forced labor. Soviet ratification of the Forced Labor Convention would have constituted an exercise in hypocrisy.

Our Nation, by great contrast, serves as a beacon of freedom, demonstrating for all mankind that the dignity of man must always be preserved. It is time we made this dramatic difference between our system and all forms of tyranny crystal clear for all to see by ratifying the Convention on Forced Labor.

I once again urge our attention and support to the remaining Conventions on Genocide, Political Rights of Women, Forced Labor, and Freedom of Association. Affirming these treaties would advance the cause of humanity throughout the world.

POLLUTION OF LAKE MICHIGAN

Mr. PERCY. Mr. President, the Chicago Daily News has made a solid contribution to the discussion of the growing danger facing Lake Michigan. In a long article, the News outlined the problems of easing the pollution crisis and of starting the long road back to a clean and living lake. The heart of the presentation is a nine-point program to save the lake.

We are hopeful for broad citizen support for the efforts already underway and those that can be taken in the future to save Lake Michigan. Such efforts can succeed only through the cooperation of industry and local, State, and Federal Government working effectively together with a maximum of support from an enlightened, informed people, who are the ultimate beneficiaries.

I commend the efforts of the Chicago Daily News and of Rob Warden and M. W. Newman for their contribution to the effort and for taking these steps toward offering a meaningful program to combat the threat of lake pollution.

I ask unanimous consent that the nine points be printed in the RECORD.

There being no objection, the nine-point plan to save Lake Michigan was ordered to be printed in the RECORD, as follows:

THE NINE-POINT PLAN TO SAVE LAKE MICHIGAN

(By Rob Warden and M. W. Newman)

1. Cities and towns: Start now to improve treatment of wastes fouling the lake. Set a 5-to-10-year timetable for completion.

2. Industries: Take immediate steps to stop polluting. Cleanup deadline: 5 to 10 years, or sooner.

3. Ships and pleasure boats: Stop emptying sewage into the lake by next spring.

4. No more dumping. Ban deposits of river dredgings or any other material that decays, feeds harmful plant growth and discolors or fouls the water.

5. Danger: Farm chemicals. Cut down on pollution from fertilizers and insecticides washed into the lake by rain.

6. Watch for violators. Make regular inspections to detect polluters and bring them to court.

7. Control alewife and lamprey eel menaces, restore balanced fish life.

8. Expand research to develop better antipollution methods.

9. Financing. Substantially increase Federal aid and tax incentives to encourage installation of pollution control equipment by local agencies and by industry.

BILINGUAL EDUCATION PROGRAM PROVES TREMENDOUS SUCCESS

Mr. YARBOROUGH. Mr. President, one of the most successful programs of bilingual education has been that practiced by the Coral Way Elementary School in Dade County, Fla. This school district, because of the large number of Cuban refugees, was faced with the same problem that many of our Southwestern States face. The school population contained a large proportion of Spanish-speaking students.

In a real exhibition of educational in-

novation, the entire school was transformed into a model school of bilingual education, with very successful results. Not only has the students' learning ability been enhanced, but also by the sixth grade, both formerly English-speaking and Spanish-speaking children, are fluent in both languages.

To illustrate what a successful program of bilingual education can mean, I ask unanimous consent that the article entitled "Bilingual Teaching Works, or Se Aprenden en Dos Idiomas," published in the Miami Herald of November 19, 1967, be printed in the RECORD. The article describes how an educational problem can become an educational advantage for all students. This is what we are trying to accomplish with my Bilingual Education Act which has been incorporated as an amendment in the Elementary and Secondary Education Act Amendments of 1967 which we will consider soon in the Senate. This one successful example of bilingual education proves the worthiness of concentrated effort in this area.

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

CORAL WAY ELEMENTARY EXPERIMENT: BILINGUAL TEACHING WORKS, OR SE APRENDEN EN DOS IDIOMAS

(By Georgia Marsh)

Take a group of Cuban youngsters who speak only Spanish and a group of North American children who speak only English, and put them in the same classes.

The result, at Coral Way Elementary, is not confusion but a model school teaching in both languages that:

Recently drew praise from a top U.S. education official.

Has drawn visitors from almost every part of the world.

Has a principal, Joseph Logan, whose original reluctance has been converted to all-out enthusiasm. He now recommends bilingual teaching go "countywide."

Five years and some controversy later, Carol Way's experiment in total pupil bilingualism is registering as a success. It recently won praise from U.S. Education Commissioner Harold Howe.

Under the bilingual program all students spend part of the day learning in Spanish and part learning in English.

Three years ago a group of Coral Way parents objected to a combination fifth and sixth grade class formed for students who did not want to participate in the bilingual plan. The parents wanted separate classes for the two grades but the size of the individual classes did not justify hiring two fulltime teachers. The students have since gone on to Junior high.

Logan said about a dozen parents also transferred their children out of the school when it went bilingual but said these resulted from "individual problems."

Coral Way's entry into the bilingual education field is but one of several new educational programs which are the result of the huge influx of Cuban school children here.

The influx started out as a "crisis" in the early 1960s but is now viewed as a "blessing," by Paul W. Bell, supervisor of bilingual education.

Faced with the "fantastic educational challenge of absorbing thousands of Spanish-speaking children, Dade schools responded by providing significant new educational programs.

In addition to Coral Way, Dade's projects include a native language curriculum for Spanish-speaking children. Under this program, about 10,000 Spanish-speaking students study Spanish just as North American students are required to study English every year.

The influx also led to the development of special first and second grade reading books for non-English speaking pupils known as the Miami Linguistic Readers. It is now used nationally.

Dade's school population of 212,000 includes 22,500 Cuban children and another 7,500 from other countries where the native language is Spanish.

In 25 of Dade's 213 schools, the native Spanish-speaking pupils make up half, or more than half, the total school enrollment.

And the number of Cuban children increases by 300 each month as daily flights bring refugees to Miami.

"The influx was the catalyst for developing new programs," Bell said. "The needs were not new but the crisis and federal assistance made it both imperative and possible to meet those needs."

Federal aid this year is $10 million, given so Dade can provide without higher taxes the same education for refugees as is provided for children who are permanent residents.

The money goes into the school system's general operating budget.

Bell said it costs an additional $25 a pupil to operate a bilingual school. The funds are needed for special materials and teacher aides.

But, Bell continued, the purpose of the bilingual program is "not to help Cuban children keep up. The purpose is to prove that children can learn a second language."

Proof it can be done is evident at Coral Way where native Spanish-speaking students and native North American students converse so easily in either tongue that it is difficult to determine a child's native language.

Studying in a second language has not hampered the student's learning ability either, Bell and Logan say.

Mrs. Josephine Sanchez, a bilingual teacher, said test grades show a normal curve following the ratio of five Cuban students to every two North Americans enrolled at the school. "For every five poor Cuban students we have two poor North Americans," she explained.

Coral Way starts its bilingual program in first grade. As the pupils progress they spend more and more time learning in the second language so that this year's sixth graders are working equally in both languages.

Bilingual teaching does present some problems. Teachers work in teams of three and sometimes find their schedule forces them to move to next subject though they would prefer pounding home a particular lesson a few minutes longer.

Principal Logan said students don't sacrifice anything but "busy work" the nonessential material often used just to fill out the school day.

Logan, who originally was apprehensive about the bilingual plan, now is convinced that "any child can learn a second language."

Coral Way's program has been adopted in modified forms in schools throughout the nation.

In Dade, bilingual education has spread to Feinberg and Mae E. Walters Elementary Schools. Shenandoah Junior High now offers two hours of bilingual teaching to students coming from Coral Way.

At Feinberg, Principal Bernard Nissman is sold on the idea but cites "lack of space and materials" as some of bilingual teaching's special problems.

"We have to adapt rather than adopt materials," Nissman said.

Still another need is inservice training for teachers. "With 13 per cent of our school population speaking Spanish, more of our teachers should at least be aware of the instructional needs of the bilingual student so they can help with regular classroom work," said Bell.

Bell considers money spent on the bilingual program "a good investment . . ." One of the fascinating things we are discovering is that the total spectrum of education can be bilingual. Anything we can do in one language we can do in two."

ADDRESS BY SENATOR ROBERT KENNEDY ON HEALTH CARE

Mr. RIBICOFF. Mr. President, last Sunday the Senator from New York [Mr. KENNEDY] delivered a timely and important address on the subject of health care in the United States. In his address, Senator KENNEDY offered a challenge to the medical profession to meet the health needs of millions of Americans; and he offered several provocative and challenging suggestions as to how these needs can be met.

From my experience as Secretary of Health, Education, and Welfare, I can testify that the United States must do more to provide adequate health care for those Americans who are not now receiving it. I am proud to have helped author the medicare proposal, and proud of the achievements it has brought. At the same time, I recognize that the task has only begun. Because I believe that Senator KENNEDY's statement merits serious study, and ask unanimous consent that it be printed in the RECORD.

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

ADDRESS BY SENATOR ROBERT F. KENNEDY, YESHIVA UNIVERSITY, ALBERT EINSTEIN COLLEGE OF MEDICINE, BRONX, N.Y., NOVEMBER 19, 1967

This is a place of special meaning for me. For at Yeshiva University the Albert Einstein College of Medicine has begun an important new step in its pioneering urban health program: The Rose Fitzgerald Kennedy Center for Research in Mental Retardation and Human Development. This Center, which will help to salvage the lives of lost citizens, is a testament to your concern—concern which has been a keystone of this great medical school.

But I come here to offer you not congratulations, but a challenge. For in New York and across the nation, the condition of American medical care is grave—in fact, it is critical. We—and you—confront a grim scene of the neglected, the ill, and the dying—the thousands, the millions of victims of our indifference.

"If we believe that men have any personal rights at all," Aristotle said, "then they must have an absolute moral right to such a measure of good health as society alone is able to give them."

Two years ago, the United States began a program to provide this moral right for two parts of our population: those over 65, and the "medically indigent," for whom serious illness means financial catastrophe. We have spent billions of dollars in these programs—yet what they have produced is not achievement, but anxiety. For they have shown us more vividly than ever before—that our Nation's system of health care has failed to meet the most urgent medical needs of millions of Americans.

The cost of health care in America is staggering: more than 6 percent of our gross national product. And with Medicare and Medicaid, these costs have soared. But consider what we have bought with these billions:

In 1950, we ranked fifth in the world in our infant mortality rate. Today, we rank fifteenth—below all of the industrialized nations of Europe. And here in New York, during the last decade, infant mortality *increased*—by 4 percent.

Twelve other nations have higher life expectancy rates at 60 than we do.

Fifteen other nations have higher ratios of hospital beds to patients than we do.

Forty-three percent of our hospital care, according to Columbia's School of Public Health and Administrative Medicine, is only poor to fair.

But these figures—and countless others—cannot measure the full impact of our double standard of medical care. It cannot measure the disappearance of family physician care for poor families—and its replacement by the emergency rooms of huge impersonal municipal hospitals. It cannot measure the long waits, on endless lines, for an often indifferent examination by a doctor the patient has never seen before, and will not see again. It cannot measure the minor illnesses which spawn major diseases—because regular checkups are unknown, and continuing medical care an illusion. It cannot reflect the children whose education is useless—because they are too weak to work, or too ill to listen.

Figures cannot measure the indignities, the inefficiencies, the lost lives, but they at least tell us how much remains to be done, beyond the spending of massive sums of money.

Medicare has told us what we should have known long ago. Our system of health care in the United States is understaffed, overburdened, and as it is presently structured, wholly inadequate to supply decent medical attention for all Americans. This fact was hidden from us—because those who were elderly, those who were poor—simply did not get a minimal amount of medical care. Now, they are beginning to come to hospitals, and to visit physicians. And with them has come the knowledge that our system of health care must change.

There is already a shortage of modern hospital beds and nursing home beds. Medicare and Medicaid have only multiplied the number seeking care in these already overburdened and often inefficient facilities.

The result of providing more money to compete for the same supply of services has been an astronomical increase in the cost of care. Daily rates in hospitals are up over a third in less than two years. Physicians' fees have risen over ten percent, 8.5 percent in the past year alone. Hospital charges of $100 a day will soon be a reality in New York City.

There is no real mystery about why this has happened. Wages are two-thirds of the cost of running a hospital, and there was a huge backlog of wage demands in our hospitals. Nurses and other personnel had worked too long at substandard pay, and now there are funds to offer a more adequate wage.

But there are other matters. Hospitals are run essentially as they were fifty years ago. They have been neither forced nor even encouraged to innovate. Patients are still wheeled from one end of the hospital to the other for surgery. Costly services are maintained for vast numbers of patients not seriously enough ill to need them.

Physician fees have risen so sharply because more dollars cannot by themselves produce more doctors. That, coupled with the fee-for-service approach of Medicare and Medicaid, has allowed some specialists and even some general practitioners to reap exorbitant benefits from these tax-financed programs.

Serious as these matters are, the fundamental problem is one of structure—one which goes to the heart of our system of delivering health care. We are pumping billions of dollars of new money into the health industry—but without the slightest effort to change the existing system, under which people are taken care of in the costliest institution, the hospital, and by the costliest manpower, the doctor. It is no wonder that the cost of health care has risen so sharply.

The first task, in my judgment, is to recognize that our present approach is simply not satisfactory—and to do something about it. We are providing poor quality care at high cost. That is nothing less than a national failure.

Next week I shall propose, as an amendment to the social security bill now before the Senate, the establishment of a joint Congressional committee to study the cost of health care and what we are going to do about it. The committee's mandate would be the full scope of the cost problem—from reimbursement formulas to new technology, from ways to achieve gerater efficiency to new ways of delivering health care.

But no committee—no study—can be successful unless it confronts the root cause of spiraling medical costs: the outmoded and rigid structure of health care which simply cannot meet the demands for decent medical attention. What is needed—as a matter of the first priority—is to put our medical resources to work in new ways, to respond more effectively to the ever-growing demand for services.

An effective program of action requires at least four steps:

First: We must tap new sources for recruitment into the health field and develop new health careers for our recruits. We all know we have a grave shortage of medical personnel. We know that each year we educate 2000 fewer doctors than we need just to keep pace with present ratios; and we know we need more nurses of all kinds, and more technical aides.

But even as we provide government assistance to health professional schools—even as we provide scholarships and loans, so that low-income students can attend our medical schools—we know we must develop new jobs in the health field. For the fact is that we will never have enough doctors and nurses to perform all of the tasks we now assign to these costly and scarce professionals. Experience has shown that many of their tasks can be performed by assistants working under their supervision—aides who can be enabled to study on the job in order to acquire greater skill and move on to greater responsibility.

We can find many of these people in the same communities of the poor which most need medical help. We can find—and train—non-professional people, to care for fellow members of their own communities. And this source of employment—a source you have tapped with your health careers program—can find worthy service and increased job opportunity, within the medical profession.

Second: All of our medical resources must be put to work more effectively in the communities themselves. To structure the future of medicine solely around large, impersonal hospitals will not only insure poor quality care, but also guarantee even more excessive demands on these overcrowded institutions—and thus produce higher and higher medical costs.

If we are to use our funds wisely—if we are to deploy our health manpower efficiently—we must decentralize medical care. We must bring health services to the people through a system of community and neighborhood health centers which provide comprehensive family care in a dignified, responsive setting.

Again, you at Albert Einstein have recognized this need, by participating in the Storefront Neighborhood Service Center, serving the Lincoln Hospital Community. Here, nonprofessionals can be of greatest service—by insuring that neighborhood centers *serve* the poor, instead of using them. Too often, the medical profession has seen the ghetto communities as ideal neighborhoods—not so much for service, as for obtaining teaching material. One doctor told me of a conversation he had with a ghetto resident. He asked her what she thought of a planned new neighborhood health center.

"Oh," she said, "is that another one of those programs where we supply the diseases?"

The neighborhood health centers must not be that kind of program. They must meet the fundamental health needs of our neglected citizens.

Third: The program must go beyond narrowly-defined "health" needs. For all of the energy—all of the commitment—of the medical profession will not be enough, unless we also meet the sources of disease.

It is illusion to think we can cure a sickly child—and ignore his need for nutritious food. It is foolish to pour in funds to minister to the effects of filth-ridden slums—without recognizing the undeniable fact that these slums breed disease. It is profitless to establish community mental health services—if we do not understand that a community of the jobless, the purposeless, the hopeless spawns frustration and agony in the minds of its victims. We will never have enough doctors to cure the children of Mississippi who have not eaten nourishing food since their birth. There will never be enough therapists for all the brain-damaged children of Bedford-Stuyvesant. We will not cure the pathology of individuals, unless we—and you—begin to come to grips with the pathology of these communities.

Education—jobs, housing, community participation—these are essential elements of a healthy neighborhood. And if these goals require the active direct participation of the medical community in matters of public controversy, then this is the work that must be done. It is neither economical, nor compassionate, to care for the consequences of poverty, and ignore its roots.

Fourth: As this is true for the communities of poverty, it is just as true for the whole society. All the cancer research, all the hospitals in the nation may be less important than the single simple step of making sure that fewer children are enticed into becoming cigarette smokers. All our programs for training new doctors may not mean as much to the health of the city of New York as courageous and forceful action to eliminate the pollution of our air. All our emergency rooms will not be adequate to care for the victims of the carnage on our highways, if we do not enforce far more rigid safety standards on the makers of automobiles.

And the same is true for the dozens of health hazards we have allowed to persist, through ignorance and inattention and sloth: the meat packed amid dirt and disease; the drugs sold without adequate testing; the pesticides carelessly sprayed onto our crops.

These are not for the medical profession alone—these are challenges to all of us. But you of the medical profession, the concerned and active doctors and leaders such as are here today, you can take the lead.

Part of the job is securing the enactment of legislation; and whatever legislation is necessary, I can tell you that it will be introduced—and it will be fought for. But another part of the job is education and action, relying on the spontaneous skill and initiative of the American people. Just a few years ago, surveys showed that alarming numbers of our children were overweight, underexercised, simply in poor physical condition. President Kennedy set up a Council on Physical Fitness which, in cooperation with thousands of Councils all over the country, began to set up programs of education and exercise

for children and families. The Councils were completely voluntary; they were almost without funds; yet they worked a small revolution. And within two or three years, new surveys showed that the young people of America were far healthier, in far better physical condition, than they had been before the Councils began their work. That kind of effort—whether for better school meals, or against early smoking, or to stimulate forceful action against air pollution—can be made in every community in the country today.

This is a challenging task. It requires help from Washington—for example, funds to help medical schools implement bold changes in education and operation. And it requires help from state capitals and City Halls to replace rigid regulation with creative flexibility.

But most of all, it requires effort by yourselves—members of the medical profession, guided by your obligations, and by the counsel of Albert Einstein, who said:

"Concern for man himself and his fate must always form the chief interest of all technical endeavors . . . in order that the creations of our mind shall be a blessing and not a curse to mankind."

Now you must find new ways to bring the blessings of medicine to millions who have never been reached. It means the willingness and energy to discard traditional institutions and approaches to better the condition of man himself, and his fate. But you have that willingness—you have that energy—and I know you will succeed.

FARMERS HOME ADMINISTRATION COMBATS POVERTY IN MAINE

Mr. MUSKIE. Mr. President, one of the most effective lines of direct action in the war on poverty is the program of small loans to rural families who ask only for a chance to work and earn their way.

Rural Americans boxed in by poverty frequently have little to hope for except a better opportunity for self-employment. Industrial and business jobs they can perform may be scarce or nonexistent in their rural communiites. The farm, or some small nonfarm enterprise, offers their best hope for a decent living.

The rural American caught in these circumstances can never make a start as an independent entrepreneur unless he can obtain tools, supplies and a place to work. He has no savings, nor extra income or conventional credit for staking himself to what it takes for a beginning.

This is the need fulfilled by economic opportunity loans administered in rural areas by the Farmers Home Administration for the Office of Economic Opportunity.

We have far to go before we reach all the people we must among the 15 million disadvantaged in rural America. However, this program has reached more than 52,000 low-income rural families since it began in January 1965.

Individual loans not exceeding $3,500 each have been made to 44,500 families, to help them make a better living on small farms or go into nonagricultural enterprises that can yield them a better living in their home communities.

Families served through the economic opportunity loan program have taken up and made a success of more than 350 different types of occupations.

Groups of low-income people, totaling another 7,500 families, have formed cooperatives to acquire and operate expensive farm machinery that no one family can afford, or supply other goods, services, and working facilities the members can use in order to earn a better family income.

There are numerous examples I could cite of the successes individuals have made with economic opportunity loans, but permit me to give this example of a lobster fisherman in Penobscot, Maine. Married, with two teenage children, he had worked as a share fisherman for 37 years, using another man's gear for 25 percent of the net profit and ekeing out a bare living of about $2,000 a year.

In 1965 this fisherman qualified for a $2,500 economic opportunity loan from the Farmers Home Administration to get his own lobster boat, small truck, and other equipment. Now, as an independent lobster fisherman, he can net more in 6 months than he did working on shares the entire year. Last year he earned about $4,500 or more than $2,500 above what he earned the year before.

This is but one example of some 300 loans to fishermen in the coastal areas of the State, and 1,000 loans in rural Maine that have enabled low-income families to make immediate headway with loans that have given people the opportunity to do so.

Mr. President, every family who is able to start moving through this program may be subtracted from the distress rolls of rural America.

THE STRATEGIC BALANCE

Mr. BYRD of West Virginia. Mr. President, an interesting article, entitled "The Strategic Balance," appeared in the November–December 1967 issue of Ordnance. The author of the article, Dr. James D. Atkinson, suggests that the United States use its technological resources to develop a variety of offensive and defensive systems to limit an enemy's capabilities.

Dr. Atkinson, a native of Weston, Lewis County, W. Va., is professor of government at Georgetown University, research associate in the Georgetown Center for Strategic Studies, and a member of the British Institute for Strategic Studies. He is author of numerous books and articles in the field of defense analysis and national security affairs and recently served as a member of a special committee of the American Security Council headed by Gen. Bernard A. Schriever, which prepared a study for the House Armed Services Committee entitled "The Changing Strategic Military Balance: U.S.A. Versus U.S.S.R."

I ask unanimous consent to insert the article in the RECORD.

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

THE STRATEGIC BALANCE: RATHER THAN SEEK MERE NUMERICAL PARITY WITH THE SOVIETS, THE UNITED STATES SHOULD USE ITS TECHNOLOGICAL RESOURCES TO DEVELOP A VARIETY OF OFFENSIVE AND DEFENSIVE SYSTEMS TO LIMIT AN ENEMY'S CAPABILITIES

(Dr. James D. Atkinson)

It has been said that U.S. military-technological progress forces the Soviet Union to react to a particular development. But is this, in fact, correct? Do our strategic patterns set the pace for Soviet developments, or do the Soviets pursue their own strategic goals quite independent of us?

It can be argued that in some areas we may be able to influence Soviet policy. We of the United States might be able to convince the U.S.S.R. that we can and will maintain superiority in the production of long-range missiles.

But it is unlikely in the extreme that the Soviets can be convinced that *they* are precluded from achieving scientific and technological breakthroughs in particular areas—such as reentry vehicles or advanced antiballistic missile (ABM) systems—which might lead to a high level of weaponry and give them superiority over the United States at a given moment in time.

Indeed, authoritative Soviet spokesmen and military journals bluntly indicate that the Soviet effort is directed toward the attainment of superiority. Thus *Communist of the Armed Forces* (No. 3, 1966) has stated that "winning and maintaining technical superiority over any probable enemy while there is still peace is today of decisive importance."

Especially under the impact of long lead times, the essence of strategy today is not so much the now; it is, rather, the *5 years* from now—and the *10 years* from now.

It is important, of course, whether or not we now have over-all strategic superiority over the Soviet Union. But it is even more important to understand the trends in the military-technological competition, for upon these depends our future security.

The July 1967 study of a special subcommittee of the National Strategy Committee of the American Security Council, "The Changing Strategic Military Balance: U.S.A. vs. U.S.S.R.," gives a blunt warning with reference to trends in the power equilibrium. The study states:

". . . For 1971 it appears that a massive megatonnage gap will have developed. U.S. delivery capability is estimated to range between 6,000 megatons and 15,000 megatons, whereas the estimated high for the Soviet delivery capability is 50,000 megatons, and the projection of the established Soviet range-curve indicates a low figure for the Soviets of approximately 30,000 megatons. On the basis of this projection, the U.S. and the U.S.S.R. will have reversed their roles in a 10-year period."

This study also points out a continuing strategic problem for the United States—the high yield of Soviet ICBM's and the resulting possibility of electromagnetic pulse or other unexpected weapons effects that might neutralize an entire U.S. ICBM complex however we might harden or shield it.

Allied to this is the possibility of a complete blackout of communications and the consequent transmission failure of a retaliatory order by the President. This is so since, as a result of the Nuclear Test Ban Treaty, "the United States can only guess at what unique effects might occur when very high-yield weapons are exploded. But the Soviets *know*."

Because of these and other serious questions raised, the study has received wide attention in the American press. *The New York Times*, for example, in a front-page story on July 12, 1967, stated that "the Defense Department did not directly contradict the study's findings, but argues that deliverable megatonnage was not an accurate indicator of 'true military capability.'"

The Christian Science Monitor—in an extensive analytical article on July 20, 1967—stated that "there is growing concern that the Soviet capability may exceed, now or soon, that of the United States. Allied with that is a concern that the United States is taking insufficient steps to maintain its position."

In an important public address in San

Francisco on September 18, 1967, Secretary of Defense Robert S. McNamara announced "a light deployment of U.S. ABM's" against the possibility that, in future, the Chinese Communist "might miscalculate" and launch a nuclear attack against the United States.

The Secretary of Defense rejected large-scale ABM deployment by arguing that this would be directed against the Soviet Union and that the Soviet response would be a step-up in its offensive capabilities which would "cancel out our defensive advantage."

Although Mr. McNamara stated that "there is no point whatever in our responding by going to a massive ABM deployment to protect our population, when such a system would be ineffective against a sophisticated Soviet offense," the Joint Chiefs of Staff—as well as a number of informed Senators and Congressmen on the Senate and House Armed Services Committees—believe that a large-scale missile defense is a requirement in view of the rising Soviet military-technological threat.

Furthermore, it is by no means clear that the Soviet economy is capable of reacting fully to a large-scale U.S. deployment of ABM systems; for example, one which would include both land-based *and* sea-based missile-defense systems.

The evidence of more than two decades following the Second World War suggests that it has been the stabilizing factor of U.S. military-technological superiority which has prevented a general nuclear war. Today, primarily under the impact of the Soviet military-technological thrust—but to some extent from Chinese Communist efforts—that stability appears to be threatened.

If, for example, the Soviet strategists can achieve, or believe they have a very high percentage of achieving, an area-kill factor of incoming missiles (so that there is no problem of discrimination with reference to decoys and live warheads), they may at some point in time be tempted to launch a surprise nuclear strike upon the United States.

The deployment of a large-scale American ABM system or systems is one answer to the stabilization of power in the world. But it is not an end in itself.

If the military-technological revolution of our times teaches us anything, it is that there are no permanent plateaus in military technology. Instead there is constant change and rapid development.

To avoid a nuclear war and to safeguard the national security, therefore, we need to move forward with a mixture of both defensive and offensive weapon systems and to consider, for example, new types of air and sea-based strike systems made feasible by technological advances. The variety of our possible choices of action adds immeasurably to an enemy's planning problems if he attempts to prepare responses to a broad spectrum of capabilities.

A mixture of options—not reliance on one or two—compounds the task of the enemy and makes deterrence meaningful to him. There are many uncertainties and unknown factors in working out the problems of offense and defense alike, since the acid test is—and only is—actual war.

Those things—such as too great reliance on fixed missile systems—which simplify the problem, also reduce the uncertainties and unknown factors posed to the opponent. Simplification of our options may, in fact, tempt the enemy to consider a surprise attack.

Most of all, however, a "mix" of options is significant in the load factor which it places on a potential enemy's military structure. The Soviet Union is faced with a number of constraints. If we make the Soviet leaders consider a new option, it tends to limit their capabilities—as well as blunting their desires—for playing the game of strategic blackmail in world politics.

SOCIAL SECURITY COVERAGE OF EMPLOYEES OF MASSACHUSETTS TURNPIKE AUTHORITY

Mr. KENNEDY of Massachusetts. Mr. President, section 124a of the Senate committee bill would permit the Secretary of Health, Education, and Welfare to terminate the social security coverage of employees of the Massachusetts Turnpike Authority at the end of any calendar quarter following the filing of notice, as required by section 218(g)(i) of the Social Security Act.

This amendment to existing law is the product of amendment number 423, which I submitted on October 25, 1967, and certain changes suggested during consultations among representatives of the Department of Health, Education, and Welfare, the Finance Committee staff, and myself. It is very important to the 950 employees of the Massachusetts Turnpike Authority, and for that reason I was glad to submit it, when it became apparent that only legislation could bring the benefits of the new State retirement system to these employees without imposing a harsh double payroll tax on them for two years.

Mr. President, I have a series of letters to and from various individuals, including the Governor of the Commonwealth, which make clear the need for this provision in the committee bill. Since they speak for themselves, I ask unanimous consent that they be printed in the RECORD.

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

MASSACHUSETTS TURNPIKE AUTHORITY,
Boston, Mass., September 21, 1967.

Hon. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: This is to bring to your official attention the desire of 950 employees of the Massachusetts Turnpike Authority, and the Authority as well, for termination within a reasonable time of an agreement under section 418 of title 42, U.S.C.A., whereby social security benefits are extended to such employees. Adherence to the requirement of a two year notice for such termination, as provided in section 418(g)(1b), would work such a hardship upon these employees that it would appear to be entirely inconsistent with the manifest purpose of the social security legislation.

It was at the instigation of the labor union representing operating employees that the Massachusetts Turnpike Authority appointed a staff committee to investigate and recommend a suitable pension plan for its employees. The committee was assisted in its work by Martin E. Segal Company, Inc., a nationally recognized consultant on welfare, health and pension programs. After a comprehensive review of numerous public and private pension plans, many of which were combined with social security benefits, the committee recommended adoption of a pension system under Chapter 32 of the Massachusetts General Laws which governs contributory retirement systems for public employees in the Commonwealth; and termination of the existing social security participation. This recommendation was approved by the Authority and accepted by the vast majority of union members voting by secret ballot.

Necessary legislation to enable the Authority to establish a pension system within the framework of the State's retirement plan was recently enacted by the Massachusetts legislature and approved by His Excellency, Governor John A. Volpe. It was only then that it was discovered that a two year notice would be required before the social security plan for Authority employees could be terminated. Since the cost of the State pension system in addition to social security payments would impose an intolerable burden upon both employees and the Authority, the only alternative would be to defer operation of the State system for two years.

Delay for such a long period would work a serious hardship upon employees of the Authority who would thereby be deprived of the liberal retirement, disability and death benefits of the State system.

Because a two year notice requirement for termination of social security participation seems to be grossly in excess of any apparent necessity and because such notice will unnecessarily delay, and may even deprive, many employees of the Authority of the substantial benefits to which they would be entitled under the new pension system, I urge you to exercise whatever power or discretion you may have to relieve this unconscionable situation.

Your sympathetic consideration of the problem is sincerely apreciated.

Very truly yours,

JOHN T. DRISCOLL,
Chairman.

THE COMMONWEALTH OF MASSACHUSETTS,
Boston, September 25, 1967.

JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: As Treasurer and Receiver-General for Massachusetts, I am Chairman of the State Board of Retirement which is the agency of this Commonwealth through which the insurance system established by Title II of the Social Security Act is extended to services performed by employees of certain instrumentalities of the State, including the Massachusetts Turnpike Authority.

Recently the Legislature enacted Chapter 597 of the Acts of 1967 which provides for establishment of the Massachusetts Turnpike Authority Employees' Retirement System. This system would operate under the same statutory provisions as the 99 State, County and Municipal pension systems throughout the Commonwealth and would give employees of the Authority the same contributory retirement rights that are now enjoyed by other public employees.

But, because of the substantial expense involved, the Authority must terminate the participation of its employees under Social Security before the State pension system can be made applicable to them. A federal requirement of two years' notice for such termination would deprive Authority employees of the substantial benefits under the state retirement law until 1970.

It may be helpful to you, in determining what action is appropriate to assist the Authority's personnel, to know something of the benefits provided under Chapter 32 of the Massachusetts General Laws, the State's contributory retirement statute.

The basic benefit under this law for an employee retiring at or after age 65 is computed as 2½ per cent of average salary over the three highest consecutive years times the number of years of employment. Thus, a thirty years employee retires at 75 per cent at his highest three-year average salary; a twenty-year man retires at 50 per cent; and the twenty-five year man at 62½ per cent.

In addition, the law provides significant benefits for retirement on account of ordinary disability and on account of occupational disability; as well as for ordinary or accidental death before retirement. To illus-

trate—if an employee becomes permanently disabled as a result of an injury, in the course of his employment, he receives an annual pension of

1. Two-thirds of his final salary; plus
2. $312 for each child under eighteen; plus
3. A supplemental pension that is equal to the actuarial value of his accumulated contributions;
4. To a maximum of 100% of his final salary.

As you would expect, this comprehensive, liberal retirement program is expensive. After allowing for the employee contributions, which are 5 per cent of salary, the estimated cost to the employer-Authority will average 14 per cent of payroll over the next thirty-five years.

The State Board of Retirement, as contracting agency for the Commonwealth is prepared to take whatever action is required on its part to terminate the "Plan" submitted by the Massachusetts Turnpike Authority for extending the benefits of Title II of the Social Security Act to Authority personnel. It is my earnest hope that you can find the means to terminate the "Plan" on the part of the federal government within a reasonably short time.

Very truly yours,

ROBERT Q. CRANE.

MASSACHUSETTS GENERAL COURT,
Boston, September 26, 1967.

JOHN W. GARDNER,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: During the past several sessions of the Massachusetts General Court, the Committee on Pensions and Old Age assistance, of which I am Chairman, has considered petitions for legislation to extend the benefits of the State's retirement law to employees of the Massachusetts Turnpike Authority.

Each time the matter was considered, the Committee was sympathetic with the desires of employees of the Authority to have the same liberal retirement allowances that other public employees enjoy, but the bill had to be rejected because the means for paying the substantial cost could not be provided.

This year, the Massachusetts Turnpike Authority expressed its willingness to bear the expense of the retirement law for its employees and legislation was readily enacted to enable the Authority to establish a system providing contributory retirement benefits for Authority personnel according to the State Retirement Plan. An emergency preamble was affixed to the Act so that it would be put into effect without any delay.

Quite frankly, I was shocked and disappointed to learn that the new retirement system may have to be postponed until 1970 because the federal government requires a two-year notice of termination of the Social Security Plan for Turnpike employees.

You would be performing a real service to the employees of the Massachusetts Turnpike Authority, their families and dependents if you can devise some means whereby the two-year notice can be waived.

Very truly yours,

HARRY DELLA RUSSO,
State Senator.

THE COMMONWEALTH
OF MASSACHUSETTS,
Boston, September 28, 1967.

Hon. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: Massachusetts is proud of the liberal retirement, disability and death benefits that have been provided for the public employees of this Commonwealth and its counties, cities and towns. These benefits are the equal, and in many cases are far superior, to those of any state in the union. As Governor of the Commonwealth, I was pleased to sign into law recently a bill providing for the establishment of the Massachusetts Turnpike Authority employees' retirement system which would give more than 900 employees of this quasi public agency the same pension rights that are enjoyed by thousands of other public workers. A copy of this bill is enclosed for your convenience.

In this matter where both labor and management are completely satisfied, I am disturbed to learn that their agreement cannot be brought to fruition because of a requirement for two years' notice to terminate an existing agreement with the federal government under which social security protection has been afforded to Massachusetts Turnpike Authority personnel.

My purpose, therefore, is to enlist your good offices to relieve the impasse that has developed so that employees of the Authority may enjoy, without an extended delay, the benefits and protection that were provided for them in the recently enacted law. Some indication of the urgency of this matter is evident from the emergency preamble adopted by the Legislature so that the new pension system could be made immediately available by the Authority.

I would be sincerely grateful for whatever you can accomplish in behalf of the public employees of the Commonwealth who are affected by the recent act.

Sincerely,

JOHN A. VOLPE,
Governor.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Baltimore, Md., October 2, 1967.

Mr. ROBERT Q. CRANE,
State Social Security Administrator, State Board of Retirement, State House, Boston, Mass.

DEAR MR. CRANE: Commissioner Ball has asked me to reply to your letter of September 6, 1967, concerning the termination of the State's social security coverage agreement with respect to the services of employees of the Massachusetts Turnpike Authority. You requested information as to whether termination is necessary because of recent legislation providing for the establishment of a retirement system for the Authority's employees and the earliest date the termination may be made effective.

Subsection 218(d) of the Social Security Act (section 418(d)(1), United States Code, Annotated) provides that no agreement with any State may be made applicable, either in the original agreement or by any modification thereof, to services performed by employees as members of any coverage group in positions covered by a retirement system either (A) on the date such agreement is made applicable to such coverage group, or (B) on the date of enactment of paragraph (2) of subsection 218(d). The agreement between the State of Massachusetts and the Secretary of Health, Education, and Welfare was made applicable to the coverage group composed of employees of the Massachusetts Turnpike Authority by a modification executed on April 19, 1954. Paragraph (2) of Subsection 218(d)(1) of the Social Security Act was enacted on September 1, 1954. Because the employees of the Authority were not in positions under a retirement system on either date the provision of subsection 218(d)(1) of the act did not constitute a bar to the coverage of their services under the Massachusetts social security coverage agreement.

There is no provision in the act prohibiting the continuation of social security coverage with respect to the services of employees whose positions become impressed with a retirement system after the State's agreement has been made applicable to them. Consequently, even though the positions of the employees of the Massachusetts Turnpike Authority may become impressed with a retirement system at a future date, their services will continue to be covered under the Massachusetts social security coverage agreement until such time as the coverage is terminated. A State's coverage agreement may be terminated in its entirety or with respect to any coverage group only as provided in subsection 218(g) of the act.

Under subsection 218(g)(1) of the act, upon giving at least two years advance written notice to the Secretary, the State may terminate its agreement in its entirely or with respect to any coverage group effective at the end of a calendar quarter specified in the notice, provided the coverage to be terminated has been in effect for 5 years prior to the receipt of the notice. Therefore, since the coverage for the group composed of the employees of the Massachusetts Turnpike Authority has been in effect since January 1, 1954 (the effective date of Modification No. 1 to the State's agreement) we could, if the State wishes, consider your letter a notice of intention to terminate that group's coverage effective at the earliest possible date; i.e., at the end of the calendar quarter ending September 30, 1969.

Under subsection 218(g)(2) of the act, the Secretary may terminate the agreement in its entirety or with respect to any coverage group designated by him if he finds that the State has failed or is no longer legally able to comply substantially with any provision of its agreement or of section 218 of the act. Before the Secretary may terminate, he must give the State notice and an opportunity for a hearing. The termination would become effective at any time deemed appropriate by the Secretary within 2 years from the date of his notice, unless prior to that time he finds that there no longer is any such failure or that the cause for such legal inability has been removed. When a political subdivision has been legally dissolved, or otherwise ceases to exist as an employer, the Secretary may make a finding of inability to comply and terminate upon request of the State, and a waiver by the State of the notice of hearing. In such cases the termination is effective as of the date the entity ceased to exist.

Once an agreement is terminated in its entirety, the State and the Secretary may not again enter into a social security coverage agreement. If the agreement is terminated with respect to the Massachusetts Turnpike Authority, the Secretary and the State may not thereafter modify the agreement to again make it applicable with respect to the coverage group composed of Massachusetts Turnpike Authority employees. If the State wishes that we consider your letter as constituting the required written notice to the Secretary by the State, we would appreciate a letter to this effect over the signature of the appropriate State official. As indicated above, this would enable the State to terminate coverage of the Massachusetts Turnpike Authority, effective as of the end of the calendar quarter ending September 30, 1969.

Sincerely,

HUGH F. MCKENNA,
Director, Bureau of Retirement and Survivors Insurance.

EMPLOYEES OF TOLL ROADS, BRIDGES AND TUNNELS, STATE OF MASSACHUSETTS,
Boston, Mass., October 26, 1967.

Hon. EDWARD M. KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: As already you are aware, our Union vigorously supports and is grateful for your efforts to expedite transfer of employees of the Massachusetts Turnpike

Authority from the Federal Social Security System to the Massachusetts Contributory Retirement System.

We are the duly certified exclusive collective bargaining representative of those employees. The pending transfer was initiated by us, and agreed to in collective bargaining with the Authority, after long and careful consideration of an exhaustive anaylsis of the respective benefits of the Federal and Massachusetts Systems made at the joint behest of the Authority and ourselves by Martin E. Segal Company, Incorporated, of New York and Boston, nationally known consultants on health, welfare, and pension programs.

We are satisfied that the State's "fringe benefit package"—including pension and disability benefits and life, medical, and hospitalization insurance—is in the aggregate more generous than that of the Social Security Act. Furthermore, many of the Authority's employees have already established under the Social Security Act retirement benefits which will supplement the State benefits available to them upon their transfer from the Federal to the State System.

Chapter 597 of the Acts of 1967 was enacted by the General Court and signed by Governor Volpe expressly to make it possible for employees of the Turnpike Authority to join the State Retirement System. If I may say so, our Union takes equal credit with the Authorty for passage of that legislation; it was a common effort to which the Legislature and Governor responded quickly and willingly.

We—and the employees we represent—will be adversely affected if the two-year waiting period provision in the Social Security Act is not amended so that the Turnpike Authority may be allowed to withdraw promptly from the Federal System and achieve the purpose of Chapter 597 by placing its employees under the State System.

Yours sincerely,

JOHN A. MCGRATH,
Secretary-Treasurer,
Teamsters Union Local 127.

COTTON DISASTER IN THE SOUTHEAST

Mr. SPARKMAN. Mr. President, floods, earthquakes, hurricanes, and other natural disasters have dramatic impact. We are horrified at the damage which they wreak. Our sympathies are aroused, and we do those things which are necessary to relieve the suffering which has resulted from the disaster, and to assist the people of the region to recover from the economic damages which they have sustained.

Similarly we are concerned about hunger and joblessness and the economic plight of urban people who cannot make it on their own. We do something about those people, and this is as it should be.

I want you to think with me about a current natural disaster, less dramatic than tornado or earthquake but equally terrible in its economic consequences, which has befallen a large area of the South within the last few weeks. This disaster has extended from the Carolinas westward across Georgia, Alabama, Mississippi, and Tennessee, and it has resulted in the threatened bankruptcy of thousands of farmers and other thousands of small merchants, ginners, and others who serve the cotton-growing community.

And this is a disaster. Let no one look upon it as anything less than a disaster, for it has resulted in a total crop loss in hundreds of counties throughout these States.

Let me tell you what happened.

It began, really, in 1966, when cotton yield fell 50 percent from 1965.

The cotton farmers thus began the 1967 season already saddled with debt and loss incurred in 1966. They began hopefully, however, and the cotton was planted. Late cold and other factors caused many of these farmers to plant the second, the third, and, in many instances, the fourth time before they could get a stand of cotton. As a result, the cotton began to mature late.

Finally, an early freeze hit the cotton on two successive nights, and the crop, some of it almost ready to open, was ruined. To give you some idea of the extent of the loss, I have recent figures from some North Alabama counties on the extent of the damage. In Lawrence County, which ginned 56,000 bales in 1965, only 1,678 bales had been ginned at the end of last week, and I am told that the maximum estimate for the county is 3,000 bales—a little more than 5 percent of 1966 production. In Limestone County, where 68,000 bales were ginned in 1965, they will be lucky if they reach 5,000 bales for 1967. In Lauderdale County, where the 1965 ginning was 29,800 bales, a recent report said that 356 bales had been ginned, but that the county might reach 2,000 bales for the year.

My own county, Madison, ginned 74,000 bales in 1966. This year it may gin 2,500 bales.

I could go on from county to county and from State to State, reciting similar figures. I would like to note that 1966 was a bad year, and that production was low, so low that many farmers did not break even on that year. Now they face what amounts to an almost total loss.

I have heard of 50-percent crop failures, and our farmers have survived but this blow to cotton in the Southeast is almost unprecedented.

It hits farmers the hardest, for they have worked this year only to end it heavily in debt and unable to finance themselves. But it strikes at the whole economy of the area, especially that segment which we call agribusiness, the people who sell fertilizers, insecticides, farm equipment and so forth. They are creditors who cannot collect, and some of them face bankruptcy. Ginners are in an even worse predicament, with no cotton to gin.

There are programs which will be of some assistance to the farm economy of the Southeast. The Farmers Home Administration has moved into the situation, and is beginning to process applications for disaster loans to enable farmers to operate in 1968. The Small Business Administration has a program of low-interest loans which may help some ginners and other small business operators affected by the crop failure.

The truth is that these programs, while helpful, are not enough. This is an emergency situation which calls for emergency action.

What is needed is long-term financing at low interest rates. These farmers have received a body blow, and they cannot recover in a single year. In addition, the laws provide safeguards for Farmers Home Administration loans and Small Business Administration loans which will prevent these agencies from making needed loans in some instances. Some of these people simply will not have the kind of collateral or the amount of collateral which these agencies must, under the law, require of them.

I ask the Senators, all of them, to join with those of us who represent the States which have suffered this disaster, in thinking toward some adequate remedy for what could be the death blow for cotton farming in the Southeast. Already many young men are turning away from farm life as too hard and too uncertain to join the urban trend. Some of those who have elected to stick with agriculture must be wondering today if they have not taken the wrong course.

I want to save the farm economy of my home county, my State and the Southeast. I believe that all of us want to keep a strong and productive agriculture. I hope, within the next few days, to offer some proposals designed to assist in this present disaster and in other similar total failures which may strike in other areas and other crops in future years.

MARINES NEED GEAR

Mr. HATFIELD. Mr. President, we have heard numerous complaints from time to time about the frequent and sometimes tragic failure of the M-16 automatic rifle to perform as it ought to perform; and we have heard numerous explanations and excuses by the Department of Defense about the M-16. But time after time here in the U.S. Senate and elsewhere in this land I have learned of specific instances where the M-16 jammed, failed to fire properly, and was, therefore, in some measure responsible for the death of American fighting men in Vietnam. Now today in the morning mail I received a letter from a man in Indiana. This letter included a copy of a letter—a tragic letter in retrospect—from a Marine captain who recently was killed in Vietnam. The Marine was Capt. Milton G. Kelsey. Captain Kelsey was killed on November 13—just 3 days after he wrote this letter. He was killed while he served as pilot for Gen. Bruno Hochmuth, who also was killed.

Captain Kelsey wrote his uncle that 60 percent of the choppers in his vicinity were grounded because of a shortage of parts. I repeat: A shortage of parts. As a matter of fact, the captain wrote 3 days before his death, and I quote:

> We have about 60 per cent of our choppers down cuz we can't get the parts to fix them. Kinda makes me sick to see them just sitting there. With the bad weather approaching us now we're also going to have problems navigating since the primary navigation system in a Marine chopper is called Tacan and we're all real short on parts to fix them. Guess we'll have to fly without them even tho it will make things more dangerous than they are already. I really can't understand why we can't get parts.

As a frequent critic of the Johnson administration's policy in Vietnam, Mr. President, I feel that I have a special obligation to make sure that I do everything which I can to assure that our troops in Vietnam have the best hardware possible under the circumstances. I have said this time and time again. I believe this is the duty of responsible opposition.

So I want to ask at this time: What does the Johnson administration say to the family of Captain Kelsey and to the chopper pilots in Vietnam? Secretary McNamara spends an estimated $75 million a day in Vietnam to keep our war machine going and yet—apparently—this machine fails to deliver a satisfactory M–16 rifle or sufficient parts for the choppers. The Johnson administration speaks of the need for American soldiers in Vietnam but evidently fails again to deliver the goods in sufficient quantity and quality to do the job. First, the M-16 rifle and now a shortage of parts for helicopters.

Mr. President, I ask unanimous consent to have a copy of Capt. Milton Kelsey's letter printed in the RECORD. I also ask to have a copy of 1st Lt. M. P. Chervenak's letter about the M–16 rifle, as published in the Washington Post on October 29, 1967, be printed in the RECORD. And I ask, finally, that my distinguished colleagues in the U.S. Senate Armed Services Committee examine Captain Kelsey's allegations with the utmost care and speed to make sure that the administration delivers the gear—and enough of it—to the men on the fighting line who need it.

This matter of satisfactory military equipment is a matter which should not divide us in any way; and it is a matter in which I am sure all Americans are concerned.

I have opposed our presence in Vietnam for 3 years.

I oppose it now.

I have supported our fighting men for 3 years in Vietnam.

I support them now.

I repeat: The United States should and must give its troops the armor, the bullets, the guns and the planes and choppers which they need.

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

U.S. MARINE CORPS,
FLEET MARINE FORCE, VIETNAM,
November 10, 1967.

UNCLE BILL AND AUNT EILEEN: Guess it's about time I got off my rear and get a letter off. Thanks much for the package. All arrived in good condition and the fudge was outstanding again.

After I returned from Australia from R. & R., they put me to work again in short order. Lately we haven't been able to do much flying although the weather has really been clement. We have about 60% of our choppers down and we can't get the parts to fix them. Kinda makes me sick to see them just sitting there. With the bad weather approaching us now we're also going to have problems navigating since the primary navigation system in a Marine chopper is called Tacan, and we're all real short on parts to fix them. Guess we'll have to fly without them, even tho it will make things more dangerous than they are already. I really can't understand why we can't get parts.

We had a beauty of an accident here yesterday. One of our own fighter bombers was returning to Da Nang from a mission up north. It seems he hadn't dropped all his bombs where he was supposed to—one was hanging on which he didn't know about and it fell as he flew over Phu Boi—a 500 pounder. It really tore up the aircraft parking line and wrecked one chopper. Somehow no one was hurt, but there sure could have been lots hurt. I pity the poor pilot when they get hold of him.

We had one of our pilots shot down on Sunday over by Laos, with we think a 37mm Anti-Air gun which has a range of 20,000 ft.! He managed to put it down safely and the crew all got out unscratched. It went down in such an unsecure area (50 yds. from Laos!) that we had to get in some bombers and blow it up.

Haven't heard much for details as to when and if I go down to Da Nang to fly Gen. Cushman. It would be boring as I hate flying VIP's (more trouble than they're worth and sometimes very unreasonable) but it would be pretty safe.

Guess that's about it for now. Thanks again for the box of goodies.

MILT.

[From the Washington Post, Oct. 29, 1967]

THE M–16 IN COMBAT

I am a Marine first lieutenant and have been serving in a rifle company in Vietnam since the 15th of May. Ever since my arrival, immediately following the battle of Hill 881, one controversy has loomed above all else—that of the M–16 rifle. I feel that it is my duty and responsibility to report the truth about this rifle as I have seen it. My conscience will not let me rest any longer.

The idea of a lightweight, automatic weapon is a fine idea and I do not categorically reject the M–16 rifle as being useless. I do believe, however, that there is a basic mechanical deficiency within the weapon which causes a failure to extract. This failure to extract a spent casing from the chamber allows another round to be fed in behind the unextracted casing causing the rifle to jam. When this occurs, a cleaning rod and precious seconds are needed to clear the chamber. A Marine in a firefight does not have those precious seconds.

We are constantly told that improper cleaning and unfamiliarity with the weapon cause any malfunction which may occur. Any rifle that requires cleaning to the degree they speak of has no place as a combat weapon.

I believe that the cold, hard facts about the M–16 are clouded over by a fabrication of the truth for political and financial considerations. I have seen too many Marines hiding behind a paddy dike trying to clear their rifles to accept these explanations any longer.

Our battalion has fired these rifles on numerous occasions, aboard the ship and in the field, to try and find a solution for this problem. All rifles were cleaned and inspected prior to these tests. Having supervised several of these tests, I will swear to the fact that at least 25 to 40 per cent of the rifles malfunctioned at least once under these optimum conditions.

During a recent firefight on the 21st of July, no fewer than 40 men in my company reported to me that their rifles had malfunctioned because of failures to extract. Because of these inoperative rifles, we were severely hampered in our efforts to extract a platoon which had been pinned down. Lack of sufficient firepower also caused us great difficulty in getting our casualties out. Having 40 rifles malfunction in any rifle company is a serious matter, and in an understrengthened company such as ours, the gravity of the situation is greatly increased.

This problem is increasing in its seriousness and I know that it is the major morale problem in the company. Unfortunately, all our complaints and the results of our tests never seem to reach willing ears. I do not mean for this letter to be a slap at my battalion, the Marine Corps, the Colt Manufacturing Co., the Defense Department or anyone else concerned. It is written out of concern for the safety of the men in my company and of the great morale problem that the M–16 causes. I will stand and stake my reputation on the fact that we have had men wounded and perhaps killed because of inoperative rifles. The men in the company have absolutely no confidence in the weapon they carry, and yet, they will be asked to go on another operation in the very near future carrying this very same weapon. Word will come down from higher up, however, stating that no one will take a negative attitude about the M–16, nor will they speak of the weapon in a derogatory manner to any newsman.

I can only hope that men such as yourself, who are in a position to do something, will do something. The search for truth is paramount in all of us, and I ask you to look into this problem and search for the truth there. I will stand behind every word that I have written. I think that this problem has been overlooked too long and too many attempts have been made to gloss over a situation that endangers the lives of men.

M. P. CHERVENAK,
Executive Officer, Hotel Company, 2d Battalion, 3d Marine, FPO, San Francisco, Calif.
SOUTH VIETNAM.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, during October 1967, a total of 3,777 crime index offenses were reported in the District of Columbia. This was an increase of 867 offenses, or 29.8 percent, over October 1966.

I ask unanimous consent to insert in the RECORD Metropolitan Police Department statistics concerning this rise in crime.

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

CRIME IN THE DISTRICT OF COLUMBIA, OCTOBER 1967

During October 1967, a total of 3,777 Crime Index Offenses were reported in the District, an increase of 867 offenses or 29.8% from October 1966.

During the month increases occurred in the classifications of Homicide, up 8 offenses or 61.5%; Rape, up 4 offenses or 44.4%; Robbery, up 153 offenses or 42.5%; Housebreaking, up 364 offenses or 36.5%; Larceny ($50 & Over), up 229 offenses or 43.8%; and Auto Theft, up 121 offenses or 16.4%.

A decrease occurred in the classification of Aggravated Assault, down 12 offenses or 4.5%.

The increases for this month brought the trend of Crime Index Offenses (total offenses for the past twelve months) to 37,364, an increase of 9,451 offenses or 33.8% from the trend of October 1966, and an increase of 278.6% from the low point of April 1957.

Clearance of Crime Index Offenses for the twelve month period ending with October 1967, were down to 24.6% as compared with 27.1% for the twelve month period ending with October 1966.

METROPOLITAN POLICE DEPARTMENT

CRIME INDEX OFFENSES, OCTOBER 1967

Classification	October 1966	October 1967	Change Amount	Change Percent	Cumulative to date Fiscal year 1967	Cumulative to date Fiscal year 1968	Percent change	Total 12 months ending October 1967
Criminal homicide	13	21	+8	+61.5	46	61	+32.6	172
Rape	9	13	+4	+44.4	46	59	+28.3	163
Robbery	360	513	+153	+42.5	1,378	1,938	+40.6	5,463
Aggravated assault	269	257	−12	−4.5	1,216	1,148	−5.6	3,169
Burglary	997	1,361	+364	+36.5	3,857	4,829	+25.2	13,761
Larceny ($50 and over)	523	752	+229	+43.8	1,942	2,563	+32.0	6,549
Auto theft	739	860	+121	+16.4	2,699	3,170	+17.5	8,065
Total	2,910	3,777	−867	+29.8	11,184	13,768	+23.1	37,342

CRIME INDEX OFFENSES REPORTED

Precinct	October 1966	October 1967	Change Amount	Change Percent	Precinct	October 1966	October 1967	Change Amount	Change Percent
1	214	218	+4	+1.9	10	298	463	+165	+55.4
2	344	378	+34	+9.9	11	344	469	+125	+36.3
3	289	323	+34	+11.8	12	142	197	+55	+38.7
4	46	101	+55	+119.6	13	286	364	+78	+27.3
5	201	183	−18	−8.9	14	168	340	+172	+102.4
6	131	163	+32	+24.4	Harbor	5	2	−3	−60.0
7	69	55	−14	−20.3	Total	2,910	3,777	+867	+29.8
8	86	135	+49	+57.0					
9	287	386	+99	+34.5					

CRIME INDEX OFFENSES REPORTED, OCTOBER 1967

Precinct	Total	Criminal homicide	Rape	Robbery	Aggravated assault	Housebreaking	Larceny ($50 and over)	Auto theft
1	218	--------	----	35	11	33	95	44
2	378	9	----	69	43	101	73	83
3	323	1	----	26	12	95	150	39
4	101	--------	1	18	5	30	23	24
5	183	1	----	37	17	62	23	43
6	163	--------	----	23	4	63	30	43
7	55	1	----	6	--------	21	11	16
8	135	1	1	5	3	36	63	26
9	386	4	2	60	40	169	50	61
10	463	--------	2	77	38	182	55	109
11	469	2	3	49	33	183	55	144
12	197	--------	1	16	6	89	34	51
13	364	2	----	49	34	150	72	57
14	340	--------	3	43	11	146	17	120
Harbor	2	--------	----	-----	---------	1	1	------
Total	3,777	21	13	513	257	1,361	752	860

PROHIBITION OF GAMBLING ACTIVITIES BY BANKS AND SAVINGS AND LOAN ASSOCIATIONS

Mr. SPARKMAN. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House of Representatives on H.R. 10595.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SPARKMAN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. PROXMIRE, Mr. MUSKIE, Mr. BENNETT, and Mr. HICKENLOOPER conferees on the part of the Senate.

ONE-YEAR EXTENSION OF THE EMERGENCY PROVISIONS OF THE URBAN MASS TRANSPORTATION PROGRAM

Mr. SPARKMAN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 859.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 859, extending for 1 year the emergency provisions of the urban mass transportation program, which was read twice by its title.

Mr. SPARKMAN. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 859).

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 859) was ordered to a third reading, read the third time, and passed.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of Senate Concurrent Resolution 51, that the Senate stand in adjournment until next Monday, November 27, at 12 o'clock noon.

The motion was agreed to; and (at 1 o'clock and 30 minutes p.m.) the Senate adjourned until Monday, November 27, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 22, 1967:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Arthur Christopher, Jr., of the District of Columbia, to be associate judge of the Distric of Columbia court of general sessions for the term of 10 years.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, the following-named person for appointment as a member of the District of Columbia Redevelopment Land Agency:

Alfred P. Love, to fill the unexpired term of Richard R. Atkinson, resigned, whose term expires March 3, 1968.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 22, 1967

The House met at 12 o'clock noon.

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

O give thanks unto the Lord; for He is good: for His mercy endureth forever.—Psalm 106: 1.

Eternal God, our Father, creator of the world and the ruler of men, on this Thanksgiving Eve we come to Thee with humble and grateful hearts. Thou hast been wonderfully good to us, Thy presence has guided us, Thy power has made us strong, and Thy providence has surrounded us all our days. We pray that Thou wouldst make us ever mindful of Thy spirit, ever eager to do Thy will, and ever grateful for Thy goodness.

We thank Thee for our country—for the freedom we enjoy, for the rights which are ours, and for the future which beckons us to higher aspirations. We thank Thee for those who fight that the flag of freedom may fly gloriously in this day. Bless them with courage and strength and give them to know that we are with them and that they do not struggle alone.

We thank Thee for our homes and for the love and understanding they provide for us. Keep us from being impatient, impersonal, and impertinent. Make our hearts happy, our words good, and our hands ready to help. By Thy spirit may we be kind to those we love.

Accept our gratitude and make us worthy of Thy blessings; through Jesus Christ our Lord. 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. 13606) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 1, 3, 10, 11, and 12 to the foregoing bill.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10805) entitled "An act to extend the life of the Civil Rights Commission," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. MCCLELLAN, Mr. ERVIN, Mr. DIRKSEN, and Mr. HRUSKA to be the conferees on the part of the Senate.

PERSONAL PRIVILEGE

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House on a point of personal privilege.

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

There was no objection.

Mr. FINO. Mr. Speaker, there was an article in this morning's Washington Post by Mr. Drew Pearson, discussing the devaluation of the pound. I would like to read just the part that pertains to me. On page B-11 of the Washington "Merry-Go-Round," Mr. Pearson says:

> Factor No. 4—The life of the Export-Import Bank is jeopardized by the hamstringing amendments of Representative Paul Fino (R.-N.Y.) one of the few Italian-American undesirables in Congress. He would cramp the power of the executive to make loans, by delegating much of the power to Congress. It's another isolationist move similar to the Hoover crackdown on trade which contributed to the great depression.

Mr. Pearson—and I am sure that the English Government will be duly grateful—blames the devaluation of the pound on the Republican Party right here in the United States.

Among the factors which menace international financial stability, Mr. Pearson says, is the jeopardy in which the Export-Import Bank has been placed by the—and I quote—"hamstring amendments of Representative PAUL A. FINO." Evidently Mr. Pearson has not been down to the Export-Import Bank recently; if their affluence and wholesale loanmaking constitutes a state of jeopardy, I wish my financial affairs were so jeopardized.

But I am not rising today to argue with Mr. Pearson's conceptions of international finance. Frankly, I doubt that he knows enough to sign a traveler's check in the right place, but that is not the point I wish to make.

In referring to me, Mr. Pearson said that I was—and I quote—"one of the few Italian American undesirables in Congress." Now it is possible to interpret this sentence two ways. He may have meant that of the Italo-American Members of Congress, I am one of the few whom he deems undesirable. On the other hand, he may have meant that I am one of the few—and there are 14 of us—"Italian American undesirables in Congress." Construed this latter way, Mr. Pearson has uttered what is legally known as a group libel, a defamatory reference to Italian Americans as undesirables.

Whatever interpretation you put on Mr. Pearson's remarks, it is obvious that he indulged his desire to make a gratuitous anti-Italian slur. If he does not like me or my politics, nothing requires him to refer to Italian American undesirables. I suggest that he knew full well what he was doing, however, and that his phrase was carefully put together to insult Italian Americans.

I do not believe in tit for tat, so I am not going to call Mr. Pearson an Anglo-Saxon undesirable. I recognize that his personal offensiveness transcends ethnic origins. He is a unique species of vermin, parading as a liberal and yet indulging in ethnic and many other varieties of smear.

As I am sure the Members of this House are aware, Mr. Pearson operates a manure and fertilizer sales operation in nearby Maryland. He delights in this, realizing that his reputation as a peddler of dirt is thus increased.

May I suggest, however, that this manure serves a more spiritual purpose for Mr. Pearson? By his daily proximity to it, Mr. Pearson keeps up his journalistic metabolism. I am sure that he has received many an inspiration for a column downwind from his manure bins. Perhaps this is the reason why many Members of this House have been known to say of Mr. Pearson—and I will say it today—that he has an offensive odor. He smells of his product.

SPEAKER JOHN McCORMACK—ARCHITECT OF THE DECADE OF DECISION FOR AMERICA

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, 2,000 years ago a philosopher said, "Difficulties are things that show what men are."

In the past few weeks we have watched and read and heard with amazement rumors of a move to replace the Speaker of the House of Representatives. I think it high time this House takes a moment or two to review the brilliant record of our Speaker since he assumed the office on January 10, 1962, and why America needs his confirmed leadership as Speaker of the House.

The bills that have passed the House of Representatives under Speaker McCORMACK's active, progressive, and inspiring leadership are the core of what I believe history will record as the decade of decision for America, both in foreign policy and domestic programs at home.

With Speaker McCORMACK at the helm, the Congress has written legislation unprecedented in our history, undreamed of even 10 short years ago, and undeniable in its awesome impact on American history.

Those of us who have served under Speaker McCORMACK's leadership are proud to have been part of this legislative miracle.

Critics may carp and journalists may cant, but we who were here writing this legislation know what happened.

JOHN McCORMACK, of Massachusetts, ranks with the foremost Speakers of our history. His is the guiding force, his the hand that molds, his the words that encourage, challenge, and persuade an overwhelming majority of his colleagues to support this farsighted legislation.

JOHN McCORMACK has established a benchmark of excellence that will challenge any man who follows him in this enormously trying position.

He is a Speaker, not only for his politi-

cal party, or his President, but for all of us and for the entire Nation. For more than 40 years he has served this House proudly and with distinction rarely equaled, and never surpassed, by the hundreds of men and women who labored here before we arrived on the scene.

Speaker McCORMACK deserved the honor bestowed on him by the 87th Congress when he was elected Speaker. He deserves it more today, having worked so tirelessly to render exceptional service to all Americans.

The bills we have passed, the precedents shattered, the vision of the future we have shared with America and the world are, in large measure, the work of Speaker JOHN McCORMACK.

I am proud to have served with him in this House in these tumulous, exciting years. And I believe the overwhelming majority of our countrymen, in their wisdom, share the view that Speaker McCORMACK is a man who has never hesitated to put America first, and ambition second.

It is an honor to remind our critics of some of the bills we have enacted in the past 6 years under the leadership of Speaker McCORMACK. In these years, the Congress has enacted programs that reach to every corner of the globe.

Congress made major revisions in the immigration laws; it tackled the problem of the low-income families with the far-reaching war on poverty; it recognized the need for training of the unemployed with the Manpower Development and Training Act. It boosted the national economy with one of the largest tax reductions in history, and enacted the Trade Expansion Act to seek foreign markets abroad for the products of our industrial genius.

We improved the administration of our Government with the creation of the Cabinet offices of the Department of Housing and Urban Development and the Department of Transportation.

Special attention has been given to the problems of the elderly by adoption of the medicare program, the first of its kind in this Nation for providing low-cost medical assistance for persons under the social security system.

Education has received perhaps the greatest attention it has ever been paid with the enactment of legislation ranging from the Vocational Education Act of 1963, the Elementary and Secondary Education Act, the Teachers Corps, the Higher Education Facilities Act, the Library Services and Construction Act, the cold war GI bill, and the Mental Retardation Facilities and Community Mental Health Centers Construction Act.

The only legislation in the field of civil rights to be adopted since the Civil War was approved by Congress in 1964 and 1965.

Following my remarks is a partial list, by Congress, of some of the more important landmark measures adopted by a concerned, active House of Representatives under the leadership and counsel of Speaker JOHN McCORMACK.

To those who ask where is the leadership in the House, I say it is indelibly inscribed across the exacting pages of John McCormack's record. I doubt if these historic bills could have been enacted without his leadership.

That dynamic leadership continues to be evident to this day. We need only look to his spectacular leadership in nursing through the House a poverty bill no one expected to survive.

Those who criticize Speaker McCORMACK disclose a woeful lack of understanding for our complex system of representative government. Speaker McCORMACK must deal with 434 of his colleagues of varying political views; with diverse interests reflecting the needs of their respective districts; and with the same mandate from their constituencies enjoyed by the Speaker himself.

In my judgment, his nobility of fairness has made him a leader without precedence.

Following is a partial list of the honor roll of Speaker McCORMACK's leadership:

FIRST SESSION OF 90TH CONGRESS

1. Safe Streets and Crime Control Act (House passage).
2. Juvenile Delinquency Prevention and Control Act (House passage).
3. Social Security Amendments of 1967 (House passage).
4. Public Broadcast Act of 1967.
5. Congressional Redistricting Standards.
6. Reauthorization of the war on poverty.
7. District of Columbia reorganization.
8. Commission on obscenity and Pornography.
9. The college work study program.
10. Reauthorization of the Teacher Corps.
11. Library Services and Construction Act Amendments.
12. Vocational Rehabilitation Amendments of 1967.
13. Older American Act Amendments of 1967.
14. Elementary and Secondary Education Act Amendments.
15. Adult basic education reauthorization.
16. Impact of imports on American industries and labor (House passage).
17. Fair Labor Standards Foreign Trade Act (House passage).
18. Postal rate increase and Federal employee pay raise.
19. Mental Retardation Amendments of 1967.
20. Federal Meat Inspection Act (House passage).
21. The rat extermination program.
22. The Antiriot Act (House passage).
23. Penalties for interfering with civil rights programs (House passage).
24. Reserve Forces Bill of Rights and Vitalization Act.
25. Armed Forces Dependents' Allowances for Schooling Act (House passage).
26. Armed services disability severance pay (House passage).
27. Milk program for the Armed Forces and veterans' hospitals.
28. Armed Forces, Uniformed Services Pay Act of 1967 (House passage).

THE 89TH CONGRESS

1. Immigration law changes abolishing the national origin quota system.
2. Creating a Cabinet Department of Housing and Urban Development.
3. Creating a Cabinet Department of Transportation.
4. Authorizing medicare under the Social Security Administration.
5. The Elementary and Secondary Education Act of 1965.
6. The model cities program.
7. The cold war GI bill of rights.
8. Establishing the Administration on the Aging.
9. The National Foundation on the Arts and Humanities.
10. The Community Mental Health Centers Act.
11. Cigarette package labeling.
12. Automobile safety standards.
13. The Highway Safety Act.
14. The Highway Beautification Act.
15. Bank deposit insurance increase.
16. Reduction in excise taxes.
17. Social security benefits for persons over 72 years, not previously covered.
18. An extension of the Federal Airport Assistance Act.
19. Increases in the minimum wage for work conducted in interstate commerce.
20. Emergency food assistance program to India.
21. Authorization to distribute books and other material to handicapped persons.

THE 88TH CONGRESS

1. Higher Education Facilities Act of 1963.
2. Vocational Education Act of 1963.
3. Health Professions Assistance Act of 1963.
4. Mental Retardation Facilities and Community Mental Health Centers Construction Act.
5. The Clean Air Act.
6. Railroad Retirement and Unemployment Insurance Act.
7. The Equal Pay Act of 1963.
8. The Civil Rights Act of 1964.
9. Universal military training extension.
10. Tax reduction.
11. The Nurse Training Act of 1964.
12. Earthquake disaster relief to Alaska.

THE 87TH CONGRESS

1. Manpower Development and Training Act.
2. Trade Expansion Act of 1962.
3. Poll tax constitutional amendment.
4. Senior Citizen Housing Act.
5. Mass Transit Loan Act—2-year extension.
6. Repeal of transportation tax.
7. Air Pollution Control Act extension.
8. Migratory Labor Act of 1962.
9. Berlin resolution expressing the sense of Congress to assist West Berlin.
10. President's defense discretionary authority to call military Reserve Forces.
11. Alliance for Progress foreign aid program.
12. Cuban Refugee Act of 1962.
13. Public Works Coordination and Acceleration Act of 1962.
14. Public Welfare Amendments of 1962.
15. Disaster Tax Relief.
16. Educational Television Assistance Act.
17. School Lunch Revision Act.
18. Pensions for self-employed persons.
19. Veterans' disability increases.
20. Federal pay raise and pension increase.
21. War Claims Act of 1962.

A TRIBUTE TO JOHN McCORMACK

Mr. BOGGS. 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 Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I commend the gentleman from Illinois [Mr. PUCINSKI] on the very fine statement that he has made with reference to one of the great men of our country. I have had the pleasure and the privilege of working with the Speaker in the passage of legislation in positions of leadership and also of working with him since I first came here over a quarter of a century ago. I know of no man more dedicated to this House and to this country than JOHN McCORMACK. Nor do I know of any man more effective in leadership than the

Speaker of this body. When I read some of these carping critics say that he has no contact with and does not communicate with Members of this body, I think that nothing could be further from the truth. There is no Member of this body on either side of the aisle that JOHN MCCORMACK cannot pick up the phone and talk to as a friend. There is no Democratic Member, regardless of the difference in political or economic philosophy, with whom he does not have the closest relationship.

I am proud indeed to have been actively associated with him. I reiterate the statement made here last week by the distinguished majority leader, the Honorable CARL ALBERT, of Oklahoma, who gives great leadership in this body. Incidentally, I commend Mr. ALBERT on the wonderful speech he made in Atlanta, Ga., last evening. I wish to reiterate the statement he made here last week in saying that his candidate for the Speaker of the House of Representatives as long as he has anything to say about it will be JOHN MCCORMACK.

A THANKSGIVING TRIBUTE TO JOHN MCCORMACK

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, my distinguished and beloved colleagues have somewhat preempted me by getting recognized ahead of me. I had hoped to be the first today to compliment our great Speaker upon the magnificent record he has made in the House. At this time I want to extend on my own behalf and on the behalf of all the Members of the House our best wishes to the greatest living legislator for a happy Thanksgiving Day.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I will be delighted to yield to the distinguished gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, let me reiterate and reemphasize that we on our side of the aisle join with the gentleman from Oklahoma in wishing for the Speaker a most happy and enjoyable Thanksgiving weekend. I do not think we can go quite as far as to say that the Speaker is our candidate for Speaker, but let me assure you that we join with all of you on your side of the aisle in saying that JOHN MCCORMACK is one of the finest gentlemen who has ever served in the House.

Mr. Speaker, the distinguished gentleman from Massachusetts has our admiration and affection. We hope and trust that he continues this fine record of service in the House of Representatives as long as the people from the Commonwealth of Massachusetts want him to continue to serve. Outside of the speakership, we hope that service will be indefinite.

Mr. ALBERT. Mr. Speaker, whether we measure the record of the distinguished Presiding Officer of this House of Representatives in terms of legislative accomplishments or on any other basis, we still know and appreciate him as one of the greatest Speakers of all time and as one of God's noblemen. No legislature body of national importance in the history of any country has produced more far-reaching legislation, as the gentleman from Illinois has pointed out, than has been produced in this House under the leadership of the distinguished gentleman from Massachusetts, JOHN MCCORMACK.

Mr. Speaker, if we measured our Speaker by the yardstick of humanitarianism we would have to say that he is one of the kindest, most considerate men who ever lived. If we judged him by his conduct, both in public and in private life, we would all say that he is a practicing Christian and man of God.

Mr. Speaker, after wishing the best of the Thanksgiving season to the Speaker and Mrs. McCormack, I also desire to wish the best for all my colleagues who have worked so patiently and so hard with us through the hard and difficult months behind us.

Mr. Speaker, all of us, as Members of the House of Representatives realize and know that we are constantly in debate. Democrat against Republican, and liberal against conservative, trying by that means to determine the proper policy and the wisest course we should pursue in the development of a legislative program to improve the lot and better the lives of the American people.

However, there is one thing concerning which we never have need to debate, nor find it necessary to dispute—that is our unanimous and mutual devotion, love, and loyalty to this, the greatest republic mankind has ever known, the greatest democracy ever existing in the annals of the ages. In my judgment, William Jennings Bryan eloquently described it, when he said:

> Behold a Republic increasing in wealth, in strength, in influence, solving the problems of civilization and hastening the coming of a universal brotherhood—a Republic whose history like the path of the just "is as a shining light that shineth more and more into the perfect day."

Mr. Speaker, we have on this Thanksgiving Day every good reason to thank the Father and Creator of all for the rich privilege of being citizens of such a Republic. No man in all the world has the opportunities, the freedom, the liberty, and the pursuit of happiness as does the citizen of the United States of America. This Thanksgiving Day, in our prayers, we should thank God that the pioneers in the Colonies, so long ago, preserved and passed on to us a spiritual and religious heritage through which we know that there is a just God who presides over the fate of nations and the destiny of mankind. We should thank our Father in Heaven that we are not bereft of belief in a divine Creator which is the unfortunate fate of the subjects of a Communist state. Mr. Speaker, on this Thanksgiving, we must be grateful to our Nation's forefathers who had the courage to fight and to die for individual liberty and freedom, for the establishment of a government founded and existing upon the broad base of the people's will. In my judgment, as long as the American people cling to those ideals, and preserve them in the hearts of the Nation, domestic wolves of discord nor foreign foes will ever prevail against this great Republic—the United States of America.

MIDDLE EAST SITUATION

Mr. ALBERT. 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 Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, on November 15, Ambassador Goldberg made a strong speech at a meeting of the U.N. Security Council on the Middle East situation. In this address Ambassador Goldberg reviewed our efforts to achieve peace, efforts which began even before the outbreak of hostilities last June. He set forth specific proposals which we hope, if adopted, will lead to a just and lasting peace between Israel and her neighbors. Because of the importance of the Goldberg speech, I have requested unanimous consent for it to be printed in the RECORD. I hope that every Member of the Congress will read this statement, which follows:

STATEMENT ON THE MIDDLE EAST BY AMBASSADOR ARTHUR J. GOLDBERG IN THE U.N. SECURITY COUNCIL, NOVEMBER 15, 1967

Inasmuch as the United States has tabled a resolution in this Council and since several delegations have commented on our resolution, it is only appropriate that I now reply to these comments.

More than six months ago, even before the fighting began last June, some governments represented in this Council, including my own, sought to avert the war and to begin to seek new ways to open at long last a road towards real, stable, enduring peace in that region which has known no peace—genuine peace—for a generation.

Mr. President, in this connection, there is one point of fact which must be set straight, as a result of comments that have been made in our present series of meetings. There have been truly Orwellian efforts by the Communist members on this Council to rewrite history. And it is exceedingly ironic that those who charge the United States with delay have been from the very beginnings of this conflict the prime instruments of delay in our proceedings and of effective Security Council action.

A charge like this was made on the 13th of November by my friend, the distinguished representative of Bulgaria, Ambassador Tarabanov. He said that the responsibility for delay in dealing with the matter before the conflict rests on governments, presumably including my own, because it was "they"—now I quote him—"who did not want to act in the matter."

Mr. President, how this can be said by my distinguished colleague is beyond me. It was he at the height of the crisis who said on May 24 when we in this Council pleaded the need for action—urgent action—that this would be—and I quote him—"an exercise in futility". And then the Representative of Bulgaria went so far as to tell

this Council that—and I quote him again—"we are not available for consultations on this draft resolution or on anything else that may be planned." That's the end of the quotation.

Similar efforts were made by the Soviet Representative who in a phrase well-remembered in this Council said that we were attempting to dramatize the situation.

The efforts of the United States throughout this crisis have been to prevent the conflict before it started, and after the conflict commenced, to bring it to a speedy end and to start the process of making peace in the area. I have only to refer you to the resolution offered by the United States on the 1st of June in which we proposed that—and I read:

"*Noting* that the Secretary General has in his report expressed the view that "a peaceful outcome to the present crisis will depend upon a breathing spell which will allow tension to subside from its present explosive level", and that he therefore urged "all the parties concerned to exercise special restraint, to forego belligerence and to avoid all other actions which could increase tension, to allow the Council to deal with the underlying causes of the present crisis and to seek solutions,"

"1. *Calls on* all the parties concerned as a first step to comply with the Secretary General's appeal,

"2. *Encourages* the immediate pursuit of international diplomacy in the interests of pacifying the situation and seeking reasonable, peaceful and just solutions,

"3. *Decides* to keep the issue under urgent and continuous review so that the Council may determine what further steps it might take in the exercise of its responsibilities for the maintenance of international peace and security."

That resolution foundered on the opposition of those who now seek to ascribe responsibility for delay to others. And every member of this Council knows that when the conflict broke out on June 5 it was the United States along with some other members of the Council which were the principal proponents, initiators and supporters of action by this Council calling for an immediate cease-fire. Here, too, Mr. President, it was the opposition of certain members which made it impossible for the Council to act urgently and without debate in the interest of peace and stopping the fighting before it developed as it subsequently did.

Now, there were two opportunities before the Council at that time. One arose from an initiative by the Governments of Canada and Denmark, and that was to send a special representative to the area. And the other arose from the resolution that we offered.

I ask you, the members of the Council, to think of where we would be today had it, the Council, endorsed proposals made by Canada and Denmark, supported by the United States, in the interest of accelerating the peace-making process. We could have had a UN representative in the area since last June, working on the complicated task of restoring peace. Several precious months have been lost, and the question recurs—How much more time is to be wasted arguing over rhetoric when what is needed is reconciliation?

While there have been rumors spread in the corridors that the United States is now seeking delay, nothing could be farther from the truth. We have sought immediate action throughout, we seek immediate action today, and I mean action not words.

Mr. President, these are the facts. What we need is a truce in the Security Council against recrimination. And let us have an end to this ceaselessly repeated use of old and discredited charges to sow new hostility. As far as we are concerned, let there be no more delay. Let there be no more attempts to pervert this Council, this instrument of peace, into a center of defamation and incendiary charges. For such abuse of the United Nations instrumentalities simply compounds the difficulties of the peace-making process which are already formidable enough.

I do not intend in this spirit to make any detailed reply, for example, to the statement made by the distinguished Representative of Syria. I have previously had occasion in this Council to state that the internal affairs of the United States, its leaders and its policies, are not the subject of legitimate comment by representatives in this Council. In no statement made by the United States during the many meetings of the past few months have we ever ever commented on any utterances made by the leaders of Syria or attempted to characterize those utterances as has been done by the Representative of Syria with respect today to the political leaders of the United States. I do not intend to depart from this practice despite the provocation which has been offered. It is a legitimate matter of discussion in this Council to deal with the substance of the problem before us. A statement has been made by the Representative of Syria that the United States has been inconsistent in its positions with respect to the Middle East crisis. I have before me, Mr. President, a document which I shall make available to you, to the members of the Council, and to the representatives of the parties immediately concerned, containing every policy statement made by the United States since this crisis first broke out, before the conflict, during the Security Council considerations, and up to the present time. I am content to rest on the record of our statements which demonstrates that our statements have been consistent throughout. We adhere to the statements that have been made; we do not depart from them.

Illustrative of the double standard which the Representative of Syria applies in his discussion of the grave issues before us, is his reference to the arms situation. It is interesting that on commenting upon a recent decision of our Government to meet prior commitments with respect to military armaments, he does not refer to the fact that our decision was designed to meet commitments not only to the State of Israel but to several Arab countries. Nor does he talk about the outpouring of military armaments to the countries of the Middle East, including Syria, which has gone on for years and which continues to this day. If the Representative of Syria is genuinely interested in seeking limits placed on the wasteful and dangerous arms race, which has gone on in the Middle East for years, one would have expected him to express support for the idea contained in the draft resolution we have placed before the Council, which calls upon the Council to consider the necessity for limiting the wasteful and destructive arms race in the area. No such word of support was forthcoming.

Now, Mr. President, we don't need words of the character that have been uttered. The words that are now needed are words that clearly point to practical action for a just and durable peace that shall be fair and equitable to all parties. It is for such a peace that my delegation, despite all difficulties, continues to strive.

To this end, last month while the nonpermanent members of the Council were actively seeking an acceptable formula for action by this Council, my delegation at the specific request of some of the parties concerned, deferred to their efforts. When their efforts did not succeed, you, Mr. President, quite appropriately in your capacity as President of the Security Council, and with the agreement of the non-permanent members, turned to the permanent members of the Council to ask that they join fully and actively in the search. My delegation responded promptly to your call, and as soon as possible formulated its concept of appropriate and attainable Council action. And we so reported to you, Sir. On an urgent basis we likewise proceeded to discuss our concept with other members, permanent and nonpermanent, and with the parties on both sides. We were guided throughout by certain axioms of negotiation—axioms which stemmed in part from the unanimous view that the Council should act under Chapter VI of the Charter.

First, only the parties themselves through mutual accommodation and compromise and peaceful means of their own choice, can make peace. An imposed peace, whether imposed by one side on the other or on both sides by any outside authority, including this Council, cannot endure.

Second, members of this Council, both individually and collectively, by virtue of their very great influence, individual or combined, and by virtue of the Council's responsibility under the Charter, can and must assist the process of accommodation between the parties.

Third, to serve this purpose, the Council must find a formula which will not prejudice the known positions of the parties of either side and which will not preclude the acceptance by either side of the assistance, encouragement, help and guidance the United Nations can properly offer.

Fourth, to arrive at such a formulation, it is essential that consultations be held with the parties on both sides, as well as with the members of the Council.

The process of consultations we had initiated had not run its course when the request for the convening of the Council made it necessary to circulate the product of our efforts on November 7. While we would have preferred to hold back our draft resolution until the final result of our consultations were in, I have no hesitation in stating that our draft resolution in our view is the only resolution now before the Council which conforms to the axioms set forth both in content and in the procedures used in drawing it up.

Moreover, even since its circulation, we have remained intensively engaged in the search for the right formula for Council action—"right" in terms of the balance it strikes between conflicting views and emotions, and in terms of the cooperation it will elicit from all involved in the peace-making process it would put in train. Even since the Council was convened, we have continued our efforts—and let me make explicitly clear that our interest is not in having an American label on the successful formula. If it would in any way facilitate the search we are all engaged in, that label can be rapidly dispensed with. Pride of authorship has no place in the serious business at hand.

Mr. President, in my statement on November 9, last Thursday, I pointed out that we of the United States have sought to stay within these requirements by basing the substance of our resolution on a set of principles: namely, the five principles enunciated by President Johnson in his address on June 19.

We did so as I pointed out not merely because our President had set them forth but because both parties had in various statements indicated that those principles were an acceptable basis for Security Council action. And I have not heard a repudiation on the part of those who have spoken that those principles still do not constitute an acceptable basis for progress in the interest of peace in the area.

I briefly recall those principles, namely:

1. the recognition of national life;
2. justice for the refugees;
3. innocent maritime passage;
4. limits on the arms race; and
5. political independence and territorial integrity for all.

We have sought to embody these five prin-

ciples in our draft resolution in a way which would be fairly and prudently balanced, and would, as I have said, not prejudice the vital interests or the stated positions of either side. We have taken into account the known differences between the parties in regard both to the goals sought and to the means toward those goals. We have sought to develop and express, as well as we knew how, the maximum of common ground as a starting point for the peace-making process that should have commenced—with the blessing of this Council—months ago.

In my statement in the Council last Thursday I outlined the general considerations underlying this draft resolution. Let me now add certain specific comments on particular provisions in the hopes of clarifying their meaning and intent in light of the comments made with respect to these clauses in the course of our debate.

In paragraph 1, among the elements embraced in the concept of "a state of just and lasting peace," is "withdrawal of armed forces from occupied territories." Let me be quite clear about the meaning which we attach to this language. In the first place, it obviously refers and was always intended to refer to the armed forces of Israel; let me also state and make clear that this is completely on a par with the other essentials listed in the same statement: termination of claims or states of belligerence—which of course refers primarily to the Arab states. It also embraces a necessary ingredient for peace in the area: mutual termination by Israel and the Arab states of the state of war which unhappily still persists in the area and mutual recognition of, and respect for, the right of every state in the area to sovereign existence, territorial integrity, political independence, secure and recognized boundaries, and freedom from the threat or use of force.

Mr. President, we thought that this concept was very clear in the Resolution we offered but since doubts have been expressed on this point we have clarified them, I think explicitly, in our statements today.

Now, Mr. President, we believe that the language of paragraph 1 as stated in the Resolution and as amplified by me here today is both intrinsically sound and carefully balanced in what it requires of the respective parties. And I should like to repeat them for emphasis.

Israel must withdraw; the Arab States must renounce the state of belligerence and claim of belligerence which they have claimed for many years and the states on both sides must terminate the present state of War and must mutually recognize each other's rights, which are set forth explicitly in Article II of the Charter. And, lest there be any ambiguity, let me also make clear despite the references that have been made to this sentence that by the word "recognition" we do not mean diplomatic recognition, although we do not also mean to exclude it. This is a matter for the parties concerned to settle between themselves. We mean recognition of what the Charter provides—recognition of the sovereign existence of all nations to which all states in the area are committed by the Charter. We mean respect for the territorial integrity, political independence and freedom from the threat or use of force; and we mean that the parties should determine that in order to be free from the threat or use of force secure and recognized boundaries should be fixed.

Now I cannot emphasize too strongly that these principles are interdependent. There is nothing artificial about this interdependence; we did not manufacture it; it is in the nature of the situation and of the history of this conflict. To seek withdrawal without secure and recognized boundaries, for example, would be just as fruitless as to seek secure and recognized boundaries without withdrawal.

Historically, there have never been any secure or recognized boundaries in the area. Neither the armistice lines of 1949 nor the cease-fire lines of 1967 have answered this description. The armistice agreements explicitly recognize the necessity to proceed to permanent peace, which necessarily entails the recognition of boundaries between the parties. Now, such boundaries have yet to be agreed upon—and agreement on this point is an absolute essential to a just and lasting peace, just as withdrawal is. Secure boundaries cannot be determined by force; they cannot be determined by unilateral action of any of the States; and they cannot be imposed from the outside. For history shows that imposed boundaries are not secure—that secure boundaries must be mutually worked out and recognized by the parties themselves, as part of the peacemaking process.

I would add one further observation as to timing. Clearly the timing of steps to be taken by the parties in fulfillment of the objectives set forth in the resolution we have tabled would need to be carefully worked out with the assistance of the Special Representative. It is not our conception that any one step or provision should be relegated to the end of the process.

In short, Mr. President, our resolution reflects the conviction that progress toward peace can only be made if there is a careful and just balance of obligations among the parties. Such a balance must take account of the just aspirations of all without harming the vital interest of any. It must recognize and seek to relieve the legitimate grievances of all without creating new grievances for any. It must be a balance which all will have a strong interest in maintaining. Only thus can it provide the foundation for a durable peace.

Let me turn briefly to paragraph 2 of the resolution since I have been speaking of paragraph 1. In our view the provisions of this paragraph are no less vital to a durable solution than those of paragraph 1. Those relating to guarantees for freedom of navigation for all nations through international waterways in the area and to the refugee problem deal with grievances of the first order of importance which clearly could not be left out of a peace settlement. The other two provisions are designed chiefly to ensure that a peace settlement shall be, as it clearly must be, insulated from violence and from excessive competition in the means of violence.

As to freedom of navigation in international waterways for all nations it is a matter of historical record that the principal factor which precipitated the conflict in early June was the UAR decision not to permit ships of all states to pass through the Straits of Tiran with equal freedom. It has been a plain fact of life that a return to peace will require guarantees concerning freedom of navigation in the Straits as well as in the Suez Canal for their closure has been inconsistent with the state of peace that has been recognized by past decisions of this Council.

I should like also to comment on the refugee problem, for it is far more than merely a political grievance. It is a profoundly humanitarian problem, and it must at long last be solved. Those who are homeless or displaced because of both the recent and the previous conflicts have a desperate need for help and for justice. The nations of the area, with the help of the world community, must act with new determination and new energy to achieve that end. And in the solution of the problem my Government is prepared to do its share and to do more than its share just as throughout the years it has been doing in relieving the distress of the refugees in the area.

But it is not merely continuance of temporary relief, to which we have largely contributed, that is needed. More than ever before this problem cries out for a permanent and a humane solution. Such a solution must be a part of the framework of the peace settlement. The needs of the refugees and the needs of peace in the Middle East are not in conflict; they are inseparable from each other. They must be attended to together. Freedom of navigation in international waterways and the needs of peace in the Middle East are not in conflict; they are inseparable from each other. They must be attended to together.

Such, Mr. President, are my main comments concerning the provision of the United States draft resolution. Before concluding, let me only add three general observations which I hope may prove constructive.

First, an observation about the Special Representative and his role. I have no hesitation in saying that the key provision in the entire Resolution is the appointment of the Special Representative. The principles in paragraph 1 will be useful only to the extent that they may help him in working out with the parties solutions that will lead to a just and lasting peace in the area.

I have already mentioned that six months ago a resolution was introduced by Canada and Denmark in the Council asking the Secretary General to seek solutions of the dangerous tensions then prevailing. It was a good resolution. It was criticized at the time because it contained no detailed principles to guide the Secretary General.

Now, let us look back upon the history in this particular area. We may well recall the resolutions of the Security Council under which the Armistice Agreements of 1949 were negotiated by Dr. Bunche—agreements which, despite the later tragic course of events, helped at that time to stop war. But these resolutions likewise contained no detailed principles to guide the negotiations.

Our Resolution goes far beyond the resolutions of the Security Council under which Dr. Bunche so successfully operated. Our Resolution proposes a far more specific mandate. But, it seems to us that what is far more important than a list of written principles is the existence on both sides of a sufficient practical will to make peace. The peacemaking process is not quick or easy. Nor is it a kind of magic which enables each side to realize its maximum demands. The only magic in peacemaking is the awareness of each side that the benefits of peace and tranquility are valuable enough to justify very great efforts in search of it, and acceptance of compromise and accommodation by both sides on the actual terms. And, Mr. President, the terms cannot be spelled out in advance. They must be spelled out on the ground.

The crucial role which the Special Representative can play is to foster on both sides the frame of mind essential to peacemaking—the pragmatic will to peace which can face and overcome the undeniable difficulties in defining mutually acceptable terms.

Mr. President, greater and more complicated conflicts even than this grave and complicated conflict have been resolved at the peace table. Peace is indeed difficult, but it is not impossible where a genuine will exists on both sides—and where the necessary support and encouragement are afforded by third parties, including this great Organization.

This leads me to my second major observation. In our consultations on possible action by the Security Council, the question we encountered most frequently from the parties concerned on both sides, was not about any particular provision of a proposed resolution, but rather about what the United States would be prepared to do in the interest of bringing about peace in the area. Would the United States—it has been put to me very explicitly—place its influence and political support behind a just and durable peace in

the area, and the steps necessary to achieve such a peace?

Let me give here in public, in this Council, the same answer we have given in private to this question. We are committed to the achievement of a just and lasting peace in the area. From this commitment there flows a willingness to do our full share toward achieving that goal. As President Johnson said on June 19:

"I offer assurance to all that this Government of ours, the Government of the United States, will do its part for peace in every forum, at every level, at every hour."

On behalf of my Government, I now renew the pledge I made to the Council and to the parties themselves when I introduced the United States draft resolution on November 9. Under the terms of that resolution—and this includes every portion of the text—the United States could and will exert its full diplomatic and political influences in support of the efforts of the United Nations representative to achieve a fair and equitable settlement.

Finally, Mr. President, I would stress once again the spirit in which the United States will approach the question of peace in the Middle East. As the President of the United States emphasized at the very outset of the crisis last May, "The United States has consistently sought to have good relations with all the states of the Middle East." And he added this has not always been possible, and indeed it has not proved to be possible even to this day. But today, six months later, our resolve to seek such good relations remains undimmed, despite the tragic events of June and all that has taken place in the aftermath.

We are well aware that neither side in the dispute—judging by their expressions in and out of this Council—is likely to be well pleased with all aspects of our position. But this is inevitable considering that they are the parties involved. And for us it is a small price to pay if we can thereby contribute to the progress toward peace which the peoples of the Middle East and indeed, all the world so sadly need.

PRESIDENT PLEDGES AID TO AMERICAN FARMERS IN REMARKS TO NATIONAL GRANGE

Mr. DE LA GARZA. 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. DE LA GARZA. Mr. Speaker, President Johnson's message to the National Grange Convention demonstrates the depth of his administration's desire to improve the lot of the American farmer.

As the President noted, we owe much to the hard-working farmers of America:

They have made us the best-fed people in the history of the world at a cost the average citizen could easily afford.

They have provided food and fiber for our Nation and its allies during time of international conflict and world war.

And their crop has fed hungry millions the world over.

Yet, while the farmer has given much to his Nation, we have returned too little to him. As the President made clear to the National Grange, he has committed himself to end generations of deprivation and give American farmers their just reward.

The Johnson administration has seen its farm program pay rewarding dividends. Farm income has risen over 50 percent since 1960, costly surpluses have been reduced, and the resources of the Federal Government have been marshaled to insure increased prosperity for every farmer in America.

The President has pledged "to preserve a good healthy condition for the American farmer." A grateful Nation must do no less for those who have bestowed the bounty of their labor at our doorsteps.

I insert at this point in the RECORD the President's remarks to the National Grange convention:

REMARKS BY THE PRESIDENT TO THE NATIONAL GRANGE CONVENTION, BY TELEPHONE FROM THE WHITE HOUSE

I am pleased and honored to be privileged to take part in your Centennial convention.

Your organization has a great leader—my close friend, Herschel Newsom. It does not matter whether the issue is our commitment in Vietnam, a tax increase to head off costly tax inflation, or import quotas that threaten our agricultural exports—Herschel Newsom and the great National Grange organization have always chosen the course of responsibility. And for this I am profoundly grateful.

This has been the history of the Grange through all its hundred years of responsible citizenship, of constructive, affirmative leadership. The Grange belongs to the class of people I call builders in America. It is easy enough to complain and be critical of what others do, especially with the benefit of hindsight. It's much more difficult to help find a true course through all the problems that beset us. The Grange has traditionally sought to attain its ends through the vigorous pursuit of affirmative goals. In fact, it has been my observation that you have always been so busy building, you have not had much time to waste on quarreling with those whose stock in trade seems to be hating and tearing down. Yours is the blessed way—and the world is far better for having people like you among us.

I like to think that you and I have many things in common—a love of the soil and the open sky, an urge to make things grow, a fascination of the challenge of wind and weather, a spiritual sustenance from the wonders of nature as they are revealed to us upon our farms. I must confess that I envy you—and at some times more than others—because you can spend more time on your farms than I can spend on mine. At least, that's the way it is just now.

Another thing we have in common is a concern about farm income, and my concern about that is perhaps even greater than yours; because as President I cannot help but be deeply concerned about the millions of people on farms who are not able to earn a decent living. I'm glad to be able to say I believe this situation should be improved and I hope is improving, but it is not improving fast enough.

We all know the pattern of the continuing revolution in American agriculture—a technological revolution—where the ability to produce continues to out run our ability to consume. It has been this way most of the time for more than forty years. The result has been all too often depressed prices and financial distress. No way has been found to cope with this problem except through programs of the Federal Government.

Some of you are old enough to remember, as I remember, the long, hard fight it took to gain acceptance of this Federal responsibility. Indeed, there are those in our country today who don't accept this as a Federal responsibility even yet—and there are far too many that wish we had no Federal farm program of any kind.

I wish it to be clear that I fully accept the Federal responsibility to help maintain farm income at reasonable and stable levels. The Federal Government cannot do the whole job. The farmer must do his part. But the programs required are of such large size that they cannot be successfully operated unless the strong Federal Government makes available the machinery through which the farmers can operate the programs.

Having accepted this responsibility, how well have we done in meeting it? Not nearly as well as I would like—because the average farmer still finds himself earning only two-thirds as much as city people earn. And many of you know from your own experience that it is still quite a struggle to make ends meet—to keep expenses from outrunning income. Yet the record shows creditable progress.

Average net income per farm in 1967 is running 56 percent above 1960. It is somewhat less than in 1966 when net income per farm reached an all-time high in our nation's history, and this setback is disappointing to all of us. I hope and believe that this setback is only temporary. I shall do my best to make it temporary and hope you will help me in that effort.

The record since 1960 does prove that progress can be made—that surpluses can be eliminated—that farm income can be increased. But this progress can be continued only if our programs are continued. These programs are under constant daily attack. In the present Congress, no less than 21 bills have been introduced that would kill, that would terminate existing farm programs. I shall be counting upon your strong support to see that these attacks do not prevail. I want you to keep the farmers in business—at least until I can join you full-time.

I am proud of what you are doing to make America strong and to feed the hungry people of the world. This country owes a lot to the farmer:

American agriculture is the envy of all nations.

You have provided food and fiber to this nation and to its allies through world war and international conflict.

You have saved the lives of millions around the world who would have starved in the absence of American food aid.

You have made Americans the healthiest, best-fed people in the history of the world and you have done it at a cost that the average person could easily afford.

You have provided the largest single contribution to world trade of any single segment of our economy.

I point these things out so that you know that we care about you and what happens to you. At the same time I salute you for these accomplishments and I thank you for all that you have done.

Most of all I ask your continued help in the tasks that lie ahead in the job that all of us have to do—a job that will give us better prices and better income, that will try to hold our costs where people can have an incentive to stay on the farm.

Our biggest problem today is that people have left the farms to go to the cities without any skills to use in the cities, and we are spending hundreds of millions of dollars trying to deal with that problem. How happier we would probably all be if we could have spent the money in preventive medicine before they left the farm.

So I am going to be here trying to correct some of the mistakes that have been made. I am going to be here trying to preserve our farm program and to preserve a good healthy condition for the American farmer. With your help and with your support I believe we can succeed.

CHAMBER OF COMMERCE MEMBERS PARTICIPATE IN GOOD WILL TOUR TO WASHINGTON, D.C., AND ALEXANDRIA, VA.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to ad-

dress 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 Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, as you are aware, it was my pleasure last week to welcome and help entertain here in our Nation's Capital a delegation of Bethlehem, Pa., Chamber of Commerce members who were participating in a good will tour to Washington, D.C., and Alexandria, Va.

For the benefit of my colleagues, I should point out that our distinguished Speaker is aware of this group's visit because he very graciously greeted the delegation in his office.

Primary purpose of this year's chamber tour was to inspect the fine community renewal projects which have been carried out in the city of Alexandria. Mayor Charles Beatly, of Alexandria, as well as the president of the Alexandria chamber, Robert Rotroff, and their colleagues, warmly received the Pennsylvania delegation and provided them an informative look at the strides being made in their community.

My constituents derived a great deal of benefit from this primary objective of their tour. They returned to Bethlehem, however, with two other events of their tour foremost in their thoughts and conversations. These were the greeting by our Speaker and a very unique and most personal visit with our President.

Last Thursday, while General Westmoreland was a White House guest, President Johnson greeted and spoke intimately and frankly with the Bethlehem Chamber of Commerce in the oval room. His true greatness, as reflected by his sincerity, his warm personality, his obviously deep concern, and his firm determination was strikingly evident to the Bethlehem chamber members as they heard from our President, himself, a review and assessment of national and world affairs.

The tremendous impact of this meeting with the President will remain clearly impressed in the minds of these men for a lifetime. I wish every American could experience the personal reassurance provided by that visit, that our Nation's leadership is of the very highest order.

I respectfully include in the RECORD an editorial which appeared in the Bethlehem Globe-Times editions of yesterday commenting on this visit and the true image of the President which emanated from his press conference of last Friday:

FIGHTING PRESIDENT

President Johnson has made it plain to his country that he intends to take on critics of his domestic and foreign policy with vigor. It is as though he has awakened to evidences of his waning popularity and decided to fight for his political life.

By a happy coincidence, 36 Bethlehem businessmen who toured the Washington area last week in a Chamber of Commerce trip can report first hand on the new fighting President. He met with them for 25 minutes in a White House conference arranged by Congressman Rooney and gave them a preview of his new style. "No matter what all the king's horses and all the king's men and teachers and preachers say or do, I intend to see this thing through," he declared in reference to his Vietnam policy and in an obvious reply to the Episcopalian preacher who on the previous Sunday directed some cutting questions about the U.S. presence in Vietnam as the President sat in the front pew.

The nation received a similar impression of the President's renewed determination in a press conference televised on Friday. Gone were the bland preliminary announcements. Discarded was the uncomfortable stance behind the podium. The look of the kindly squire patiently lecturing on the troubles of the times was replaced by a new image. The President moved from behind the podium. He pounded his fists, used his hands to make points, and moved about in a conference room manner. Wearing a microphone around his neck for the first time, he used the new mobility to get closer to the public.

It is unlikely that the new Presidential manner will win back serious dissenters of the White House policy in Vietnam. But local businessmen who saw him can testify that the vigor of his readiness to accept responsibility is impressive and his insisting that he uses the most competent advisers in the nation is reassuring. He is clearly a man who isn't going down without a fight.

SHOULD AMERICANS START DRIVING ON THE LEFT-HAND SIDE OF THE ROAD?

Mr. MONTGOMERY. 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 Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I was quite impressed by an advertisement that I saw recently in a national magazine. With the Thanksgiving weekend approaching, a time when millions of Americans will be traveling, I think that the ad had a particular message for each of us. Last year there were 13 million automobile accidents and 53,000 deaths in the United States.

The advertisement noted that Sweden recently changed over from driving on the left-hand side of the road to driving on the right-hand side of the road. Experts predicted murder as a result, but they were wrong. Highway fatalities dropped over 50 percent. What happened? The Swedes started driving as if their lives depended on it. They drove slow and easy, kept both hands on the wheel, their eyes on the road, and their minds on what they were doing.

Some experts feel that the same beneficial results would occur in the United States if we started driving on the left-hand side of the road. Now I am not advocating such a change. I do say however that driving an automobile is a privilege and not a right. We can take a lesson from the Swedes and that is to drive as if our lives depended on it.

PRESIDENT JOHN F. KENNEDY

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, at this hour, 4 years ago this afternoon, President John F. Kennedy, who had been a Member of this House, lost his young life while in the midst of a brilliant career in the service of his country.

I have asked for these few moments today to bring to our memory the life of John Kennedy and the lives of all of the brave, young men who in response to his call to service of country have since followed in his course. The lives of these young men, President and soldiers, silently demand that we display again the strength and resolution that is so much a part of our national character. Only by emulating their courage and youthful wisdom will we be allowed to find the lasting peace that they so resolutely sought to forge.

HANOI'S REJECTION OF THE PRESIDENT'S PEACE OVERTURE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, as the Chicago Daily News has noted, North Vietnam has again misjudged the American temperament by its contemptuous rejection of President Johnson's offer to talk peace aboard a "neutral ship in a neutral sea."

North Vietnam's leadership has wrongly interpreted American peace demonstrations as a nationwide desire for a peace-at-any-price administration in 1968.

They could not be more mistaken. As the Daily News points out, the noisy demonstrators who favor unilateral American surrender are a tiny and powerless minority.

Hanoi would do well to ponder the pages of American history. They illustrate a resolute people who have become free world leaders by resisting—not retreating from—brazen aggression. They show that discussion in a free society does not imply dissent on basic objectives.

Regardless of who occupies the Presidency in 1968—no matter what his politics or his party—our national commitment to a beleaguered ally will be honored.

Hanoi must take this lesson to heart—or be sadly disillusioned. As the Chicago Daily News states:

Ours has always been a nation to debate furiously and at the top of our lungs—and then to do what must be done. He can discover that the hard way if he insists.

Under permission granted, I insert into the RECORD the thoughtful editorial in the Chicago Daily News calling the regime in North Vietnam to task:

HO'S LONG-ODDS BET

Hanoi's contemptuous rejection of President Johnson's offer to talk peace aboard "a

neutral ship in a neutral sea" must have surprised no one, including Mr. Johnson.

But there was evidence of persistent miscalculation in the official Hanoi restatement of its own unequivocal demands for unconditional cessation of bombing and withdrawal of all U.S. and "satellite" troops from South Vietnam, presumably as conditions for negotiations.

There has been increasing evidence that Premier Ho Chi Minh has interpreted peace demonstrations and demands for a bombing pause as reason to believe he has only to wait until next November, when President Johnson will be overthrown and a peace-at-any-price regime installed in Washington.

Ho's study of American history should teach him better than that. This is not a nation of faint hearts. No matter who is chosen President next year, the national commitment will be honored.

There are a few noisy demonstrators who favor an unconditional pullout leaving the South Vietnamese to the mercy of the Reds. But they are not many and their views are spurned by the vast majority of those in the United States who dispute Mr. Johnson's policies.

The majority of those calling for a halt in the bombing do so because there has been much talk around the world, some of it in high and authoritative places, that if the bombing of North Vietnam is halted unconditionally, Ho will come to the bargaining table.

The sentiment is to find out if this is true, and incidentally demonstrate our reasonableness to those who regard us as warlovers.

But the sentiment is also to do what is necessary, whichever way Ho reacts to such a pause. If his reaction, after a reasonable interval, were disdainful and negative, we are confident the overwhelming sentiment in the United States would be to press the war to the point necessary to persuade Ho of our determination to secure an equitable peace.

Perhaps Ho should not be blamed too much for holding a different notion of America's lasting qualities; he would not be the first to infer that economic success had weakened our stomachs for distasteful chores. Ours has always been a nation to debate furiously and at the top of our lungs—and then to do what must be done. Ho can discover that the hard way if he insists.

STANDARDS, PRINCIPLES, ETHICS NECESSARY TO HAPPY LIFE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, Southern Illinois University, at Edwardsville, Ill., recently held its commencement exercises. The commencement speaker, Prof. Stanley B. Kimball, gave a particularly noteworthy speech concerning his philosophy of life and his advice to those who are beginning a new chapter in their lives. I am including professor Kimball's speech in the RECORD and I commend it to the attention of my colleagues:

NOW TO COMMENCE WHAT?

(Commencement Address, Southern Illinois University, Edwardsville campus, by Prof. Stanley B. Kimball)

President Morris, Vice-Presidents MacVicar, Ruffner, and Tenney, Congressman Price, and other platform guests, fellow faculty members, parents and friends, and above all you graduating students, I am honored and pleased to be given the opportunity of addressing you.

Recently so much effort has gone into the streamlining of our commencement exercises that I almost feel like the Rabbi in one of Harry Golden's stories who, after being admonished several times to be brief at a wedding ceremony, simply asked the couple if they took each other for husband and wife and then pronounced them man and wife. I will not be quite that brief, but I can assure you that this speech is timed to fifteen minutes.

Since I am not an imported speaker, but rather a pioneer of this campus for the past eight years and the teacher of many of you present, I believe that my few comments this evening can and should be of a less formal nature than if I were a guest speaker. Therefore my parting advice to you graduates, my final attempt to inspire you will consist of the same simple and unsophisticated material I have been giving you in classes for the past four years. I will be more flattered and successful if you remember and utilize some of what I have to say than if you were to be impressed momentarily, but not motivated by a string of pearls of sophisticated wisdom.

We have a tendency to try to chop the flowing stream of life and time into pieces of wood, to mark beginnings and ends. One such conventional beginning was for most of you I suppose about four years ago. Now you have reached another conventional end—graduation. But since there can be no end without a new beginning we do not traditionally consider graduation as an end, but as a new beginning—a commencement. Hence the title for my remarks—"Now to commence what?"

Among the many things that you will be commencing soon are various kinds of work including teaching, military service, families, and/or graduate study.

Hopefully, you have learned two fundamental things at SIU: (1) what it is that you thoroughly enjoy doing and (2) how to do it well. Assuming you have learned these two things—and the pile of graduation certificates behind me attests that you have—it is now expected that you will commence applying what you have acquired. My advice is simply to get out and do the best you can, to make a contribution and to become the best, whatever it is you wish to become. You have had the privilege of several years of expensive education and training, now show your appreciation for these opportunities by magnifying your talents. Do not slop your way through life doing the least, taking the most.

I fully realize that if I were to tell you that the world owes you a living, to get out and get yours while the getting's good, that this would be the most memorable commencement address on record. Since that is not my personal philosophy of life, I could not, in any case, be convincing.

If you commence teaching look on it as an honorable and noble calling. One in which you will probably never realize much wealth or fame, but a calling in which you may find great satisfaction. Most of us can recall at least one teacher who had great influence for good upon us. I would like to think you present and future teachers may so inspire others. If for some reason you find you do not like teaching or find yourself teaching by rote, please do the world a favor and quit the profession. In my field of history, if—as is too often the case—it is offered as names, dates, and places rather than cause and effect, if the "what" of past human activity is taught to the exclusion of the "why", it is best untaught and unlearned. It is the junk of history, if history at all.

If you go on to graduate study get the best even if you have to go borrow money. Graduate study is an investment in yourself. Years ago at Columbia University I had a colleague, also a family man, who was enormously proud that he owed no one a dime. Since I had contracted considerable debts I was a bit uncomfortable in his presence when this subject came up. But I am sad to say he is still working for his degree. Had he been willing to have borrowed some money, or to have accepted some help, he may have finished when I did, long since repaid the debts, and have been productive in his field. As it is he will now be so old when he finally does get his degree that he may have difficulty obtaining a good position. Develop a professional attitude, be willing to pay the price of being a pro. Don't slop your way through graduate school any more than through life.

I hope you will not be offended if I also suggest that you commence to augment your efforts to make this world a better place because you are in it. I hope you will not only reject, but actively combat the current malaise of "hippism"—an ism without anything at all to say and a thousand exhibitionist and puerile ways of saying it. If you must reject certain values in our society which to you are base, do not do it in the negative childish manner of hippies, beats, ultra-liberals, and arch-conservatives. There are positive ways. Unselfish service to your community is one. Dedication to a worthwhile cause is another. Combating racial prejudice is still another, and I am square enough to believe in the Peace Corps and similar organizations.

If you don't like the world you were born into, don't bawl about it. Don't become a vacuous hedonist. It may be good for you to reflect upon the fact that no one ever created or was responsible for the world he was born into.

If you are called to serve your country, wear your uniform proudly and serve well. I do not doubt that you may have serious arguments and that you dissent with some aspects of our current foreign-policy. My advice to you is to be grateful that you have the right to dissent. But I do not believe that the right to dissent includes the right to burn draft cards and to refuse to serve. Surely our country has never gone into battle that one portion or another of the populous did not seriously disagree. If some of you have religious misgivings about bearing arms, I would draw your attention to the fact that many have served as medics and noncombatants and not felt that they compromised their God, themselves, or their country. Surely it is more manly to respond to the call of duty than to throw temper tantrums.

In conclusion, as your teacher, I am going to take this final opportunity to pass on to you my philosophy of life, my own concept of what the *summum bonum* is all about. It is embarrassingly simple and unacademic. To me the greatest object, purpose, and end to life is to find happiness for one's self and to help others find it for themselves. By happiness I do not mean the mindless pursuit of pleasure or pie-in-the-face burlesque, but what is sometimes called peace of mind, tranquillity, or self-fulfillment.

There are, I believe, three essential ingredients for a happy life: an individual must love—perhaps some will prefer the term respect—his work, his fellowman, and some philosophical or religious way of life.

Most of us earn or will commence to earn our bread by the sweat of our brow—there are relatively few unfortunates who do not have to work for a living. Since most of us spend a good part of our life at work it is obvious that if we do not love our work and cannot take pride in what we do, we will not be happy while engaged in that activity.

You graduates have just had a good opportunity of preparing yourself well for your chosen profession. If you should now, for some reason such as mere money, or prestige, turn from the diligent and industrious pur-

suit of your chosen field, you may find that you have sold yourself too cheaply. I do not wish to imply that one should never alter his course in life, but one should do it for some good reason. (For example, I started out as director of an Arts Center and Council in a very wealthy city in the south which boasted of 100 millionaires, but after three years I found out this was not satisfying to me, so I put my wife, two children and all my earthly possessions in a 1952 Studebaker and an 8 by 10 "U-Haul Trailer" and headed north for the Ivied Halls of Columbia University, and now, while I am not exactly rich, wealthy, or famous, I am as happy in my life's work as anyone has a right to be.)

It is not only possible to love our fellowmen, but is imperative that we do so if we are to achieve any significant degree of personal happiness. This is not Sunday and I am not standing in front of a pulpit, of this I am aware. Still I would like to mention this Sunday School type topic, especially would I like to emphasize the necessity of a reasonably happy homelife in the totality of a happy existence. A deep love for one's spouse and children is one of the surest guarantees for a happy life. It is extremely unlikely anyone will ever find a satisfactory substitute for homelife outside the home. I presume what I am implying is obvious enough to require no further comment.

My third and last point pertains to religion, philosophy, or simply a way of life. Whether this be the faith of your fathers or something you have found on your own does not matter. What does matter is that you respect it enough to abide its tenets. Many of you will remember in class that I advised you that if you were not content with whatever philosophy of life you had inherited or adopted, that if you did not love or respect it enough to follow it, you should get rid of it and find a better one. In this respect may I suggest you follow the admonition of St. Paul who counseled men to "prove all things, and to hold fast that which is good." (A fine credo, incidentally, for the whole academic profession.)

Standards, principles, ethics are necessary to the happy life, and while it is true that standards, principles, and ethics vary from individual to individual, it is easier to build a happy life if one follows some religion or some philosophy rather than playing life by ear. It is easier to build on solid rock than upon shifting sand.

My final comment is about one of the great personalities of history—Napoleon. He was probably the most highly endowed with energy and intellect of all men. Yet he squandered his gifts and talents on the most worthless of all human aspirations—self-glory and aggrandizement. He is, therefore, also one of the most tragic characters of history. Think what such a man could have done for the good of mankind. Better yet, think what you yourself can do for the good of mankind.

VICE ADM. CHARLES B. MARTELL, U.S. NAVY, RETIRED

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

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

There was no objection.

Mr. STRATTON. Mr. Speaker, on November 1 Vice Adm. Charles B. Martell retired as chief of the antisubmarine warfare programs in the Navy. I had known Admiral Martell for some time, but have had the honor and pleasure of working especially closely with him in the past year and a half since formation of the Antisubmarine Warfare Subcommittee of the Armed Services Committee, of which I am chairman.

In all of his dealings with our subcommittee I found Admiral Martell to have an exceptionally fine grasp of the needs in this important field and a tremendous drive to see that these needs are met. Unlike any other program in the Navy, antisubmarine warfare operations involve lines of command and responsibility that involve a number of different officers. Admiral Martell's unique assignment some 4 years ago was to bring closer order and coordination out of these diverse lines of command, so that important antisubmarine work did not suffer because of any lack of glamor and because of this diversity of responsibilities. This, as our subcommittee found out, is precisely what Admiral Martell accomplished in his post as a kind of antisubmarine "czar." He did it by the sheer force of his personality and the incisiveness of his mind.

Each member of our subcommittee has developed a tremendous respect, admiration, and affection for Admiral Martell. We are frankly sorry to see him retire from active duty, but we do wish him the best of happiness, success, and health in his new career in private life, where his abilities and energies will certainly continue to be utilized.

Mr. Speaker, I insert his full record of distinguished naval service at this point in the RECORD:

VICE ADM. CHARLES BOWLING MARTELL, U.S. NAVY

Charles Bowling Martell was born in Dorchester, Massachusetts, on October 7, 1909, son of Charles Joseph and Helen Frances (Contee) Martell. He graduated from the Naval Academy with distinction, fifteenth in a class of 405 members on June 5, 1930.

In June 1930, he was assigned to the USS *Chester* and the USS *Hull* until April 1936. In June 1936 he began instruction in Ordnance Engineering at the Navy Postgraduate School and Carnegie Institute of Technology. He received the degree of Master of Science in Metallurgy in June 1938, and in June 1939 joined the USS *New Mexico*.

He was awarded the Legion of Merit "For exceptionally meritorious conduct . . . while serving in the Readiness Division of the Headquarters of the Commander in Chief, United States Fleet, from May 1943 to August 1945 . . . Working tirelessly toward the perfection of defensive warfare tactics for the Fleet, (he) contributed materially to the successful prosecution of the war."

He commanded the USS *Union* (AKA-106) and USS *Aucilla* (AO-56). In February 1948 he was appointed Assistant Director, Atomic Energy Division, with additional duties in the Armed Forces Special Weapons Project. Between August 1951 and July 1953 he served as Fleet Operations Officer on the Staff of Commander in Chief, U.S. Pacific Fleet. He is a graduate of the National War College. In July 1954 he reported as Commanding Officer of the USS *Mississippi* (EAG-128). In August 1955 he assumed command of the USS *Boston* (CAG-1), the world's first guided missile cruiser.

Promoted to the rank of Rear Admiral on July 1, 1956, he served as Deputy Director of Naval Intelligence. He was Commander Cruiser Division Four from April 4, 1958 until April 1959. He was then assigned as Director of a Special Planning Group supervising the merger of the Bureau of Aeronautics and the Bureau of Ordnance into the Bureau of Naval Weapons. Following this duty, he was appointed Assistant Chief of Naval Operations (Development).

On March 9, 1961, he became Deputy Director of Defense Research and Engineering (Administration and Management) and was promoted to Vice Admiral, effective March 1, 1961. "For exceptionally meritorious conduct . . . (in that capacity) from March 9, 1961 to July 19, 1963 . . ." he was awarded a Gold Star in lieu of the Second Legion of Merit. On August 2, 1963 he assumed command of the Second Fleet and in April 1964 was ordered detached for duty as the first Director of Antisubmarine Warfare Programs—a new top-level Navy post in the Office of the Chief of Naval Operations.

In addition to the Legion of Merit with Gold Star, Vice Admiral Martell has the American Defense Service Medal, Fleet Clasp; American Campaign Medal; Asiatic-Pacific Campaign Medal; World War II Victory Medal; China Service Medal; Navy Occupation Service Medal, Asia Clasp; National Defense Service Medal; Korean Service Medal; and the United Nations Service Medal.

He is married to the former Miss Mary Elizabeth Adams of Decatur, Illinois, and has two daughters, Mrs. Ritchie Lynn (Martell) Perna of Ridgewood, N.J., and Mrs. R. C. (Martell) Ward of El Paso, Texas.

CALIFORNIA RECEIVES NEW WEIGHTS AND MEASURES STANDARDS

Mr. MILLER of California. 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 California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, on Wednesday, November 22, Dr. Allen V. Astin, distinguished Director of the National Bureau of Standards, will present a new set of weights and measures standards to the State of California. With this presentation, California will become the fifth State to receive a new set of standards, in a program which will ultimately include all the States. As chairman of the Committee on Science and Astronautics, I have come to appreciate the role that measurement plays in all aspects of our lives. There is a tendency to take commercial weights and measures for granted, but measurement in the supermarket is as important to our economic life as measurement in the research laboratory is to our vital research and development programs in military defense, space exploration, and atomic energy. Some of the standards now in use around the country were provided to the States more than a century ago, and it is important to upgrade the uniformity and accuracy of our national measurement system in the field of commercial weights and measures. The ceremony which will take place in Sacramento this week is one step in that direction. For the information of all members, I insert in the RECORD the announcement from the U.S. Department of Commerce concerning the new standards for California:

NATIONAL BUREAU OF STANDARDS
NEWS RELEASE

On Wednesday, November 22, California will become the fifth State to receive new weights and measures standards under a

program to replace the standards of all 50 States.

Dr. Allen V. Astin, Director of the U.S. Department of Commerce's National Bureau of Standards, will present one new set of weights and measures standards to officials of the State of California at 10:00 A.M. in a ceremony at the California Department of Agriculture in Sacramento.

Many of the standards and instruments used by the States in weights and measures administration were provided by the Federal Government 100 years ago or more. The National Bureau of Standards is supervising replacement of the State standards to update and extend measurement competence throughout the Nation, as required by scientific and technological advances. Standards have previously been presented to Ohio, Illinois, Oregon, and Utah. Within the next few months sets will be presented to Connecticut, Delaware, Kentucky, New Mexico, and Tennessee.

It is expected that new standards and instruments will be provided to about 10 States per year until all State standards facilities have been modernized.

Each new set includes standards of mass (weight), length, and volume and necessary laboratory instruments, including high precision balances, all specially designed to meet State weights and measures requirements. Each set costs the Federal Government about $70,000, including calibration, installation, and training of laboratory personnel. The State contribution to the program, in the form of new or expanded laboratory facilities and better qualified personnel, will be considerably more than the Federal cost.

Measurement uniformity among the States began in 1836 when Congress authorized the Federal Government to supply each State with ". . . a complete set of weights and measures adopted as standards—to the end that a uniform standard of weights and measures may be established throughout the United States."

In the United States, the actual regulation of weighing and measuring equipment in commerce is retained largely by the States. The National Bureau of Standards is the principal technical resource for the States in this area.

IMPROVEMENT AND EXPANSION IN LIBRARY SERVICES

Mr. MILLER of California. 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 California?

There was no objection.

Mr. MLLER of California. Mr. Speaker, Congress has long recognized the need for improvement and expansion in library services. In 1956 the Library Services Act was enacted to improve and expand library services for more than 72 million Americans. The benefits of the 1965 act were extended by authority of the Library Services and Construction Act of 1964 to include urban and suburban as well as rural areas. Further, the Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 included authorization for the Office of Education to provide library services and resources to elementary and secondary schools and to institutions of higher education.

Under the Higher Education Act of 1965, Congress provided, for the first time, authorization for research in the field of library and information science. Until this time there was no single Federal program to provide support for the generation of new knowledge in the field of library and information sciences. The research and development program was requested, and Congress supported the request, because it was recognized that funds for support of library and information programs alone were not sufficient to insure the development of required services. It was recognized that support for intelligent planning and tested knowledge from which guidelines for the expenditures of millions of Federal, State, local, and private funds being invested in library programs could be developed must be specifically provided. From such research efforts would come the tested knowledge that would insure more effective uses of library services resources.

The library and information science research program should be considered in the context of our national effort for strengthening education and improving access to information. Access for all of our citizens to the results of $16 billion invested in research and development projects by the Federal Government is, in fact, provided primarily through library and information science information programs. The library and information science program has already demonstrated its value. In September 1966, President Johnson announced the establishment of the National Library Commission to recommend future directions for development of library programs and services in the United States. One of the first grants made under the library and information science program was to the National Commission to enable it to initiate its studies. Other projects supported under the program promise to provide assistance in planning library programs.

If the National Library Commission and local, State, and Federal administrators are to have the information upon which to plan for needed changes and improvements in the services of libraries and information systems, tested knowledge is required. Research programs are the best sources for continuing information. Research is being conducted on the following topics, identified by specialists in the field of library information science as important:

First. Manpower for libraries and information systems: To provide a base from which changes in manpower recruitment and training can be made. Topics under study are: currently available manpower; projections of types and numbers of librarians and information scientists required in the future; current training opportunities and programs and their relevance to anticipated role changes; new types of training required; and characteristics of the manpower pool from which new librarians and library trainees may be recruited. Such basic studies will permit the development, evaluation, and pilot operation of new training programs responsive to emerging needs.

Second. Uses of libraries: To meet the need for an assessment of current users of libraries and the types of services they require and receive. Also, to meet the need for identification of those persons who are either not now using or are unable to receive information services. Because of wide variations in services, practices, and needs throughout the country, such research must be carried out in a way which will determine the influence of geographic, economic, educational, and other factors on such uses.

Third. Organization of library and information science services: To consider how to establish effective management procedures and structures which will permit library and information science operations to be carried out in an effective and economically efficient manner. This requires research and evaluation of differing administrative and management patterns, of manpower utilization, staffing, and recruitment, and finance.

Fourth. Relationship of libraries and information services to other agencies: To initiate a study aimed at the continuing refinement of the unique role of libraries and other information systems, how they relate to, serve, and draw from these other agencies. Such study and experimentation will permit reduction of confusion with resultant savings in public funds.

Fifth. Integration of library services in schools: To determine how library services can be of most value in advancing formal education.

Sixth. Control of resources: To enable libraries to draw upon new knowledge of organization of information, information analysis, and related questions so that rapid and accurate intellectual and physical access to information is available to everyone. As information expands and is encoded in forms other than books—films, tapes, microforms, and digital information—the problems of storage and retrieval increase.

Seventh. Technology: To develop improved means of preserving library materials, of reproduction, and of increasing physical access by such diverse means as computer usage, telecommunications technology, and new storage techniques. The application of these basic results to library and information science services remains yet to be done.

The value of the projects described should be viewed within the foregoing context. Specifically, information about what these projects are and what they hope to attain is contained in the following brief descriptions of each project:

DEVELOPMENT OF THE CONCEPT OF AN EXPERIMENTING AND EXTENDED COLLEGE LIBRARY, HAMPSHIRE COLLEGE, $64,408

New approaches are required to allow for expanded opportunities for quality education at the college level. One such approach is under development at Hampshire College. The activity is being funded in part under a three million dollar grant from the Ford Foundation. This was the largest grant to an individual college and the first one made to a college not yet in operation. When it opens its doors in 1969, Hampshire will provide a new, varied, and exciting opportunity for learning. The instructional program will require major changes in the way library services and programs are provided for faculty and students.

As the college began its planning it turned to library services as a critical area for intensive study and development. The proposal submitted to the Office of Education

for this activity was supported. The project will allow not only for planning of needed services at Hampshire College but will allow for careful coordination of library services among five institutions, including Amherst, Mount Holyoke and Smith Colleges and the University of Massachusetts. The grant will allow Hampshire College to bring together some of the best talent in the United States to design a program of library services that will allow for integration of instructional and library goals and programs, will permit an extended concept of the library and allow for access to materials and other resources by faculty and students of the five institutions. It will allow for orderly incorporation of new technological advances such as remote terminals, direct dial access, and new informational processing systems to speed access and help alleviate the difficulties encountered in utilizing the massive quantities of continually increasing educational information resources. It will permit for continued and expanded integration of the library into the total learning processes. Other expected accomplishments of this project are tests of ways in which institutional cooperation can be developed and used by several colleges. If such aproaches are successful, colleges may be able to share resources, use one another's library collections, and make efficient applications of emerging technology.

The Office of Education supported the Hampshire College project not only because the results would be useful in developing programs for a new and experimental approach to higher education, but more importantly, because the results could well become a proto-type for development of library programs in other colleges, universities and in the schools of the United States. The results could well provide guidelines for more effective use in channeling of a large part of the six hundred million dollars provided by the federal government for support of library services and programs throughout the nation.

"THE IMAGE OF THE PUBLIC LIBRARY IN THE MIND OF THE RURAL CITIZEN," EDUCATIONAL DEVELOPMENT ASSOCIATES, $33,169

The Library Services Act was passed in 1956 to improve and expand library services for rural Americans. Since then, funds have been provided each year for support of improved library services in rural areas. Yet, there is little information available on the purposes for which rural persons use their public libraries or about the kinds of library services which they would find most useful and desirable. The project supported by the Office of Education, through Educational Development Associates, is one of the first to investigate the role of the rural library in the rural community.

This project will be conducted in three Northern New England States and will be based upon interviews conducted with citizens in three towns in each of the following states; Maine, New Hampshire, and Vermont. In each town persons will be asked to present their views on available library services and the kind of services they feel they need. The interviews will also attempt to determine why people use or fail to use libraries as they now exist. The study will allow for the first time collection of information that can be used in helping the townships and other governmental bodies prepare plans for support of needed library services. The plan for this project also includes careful participation by the state librarians together with local librarians. This involvement will insure that the results obtained will be applied in a maximum way for improvement of local services.

The importance of the project, however, extends far beyond the three states in which it will be conducted. There are few guidelines for development or evaluation of library services in the many thousands of communities included in rural America. The results of this study are expected to be useful to librarians as well as government officials in other parts of rural United States. Furthermore, the results may be useful at the national level in reviewing present support provided for rural library services. It may be expected that results can suggest ways in which more effective service can be provided.

"AN EXPLORATORY STUDY OF THE OCCUPATION OF TEACHER OF LIBRARIANSHIP," WESTERN RESERVE UNIVERSITY, $10,983

Expansion of library services in the United States rests upon the capacity of the graduate library schools to train the needed staff. At the present time there are approximately 340 full-time faculty in the accredited library schools in the United States. All of these schools have critical shortages in their staff and each is seeking desperately to attract new staff and to expand their training capacity. However, the continuing shortage of full-time graduate faculty members has continued.

Improved policies and procedures for recruiting faculty and for retraining competent faculty are being pursued by professional organizations and all of the schools involved. In addition, factual and detailed information about present faculties would be helpful in development of additional programs for recruitment and retention of competent faculty.

The project being undertaken at Western Reserve is expected to provide such information. Information will be obtained from all full-time faculty members of accredited library schools. The data will include information about the educational preparation, career choice, career patterns, professional activities, and career aspirations of the faculty.

With the information obtained reports can be prepared which can assist professional organizations and schools to develop more effective training programs for librarians and to improve recruitment and staff policies of the present schools. The study would also provide important information that will assist in further development of the library training program, administered by the Office of Education.

LIBRARY MATERIALS IN SERVICE TO THE NEW ADULT READER, UNIVERSITY OF WISCONSIN, $50,000

The Adult Basic Education Programs, begun in 1964, represent efforts to teach illiterate people to read and write English and to improve their ability to participate in occupational training programs. As advances have been made under this program, it has become clear that new materials for reading by the new adult reader must be prepared so that the person can exercise and apply his newly won skill. Failure to provide reading materials appropriate to the interest level and maturity of the new adult readers has often led to frustration and arrested reading skills. For schools, libraries, and other groups responsible for providing adult basic programs, one of the major problems has been that of finding reading materials for the age levels, limited reading ability, and interest of the under-educated adult. The project under development by the University of Wisconsin is designed to identify materials which are currently available for this population and to suggest additional materials that are required. The project also will try to identify the types of reading situations in which such materials can be used to maximum advantage. Programs of public libraries will be examined to determine the best ways in which local libraries services can be used to help semi-literate adults to further advance their reading skills.

By assisting libraries to develop collections of materials which the under educated readily accepts as important and useful, the project can go a long way toward providing guidelines for extending the benefits of the Adult Basic Education and related programs. The project can be expected as well, therefore, to contribute to improved reading skills and consequently, to the employability of many of the presently under educated adults who are included among the ranks of the unemployed.

A PROGRAM OF RESEARCH INTO THE IDENTIFICATION OF MANPOWER REQUIREMENTS AND THE EDUCATIONAL PREPARATION AND THE UTILIZATION OF MANPOWER IN THE LIBRARY AND INFORMATION PROFESSION: UNIVERSITY OF MARYLAND, $235,190

Shortages of trained personnel continue to remain one of the most serious impediments to the development of required and efficient library programs in the United States. New technologies for processing information are rapidly changing the roles of persons previously trained for library activities. New patterns of relationships between instructional programs in schools and colleges and use of library resources requires retraining of many existing library staff. Finally, development of the information sciences themselves, not yet a decade old, has required reconsideration of the traditional ways of organizing library services and, consequently has led to new training requirements for librarians.

Interest in new approaches to library training to meet current and future manpower needs is expressed in the project now supported at the University of Maryland. Three federal agencies have provided the funds required for this project.

The Office of Education because of the obvious need for examining library curricula and for providing guidance that can be used to help apply funds provided under the Library and Information Training Program more effectively; the National Science Foundation because the availability of better trained librarians will lead to more effective access to the results of the $16 billion spent for research and development by the Federal Government; and the National Library of Medicine because medical library services also will benefit from the opportunity to hire staff with improved training for library activities.

The University of Maryland has provided the leadership for developing the research program with the assistance of an advisory board composed of distinguished administrators, educators, librarians and government representatives.

The results from the project can be expected to lead to major and important curriculum innovations and improvements for college-level training of librarians and information scientists. The nation will benefit from the manpower pool which will receive the benefits of improved training.

COOPERATION IN WATER PROBLEMS BETWEEN STATES

Mr. EVERETT. 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 Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, It has often been noted that water problems do not honor State boundaries. Hence, it seems to me that water resource planning and development requires the highest type of cooperation between States with common interests in such development.

The Chickasaw-Metropolitan River Basin study now being carried out by the Department of Agriculture is a splendid example of cooperation between the

States of Tennessee and Mississippi. The Soil Conservation Service of the U.S. Department of Agriculture is assigned the USDA leadership on this 1,237,000-acre basin study. The Tennessee Department of Conservation and the Mississippi Board of Water Commissioners are cosponsors, representing their respective States. The Shelby County, Tenn. Conservation Board and the nine soil conservation districts in the basin are also among the sponsors. These units of local government will make, I am sure, a major contribution to the basin study.

My colleague, the gentleman from Mississippi the Honorable JAMIE L. WHITTEN, who ably serves as chairman of the Subcommittee on Department of Agriculture and Related Agencies Appropriations, deserves much credit for initiating this basin study that can mean so much to both Tennessee and Mississippi. I am pleased that this study covers portions of three counties that I have the honor to represent. I congratulate Mr. WHITTEN and the States of Tennessee and Mississippi for their foresight in setting up this study.

Mr. Speaker, so that others may know of the details of this study and the high type of cooperation that prevails, I am inserting in the RECORD a story entitled "Tennessee River Basins" that appeared in the August issue of the Mississippi Water News, the official organ of the Mississippi Board of Water Commissioners:

TENNESSEE RIVER BASINS

CHICKASAW-METROPOLITAN RIVER BASIN

The above basin includes all the drainage area of the Loosahatchie River, Wolf River, Nonconnah Creek, and Horn Lake Creek. All these streams discharge into the Mississippi River at Memphis, Tennessee, and three rise in Mississippi. All of Shelby County, Tennessee and portions of Tennessee counties Tipton, Fayette, Haywood, and Hardeman as well as *Mississippi counties* DeSoto, Marshall, Benton, and Tippah are included.

RIVER BASIN STUDY

In 1965 the Shelby County Conservation Board and the Shelby County Soil Conservation District asked the U.S. Department of Agriculture to participate in making a study of the major streams of the Chicakasaw-Metropolitan area. Congress appropriated funds for a River Basin type survey in July, 1966.

The Secretary of Agriculture has assigned overall leadership to the Soil Conservation Service and a River Basin Survey staff has been established at Memphis. The U.S. Forest Service and the Economic Research Service will participate in the comprehensive study. Those state agency cooperators are The Tennessee Department of Conservation, The Shelby County Conservation Board, The Shelby County Soil Conservation District, and the Mississippi Board of Water Commissioners.

OBJECTIVES

The Chickasaw-Metropolitan River Basin Survey is an inventory of the basin's water and related land resources, problems and needs. The information collected will be utilized in the development of a comprehensive basin plan.

The sponsors believe that a comprehensive, coordinated plan for the basin should provide for (1) the sound development and use of Flood plains for parks or greenstrips, agricultural purposes or Urban and Industrial uses (2) development of additional recreational facilities to meet present and emerging demands (3) development of adequate water supplies for agricultural, industrial, and municipal use (4) conservation and development of the land and water resource base.

AREA PROBLEMS AND NEEDS

Flood prevention

Flooding is a major problem on the larger streams and most of the upstream tributaries throughout the basin. Floods damage crops, land, property, utilities and services. The threat of high flood damages has prevented industrial and urban development along the flood plains of the larger streams. Croplands located on the flood plains, of major importance to the economic development of the area, are subjected to severe flooding resulting in loss and damages to crops.

The runoff is irregular, most of it occuring during the late winter, early spring and during local high intensity storms in the summer. In the upper watersheds of the basin there are long periods of low flow, usually at times of greatest need for water.

Erosion and sediment

Erosion and resulting sedimentation create severe problems in many areas of the Basin. Average annual soil losses of 50 tons or more per acre are not unusual on upland fields cropped continuously to cotton and without conservation measures. Steep bare roadbanks have annual soil losses of from 5 to 7 times as much. Watersheds having urban development such as new housing usually have aggravated runoff, erosion and sedimentation problems. Raw gullies throughout the area also contribute to the sediment load, choking main and tributary stream channels.

It is estimated that for every acre of sloping upland in farms in the area, there is an average annual soil loss of about 8 to 12 tons per acre. In the western and central part of the area, the soil losses consist dominantly of silt. In the eastern one-third of the area, large quantities of sand and silt are being eroded from the uplands. This eroded sediment has filled many of the stream channels and in places is covering the fertile bottom land with sand. Since many of the stream channels are filled, flooding is more common and many acres of once productive bottom land are no longer in cultivation. Many areas have grown up with undesirable trees or are idle. In some areas, the erosional debris and flooding has caused some of the trees to die and "swampy" areas are forming. The damaging effects of upland erosion will continue to increase unless action is taken to reduce erosion on uplands. Erosion, therefore, is a two-fold hazard in that it threatens production potentials of uplands soils increasing future costs of crop production and creates off-site problems that reduce potentials for development without costly remedial measures.

Erosion washes some 2,600,000 tons of earth into the basin waterways. This figure represents enough earth to fill a string of boxcars which stretch from Memphis to Little Rock, Arkansas.

Water management

A major problem of the basin is the management and control of surface water to reduce erosion, sedimentation and overland flow. Irregular stream flow ranges from none in dry seasons when there are needs for irrigation to heavy flooding during periods of intense precipitation. There are some problems of pollution due both to sediment and the use of agricultural chemicals. There are needs for clear unpolluted lakes and streams with adjacent areas of natural beauty for outdoor recreation such as water sports, hunting, and fishing. Irrigation water for high-value specialty crops such as vegetables and ornamentals is needed to allow maximum economic development.

Watershed protection

Row crops of cotton, corn, and soybeans occupy a sizeable acreage of sloping cropland in the Chickasaw Basin. Much or this acreage is cropped continuously without adequate conservation measures. Preliminary results of an unpublished soil-loss survey for similar land use and cropping pattern in an area of West Tennessee show an average annual soil loss of 54 tons per acre. Information gathered in the Yazoo River watershed over a 2-year period shows that cotton fields planted in straight rows across the slope lost 58 percent of the rainfall and 195 tons of soil per acre.

Sedimentation resulting from such heavy soil losses causes many off-site damages. Drainage ditches and canals for removing surface water from highways, agricultural land, residential and industrial areas become clogged with silt bars thereby reducing their usefulness and requiring expensive maintenance. Reservoirs for all uses receive this sediment, causing them to fill and stay muddy. This reduces their value for recreation and sources of clean water. Thus, soil losses from sloping unprotected cropland becomes a public problem of great proportion.

Losses to the individual and the total economy of the Basin caused by excessive erosion can be illustrated as follows: Grenada, an extensive sloping upland soil in the Basin, could be changed from a slightly eroded phase to a severely eroded phase in about 18 years if losses continue at the 50 plus tons per acre rate indicated above. This would result in an annual yield reduction of 14 bushels of soybeans, 250 pounds of lint cotton or 30 bushels of corn per acre. At present prices, this amounts to $43.00, $75.00, and $42.00 respectively per acre in lost income caused by excessive erosion.

Land use changes are needed for some areas now used for row crops. Such changes would be to pasture, hay, and woodland. But economic restraints are against such shifts in land use. Absentee ownership and farms owned by elderly persons comprise a large number of the farming units. Many of these farms are rented to individuals that own farm machinery. Leases are on a short-term basis—often year-to-year. Row cropping offers the highest short-term income under this type of leasing arrangement. Too, banks are generally more interested in making short-term loans. This further discourages landowners from making land use shifts to pasture, hay, or timber production.

There are areas of poorly managed and low quality stands of grass and forest land in the Chickasaw Basin. These lands are not contributing their full potential to the economic welfare of the area.

Forest land patterns in the Basin consist of small scattered tracts in the lower reaches and flood plain areas with larger, more extensive tracts in the uplands and headwater areas. The forest areas are almost universally in need of improved management practices to replace deteriorated forests with productive stands of high-value species. Many acres of forest land presently being cleared for soybean production are unsuited for long term crop use. The use of sound land management principles and soil survey data is needed to guide clearing of forest land for row crops or pasture. The present hydrologic condition of upland forest land is far below its potential to infiltrate, percolate, and retain precipitation and must be built up through management techniques.

Many small tracts of privately owned forest land in the lower Basin contribute to the scenic beauty of the Memphis areas. Strategically located tracts selected for management as wildlife, recreation, or forested park areas would maintain some of the rustic natural beauty of the area.

GENERAL PROCEDURE

The survey staff will develop and follow a work outline which includes (1) compiling available basic data, (2) obtaining additional needed data through field surveys or

interviews, (3) liaison with cooperating agencies and local sponsors and groups, (4) developing a Basin plan, (5) preparing reports, and (6) the scheduling of activities to complete the survey within the alloted time which is January to June, 1969.

The survey staff will select upstream watersheds, and then develop a plan for each. It will also develop an overall Basin plan, of which upstream watershed work plans will be integral parts. As of this date all potential watersheds have been delineated. Fourteen watersheds are near study operations now.

COORDINATION

Every effort has been made to fully coordinate all activities in carrying out the studies. The USDA Field Advisory Committee will be directly responsible for this important function. In addition to assured cooperation between all Federal, State, and local interests, further efforts will be made to adequately inform the general public as to the purposes and objectives of the basin survey. In this manner a favorable attitude toward these surveys by land owners and other organizations and groups which may be affected may be accomplished.

Any questions which any of our readers may have concerning the work being carried out in the Chickasaw-Metropolitan River Basin may be directed to Soil Conservation Service, 5119 Summer Avenue, Memphis, Tennessee, 38122.

WHY, MR. WEAVER?

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, last week's rejection of Waterbury as the only city in Connecticut to be excluded from the demonstration cities program of HUD has aroused a predictable and strong reaction among interested civic groups in my home city. These people who are bent upon the improvement of this major municipality have been unable to understand the reason for the discrimination practiced in this case.

As an example of the reaction which I have described, I append to my remarks a copy of a letter which the Greater Waterbury Chamber of Commerce has sent to Secretary Weaver on this subject. I also add a news article from the Waterbury Republican of November 18, 1967, describing the action and reaction of this representative civic organization:

GREATER WATERBURY CHAMBER OF COMMERCE,
Waterbury, Conn., November 20, 1967.

Hon. ROBERT C. WEAVER,
Secretary, Department of Housing and Urban Development, Washington, D.C.

DEAR SIR: The announcement from the Department of Housing and Urban Renewal last Thursday came as a real shock to the people of Waterbury. Inclusion of the cities of New Haven, Hartford and Bridgeport and the exclusion of Waterbury seems to point to some basic error in evaluation of our application or in our presentation of it. The records will show that this city has not shared in urban renewal funds to any degree that the cities mentioned above have.

We strongly believe that a reexamination of the facts in our case is in order, and we urge that your office make a second examination.

The people of this community have supported wholeheartedly the idea of the Model Cities program and have demonstrated this support by full community participation in the development of material and facts for the application submitted to your office. However, it is possible that we have not provided precisely the information sought or that we have not properly documented that which we have placed before HUD officials.

We would like to know from your office where we have failed and why our application was not accepted. Were we lacking in details or specific explanations? Did we fail to enclose enough supplemental material to prove the case of Waterbury's need for these funds?

Since we know intimately of the crying needs of this community for participation in the Model Cities program, we must conclude that for some reason we did not communicate this information properly to your Department.

May we hear from you at your earliest possible convenience with information as to where we failed to measure up?

Respectfully yours,

REX BROWN,
First Vice President.

[From the Waterbury Republican, Nov. 18, 1967]

CHAMBERS "DISMAYED" BY HUD

Expressing dismay at the decision of the Department of Housing and Urban Development, which omitted Waterbury from those cities to receive model cities funds, the board of directors of the Greater Waterbury Chamber of Commerce promised "an aggressive effort" to get federal funds for the model cities effort Friday.

In specific action, the board expressed "its dismay at the announcement by HUD and Secretary Robert C. Weaver to the effect that Waterbury is not to share in model cities funds.

"The elimination of Waterbury in the first phase of model cities allocation, nothwithstanding its relatively limited urban renewal grants of the past, represents a form of discrimination which is difficult indeed for us to accept—especially in the light of the inclusion of the other major population centers of Connecticut," the board said.

"We commend the City Administration, U.S. Rep. John S. Monagan, Sens. Abraham Ribicoff and Thomas J. Dodd, for their efforts in Waterbury's behalf. At the same time we resolve, beginning immediately, to carry on an aggressive effort toward restoration of this community to its rightful place of participation in model cities fund allocations."

RED FLEET MOVES INTO MEDITERRANEAN

Mr. MONAGAN. 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 Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, it is undoubtedly human that in connection with recent events in Europe and the Near East we have centered our attention more upon the critical outburst of force itself than the strategic situations which result. This is especially true with this summer's Arab-Israel war. The United Nations is now working to resolve the military and diplomatic differences of that war, and we hope that a successful result will be achieved.

However, the significant fact for our consideration is the influence which the Soviet Union has gained in that troubled area during the past few months. For the first time in history the Russians have established themselves as a maritime power in the Mediterranean. They even practice a gunboat diplomacy which had been considered outdated. Their increased influence and physical presence will be more important than the outcome of this June's 6-day war, and could well create new issues in the continuing conflict between East and West. In the opinion of many, the presence of the Red fleet in the Mediterranean represents an unparalleled deterioration of Western Europe's strategic situation. With this opinion in mind, I commend to the attention of my colleagues an article entitled "Red Fleet in Med Is the Event of the Year," which appeared in the November 3, 1967, issue of the German newspaper, Christ und Welt:

RED FLEET IN MED IS THE EVENT OF THE YEAR

(By Peter Meyer-Ranke)

Kremlin leaders have given the celebrations of the fiftieth anniversary of the Russian Revolution a markedly military note in view of the international situation. This has been done to encourage friends and deter enemies.

The Soviet Union's sabre-rattling preparedness is being demonstrated all over the Eastern Bloc in a monster show of parading soldiers, tanks and remote-controlled weaponry. The launching of fresh satellites underscores the technological claims of a space power.

This unpeaceful picture of ostentatious strength on the part of the Euro-Asian continental power is accompanied by revolutionary events off the southern shores of Europe.

For the first time in history the Russians have established themselves as a maritime power in the Mediterranean, and not just for show—the new Red maritime might is most active. This factor adds completely new dimensions still frequently underestimated in the West to the dangerously smouldering Middle East conflict.

Only five years ago, in the Cuban crisis, Moscow's first attempt to act as a maritime power in distant oceans, foundered on the maritime predominance of the United States.

Today, in contrast, with Soviet watchdog fishing fleets at home in all waters a Soviet fleet squadron is despatched to the Mediterranean as a political and military shield for the Arab states.

For the second time since the war last June Soviet warships have dropped anchor in Alexandria and Port Said, an example of classic gunboat diplomacy, which had been thought outdated.

The despatch of these warships and the securing of bases are but part of Moscow's maritime policy and complemented by copious arms shipments and the demonstrative Egyptian sinking of the Israeli destroyer *Eilat* using Soviet missiles.

The permanent presence of the Soviet Mediterranean fleet in Egyptian ports is interpreted a little too self-confidently in the West as a move designed to restrain Nasser's Egypt.

There can be no denying its defensive, protective role but one day this could develop into offensive cover fire against Israel and above all against the Mediterranean-based United States Sixth Fleet.

The forebodings of Western naval commands have developed into genuine concern. Since Mediterranean power France is leav-

ing its last remaining North African base, Mers el Kebir in Algeria next year, the Soviet Union has grasped the opportunity to set up new bases of its own on the North African coast.

The two Egyptian ports are not full-scale bases but they suffice for overhauling warships and supplying ammunition, fuel and food.

While the U.S. Sixth Fleet in the eastern Mediterranean has not even been able to dock in Beirut since the June crisis and was barred from all North African ports beforehand Moscow is demonstrating its protective power role in respect of North Africa and the Arab socialist states in the very countries from which, 25 years ago, the Allies began to close in on continental Europe—Egypt and Algeria.

The continued presence of the Red Fleet in the Mediterranean consequently represents an unparalleled deterioration of Western Europe's strategic situation, particularly as it will in the foreseeable future be joined by Soviet aircraft carriers and landing craft.

The operational conditions of the Sixth Fleet, the role of which is not only to brandish the nuclear deterrent but also to cover transport and landing operations, have thus worsened, its freedom to move and operate in the eastern Mediterranean and off North Africa is now limited, its role as a policeman and provider of protection for Western friends in the Middle East paralysed.

The renewed worsening of the Arab-Israeli situation bears this assertion out. While Israel is increasingly coming to see the Soviet Union as the enemy, calculatedly stirring up unrest for political ends, with the failure of fresh United Nations efforts to send a neutral mediator on the Arab side the call for vengeance for the June defeat is gaining in volume.

In Cairo Nasser too is deserting ideas of a negotiated solution for extremism again. No longer is there talk of the urgent need to end the state of war with Israel. The direct peace talks demanded by Jerusalem grow increasingly unlikely. The sole exception to the trend away from talks is King Hussein but for how long will this be the case?

More emphatically than ever before the Arabs are demanding unconditional withdrawal by the Israelis. Under the cover of Soviet naval gunsights they, like the Viet Cong, reject both compromises and the conference table. A second Vietnam is in the making.

While King Hussein is travelling around in the West and in Bonn too imploringly pointing out that increasing pressure is being brought to bear on him at home by extremists and that his country's situation is desperate as he neither can nor will make peace with the Israeli nation he recognized, Nasser by sending his deputy Ali Sabri and a military delegation to Moscow and holding fresh talks with Syria and Algeria is forging fresh and firmer links with the other Arab clients of the Soviet Union.

Captured Soviet shells, fired by the Israelis from captured Soviet guns, have proved able to bring virtually to a standstill Egypt's production of artificial fertilizers and the Suez refineries, which accounted for 75 per cent of Egypt's domestic fuel oil production.

The Israelis have shown that after dealing the Egyptian army a savage blow they are still able to do the same to the Egyptian economy, a tactic to which they did not resort in June. But this threat is now offset by the fear of provoking Soviet missile counterattacks on Haifa and Tel Aviv.

The deterioration of the Middle East crisis thus coincides with the demonstrative acts of the new Soviet maritime power in the Mediterranean. What happens today off North Africa and Israel can tomorrow occur off Cyprus or Greece.

The appearance of the Red Fleet on Europe's southern doorstep in Moscow's anniversary year can justly be described as the event of the year—and not a very gratifying one for the West, either.

VIETNAM AN OBJECT LESSON

Mr. GOODLING. 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. GOODLING. Mr. Speaker, it comes as good news that Gen. William C. Westmoreland has recently announced that the end of the war in Vietnam is in view and that, according to a war master plan, there is an intention to shift a large share of the military load in that area over to the South Vietnamese.

I have—as Members of this House know—consistently urged that the South Vietnamese and their Asian associates take on an ever-increasing share of the military burden in this area. I have also urged that we do everything possible to help in bringing about certain civil reforms in South Vietnam.

Our good position in the war, we are told by General Westmoreland, comes about because of the successes of our military forces in Vietnam operating under some highly difficult conditions. Every one of us has just cause to be proud of the fact that our American boys have once again proved to be unbeatable on the battlefield.

It is also encouraging to note that efforts are being made to bring about certain social and economic reforms, with the newly elected Government in South Vietnam having drawn up broad plans toward this end. American advisers and assistance will prove very valuable in attaining these goals, helping the social and economic achievements to coincide with the successes on the battlefield and bringing South Vietnam closer to being a stable and unmolested country.

We should, of course, guard against being overoptimistic about our successes in Vietnam, for although we have come a long way, there apparently remains a long way to go. It is not a usual type of war that is being fought in that area, for the terrain is difficult to negotiate and the enemy is imponderable and constantly relies on unorthodox tactics on the battlefield. With respect to this war, it was General Westmoreland who said that "it is difficult to conceive of a total military victory in the classic sense."

In any event, it is encouraging to receive this advice on our situation in Vietnam from an authority who has firsthand familiarity with the matter. If we can push forward to a successful conclusion in this area, it will mean that free men will have been spared from aggression and that our American boys who have fallen on the field of battle will not have died in vain.

We should consider our involvement in Vietnam as an object lesson, using it as a guideline for our international relations of the future. We should not let ourselves become what is, in effect, a "policeman of the world," committing our men and money wherever trouble crops out on this globe. Instead, we should stand ready to aid free men wherever they are oppressed by providing assistance that will help them to help themselves, as we are now doing successfully in Vietnam.

If we will do this, then free men the world over will become self-sufficient and clear of oppression, and both the character and image of America will be strong and convincing.

AMERICAN PUBLIC SHOULD BE ADVISED IF HANOI IS BEHIND PEACE DEMONSTRATIONS

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

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, the distinguished majority leader of the House, the gentleman from Oklahoma [Mr. ALBERT], charged Monday night in Atlanta, Ga., that the massive anti-Vietnam demonstration staged at the Pentagon October 21 was "basically organized by international communism" and that "the marchers included every Communist and Communist sympathizer in the United States who was able to make the trip."

Mr. Speaker, this statement apparently is based on the kind of information given orally to Republican leaders of the House by the President at a White House meeting after the Pentagon demonstration. I presume the same information was made available to the Democratic leaders. I subsequently urged that the White House make public the information it has on the true nature of the so-called peace demonstration at the Pentagon. As a result, the Attorney General of the United States visited me in my office and argued against release of the information.

I believed then and I believe now that the American people should be given full information on the degree of Communist participation in the anti-American policy demonstration so that the people may judge just how deep or widespread anti-Vietnam war sentiment is in this country.

If the evidence in the hands of the executive branch of our government indicates manipulation of the peace movement in this country by Hanoi, then the propaganda impact of such demonstrations will be lessened and perhaps destroyed. This would be a highly beneficial result, indeed.

Mr. Speaker, one of the national news magazines has quoted the Secretary of State as saying that the release of this information would trigger a new wave of McCarthyism in this country. I dislike taking issue with the distinguished Secretary of State, but I believe the American people are now mature enough to receive such information and to react without hysteria.

Mr. Speaker, in view of the fact that the distinguished majority leader of the House has made charges of a most seri-

ous nature regarding the Communist role in the demonstration at the Pentagon, I urge that the President order a full report made to the American people on the extent of Communist participation in organizing, planning, and directing the disgraceful display which took place at the Pentagon last October 21. Such a report will be most helpful and constructive to all Americans. In addition, such a disclosure would be beneficial to the well-intentioned Americans who participated in this demonstration not knowing who had organized the demonstrations at the Pentagon and elsewhere throughout the free world.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. HALEY. Why limit it to just this one instance? Why do we not cover the whole waterfront, so to speak? I am sure you will find the same agitators and the same Communist influences in many of these so-called demonstrations where we have seen cities destroyed and lives lost.

Mr. GERALD R. FORD. I am sure that the release of this information by the President would cover more than these worldwide demonstrations that occurred on October 21.

I repeat and reiterate—I think this information which is in the hands of the President and in the hands of the executive branch of the Government should be made available promptly to all Americans.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time in order to inquire of the distinguished majority leader about the program for the remainder of this week and the agenda for next week.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, there is no further legislative business for this week. Of course, under the resolution heretofore adopted, the House will adjourn over until Monday next upon adjournment today.

The program for next week is as follows:

For Monday the following bills:

H.R. 12603, National Visitor Center Facilities Act of 1967—open rule, 2 hours of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment;

H.R. 10337, to amend District of Columbia Minimum Wage Act;

H.R. 14098, to authorize inspection of foreign-registered vehicles in the District of Columbia;

Senate Concurrent Resolution 49, to extend congratulations on the 50th anniversary of Finland's independence;

S. 1003, Flammable Fabrics Act Amendments—open rule, 1 hour of debate, making it in order to consider the committee substitute as an original bill for the purpose of amendment;

H.R. 13489, Credit Union Act Amendments—open rule, 1 hour of debate;

House Resolution 960, to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study; and

House Resolution 971, to authorize the Committee on Post Office and Civil Service to conduct studies and investigations.

For Tuesday and the balance of the week:

H.R. 2275, for the relief of Dr. Samala and to provide for congressional redistricting—agree to Senate amendment with an amendment;

H.R. 12601, Internal Security Act of 1950 Amendments—open rule, 2 hours of debate;

H.R. 13706, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933—open rule, 1 hour of debate;

H.R. 13934, Atomic Energy Act Amendments—open rule, 1 hour of debate;

H.R. 5754, relating to interstate shipments of intoxicating liquors—open rule, 1 hour of debate;

S. 862, Small Reclamation Projects Act Amendments—open rule, 1 hour of debate; and

H.R. 13094, to amend the Commodity Exchange Act—open rule, 1 hour of debate.

Conference reports may be brought up at any time and any further program will be announced later.

DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if the distinguished majority leader can give us any information as to when we might expect the sine die adjournment of this session of the Congress, now that we are rapidly approaching the month of December?

Mr. ALBERT. I am not in a position to give the gentleman any more information than the full and valid information that I have heretofore given him on numerous occasions.

Mr. GROSS. I hope that those occasions will not be too numerous in the future.

Mr. ALBERT. I share the gentleman's hope.

Mr. GROSS. The gentleman has no information as to whether we will be meeting between Christmas and New Year's?

Mr. ALBERT. I have no information. I would be surprised if we did meet between Christmas and New Years.

Mr. GROSS. I thank the gentleman.

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

There was no objection.

REPORT OF REPUBLICAN TASK FORCE ON CRIME

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, under leave to extend my remarks I include three statements prepared by the Republican task force on crime. The first, entitled "GOP Crime Task Force Asks L. B. J. To Disavow Goddard 'Marijuana' Statement," was issued on October 20. The second, dated October 2, concerns the support by the Judicial Conference of the United States the use of court-approved electronic surveillance.

The third, issued on September 27, is captioned "GOP Crime Group Scores Clark as Negative, Obstinate."

The statements follow:

GOP CRIME TASK FORCE ASKS L. B. J. TO DISAVOW GODDARD "MARIJUANA" STATEMENT

According to a UPI story: "Marijuana is no more dangerous than alcohol, Dr. James L. Goddard, Commissioner of the Food and Drug Administration, said yesterday."

Members of the House Republican Task Force on Crime are profoundly disturbed and deeply distressed by the pronouncement reportedly made by Dr. Goddard. His statement concerning the possession and use of marijuana was ill-advised and imprudent.

His office is one of high public trust. His responsibility is to stand between the people and the threats which impure foods and dangerous drugs pose to the well-being of the American society. The mischief of his remarks is chiefly that, if not clearly understood, they tend to legitimize, glamorize, and popularize the possession and use of an unlawful commodity by our nation's youth. Today's parents have problems enough.

Dr. Goddard's remarks are more consequential than those of a private citizen. They tend to assume the authority and the expertise of the office he holds. Whatever his private, personal views may be, the man who holds such an important public responsibility has some duty to refrain from expressing them publicly, particularly when his views are at odds with the statutory law of the land. It is not his function to crusade against laws he may not like but rather to enforce laws Congress may enact.

We believe the President, as a concerned parent himself, will disavow the Goddard statement.

END DEBATE, WITHDRAW OPPOSITION, GOP TASK FORCE ON CRIME URGES

The House Republican Task Force on Crime today introduced legislation which would amend the McCulloch Electronic Surveillance Act to bring it within the framework outlined by the Supreme Court in the *Berger* case, and recently supported by the Judicial Conference of the United States. The Task Force credited Notre Dame University Professor G. Robert Blakey with drafting the amendments.

The GOP crime group called upon the President to instruct the Attorney General "to withdraw his opposition" to use of court

approved electronic surveillance in the investigation of organized crime by federal and state law enforcement officers. Calling the Judicial Conference of the United States support for wiretap legislation "most significant", they stated, "There is no longer a basis for reasonable controversy over the necessity or Constitutionality of this legislation.

"The time has come to end the debate. Now it is time for action," the Task Force declared.

With respect to the Judicial Conference, the Task Force noted that it "is a body of unparalleled prestige" headed by the Chief Justice of the United States Supreme Court. Judicial Conference membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain Federal District Courts. Their report "represents the considered judgment of a purely judicial body" whose members are "in no way spokesmen for law enforcement."

The GOP statement continued, "Their stated position, volunteered and unsolicited, can only be interpreted in one way. *They recognize the need for electronic surveillance in order to effectively fight crime.* Moreover, they recognize that law enforcement can be given this tool within the limitations of the Constitution."

On Tuesday, September 26, the Judicial Conference of the United States formally proclaimed its approval of legislation which would authorize court-approved electronic surveillance during both Federal and State criminal investigations involving organized crime.

The House Republican Task Force on Crime believes that this is one of the most significant statements that has ever been issued on the subject during the many years that it has been debated. The Conference is a body of unparalleled prestige. It is headed by the Chief Justice of the United States Supreme Court. Its membership includes the chief judges of all the Federal Circuit Courts and selected judges of certain federal Districts Courts.

The Conference report represents the considered judgment of a purely judicial body. The members are in no way spokesmen for law enforcement. Their stated position, volunteered and unsolicited, can only be interpreted in one way. They recognize the need for electronic surveillance in order effectively to fight crime. Moreover, they recognize that law enforcement can be given this vital tool within the limitations of the Constitution.

The impact of this report is staggering. As the totally voluntary act of an eminently responsible group, it undoubtedly reflects the deep concern with which its members view the menace of organized crime and the problems of combatting it. It utterly destroys whatever was left of the Administration's position against the court supervised use of electronic surveillance. It underscores anew the virtual unanimity of knowledgeable opposition to that position.

It is our understanding that the Judicial Conference had some reservations about some of the technical aspects of bills that have already been introduced. The point to be made is simply that they are clearly in accord with the spirit and purpose of such legislation.

Early in this session of Congress, Rep. William McCulloch (R.-Ohio) introduced legislation designed to strike the delicate balance between the individual right to privacy and the legitimate need for society as a whole to be protected from criminal acts. The McCulloch bill was essentially prohibitory; yet at the same time it preserved to law enforcement carefully limited authority to employ effective and proven investigative techniques with court approval and supervision. This Task Force has been more active in urging the enactment of this legislation.

In June, the Supreme Court decided the now famous case of *Berger* v. *New York*. At the time we felt the language of *Berger* was a blueprint for a statute which would meet Constitutional demands and an invitation to the Congress to fashion such a statute. It appears that we were correct.

It is the suggestion of the Judicial Conference that such electronic surveillance legislation be drafted with a specific eye towards the *Berger* decision. This has been done. Today Rep. McCulloch and Rep. Richard H. Poff (R.-Va.), Chairman of this Task Force, introduced in the House legislation incorporating amendments to the McCulloch bill which we feel accomplish precisely what the Judicial Conference suggests is Constitutionally attainable.

In large part, the amendments are the work product of a highly qualified and respected legal scholar, Professor G. Robert Blakey of the faculty of Notre Dame University Law School. Professor Blakey's credentials in this field of the law are unquestioned. He was a consultant on organized crime to the President's Crime Commission. He has practical knowledge of the legitimate needs of law enforcement; he is nonetheless abundantly sensitive to individual rights and liberties.

There is no longer a basis for reasonable controversy over the necessity or Constitutionality of this legislation. The time has come to end the debate. Now is time for action. We call upon the President to instruct the Attorney General to withdraw his opposition. It is not too late for this. If that is done, there will be no basis for partisan conflict and we predict that Republicans and Democrats alike, in both Houses of Congress, will unite to speedily enact legislation which is both eminently reasonable and vitally necessary.

GOP CRIME GROUP SCORES CLARK AS NEGATIVE, OBSTINATE

Rep. Richard H. Poff (R.-Va.) and Rep. Barber B. Conable (R.-N.Y.) Tuesday called it "incredible" that the Attorney General continues to stymie the fight against organized crime.

Poff, Chairman of the House Republican Task Force on Crime, claimed the Judicial Conference's support for legislation authorizing court approved electronic surveillance in the investigation of organized crime by federal and state law enforcement officers "should dispel any uncertainty about the consequence and effect of the Supreme Court decision in the *Berger* case. He checked off support already given the Republican sponsored bill—"the Association of Federal Investigators, the National Association of Attorneys General, the National District Attorneys Association, a majority of the President's own Commission on Crime, and the three previous Attorneys General of the United States." Faced with overwhelming support from the chief law enforcement officers of the states, and from responsible authorities in the Executive, Legislative, and Judicial Branches of the Federal government, Poff stated, *"It is difficult to understand how Attorney General Ramsey Clark can persist in the posture he has assumed.*

"It is one thing to be firm and steadfast, it is another to be negative and obstinate," Poff charged.

Rep. Conable, Task Force member, exclaimed, "The federal government should have a major role in fighting organized crime, and the Attorney General should be the leader, marshalling our forces to do battle." Conable noted that "sophisticated and hardened criminals cannot be controlled without sophisticated weapons" and the legal use of court approved electronic surveillance by federal and state law enforcement officers in the investigation of organized crime could be one of those weapons.

LUIS A. FERRÉ AND THE NEW PARTY—THE PROGRESSIVE PARTY OF PUERTO RICO

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] 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 Alabama?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, my colleagues interested in politics and government will be intrigued and stimulated with the knowledge that a new political party has been organized in Puerto Rico dedicated to the cause of statehood. It is known as the New Party or Progressive Party and is free of national affiliation.

This took place on Sunday, November 19, in San Juan.

The bipartisan, nonpartisan nature of the occasion was emphasized by the attendance at that time of both the gentleman from Florida, Congressman FASCELL, and myself.

My colleagues will remember that Hon. Luis A. Ferré led the statehood group to a substantial minority in the plebescite on July 23 of this year. It is only fitting, therefore, that he should help organize this new party.

The program of the meeting as well as the address of my friend, Hon. Luis A. Ferré, and the front-page article from the San Juan Star of Monday, November 20, 1967, all follow:

PARTIDO NUEVO PROGRESISTA—BANQUETE EN HONOR A DON LUIS A. FERRÉ, HOTEL SAN JUAN, NOVIEMBRE 19, 1967

A nombre del Comite Organizador y en el mio propio, deseo expresar a usted nuestro profundo agradecimiento por haber asistido a este acto en honor a Don Luis A. Ferré.

MARIO F. GAZTAMBIDE,
Presidente, Comite Organizador.

PROGRAMA

1. Himnos.
2. Apertura: Mario F. Gaztambide, Pres. Banquete.
3. Invocacion: Lcdo. José M. Menendez Monroig.
4. Presentación de la Mesa Presidencial.

INTERMEDIO MUSICAL

5. Dedicatoria: Ing. Carlos A. Romero.
6. Presentación del Hon. DANTE B. FASCELL, Congresista de Miami, Fla., Lcdo. Carlos Romero Barceló.
7. Discurso: Hon. DANTE B. FASCELL.
8. Presentación del Hon. THEODORE R. KUPFERMAN, Congresista de Nueva York, Dr. Hernán Padilla.
9. Discurso: Hon. THEODORE R. KUPFERMAN.
10. Discurso: Lcdo. Jorge L. Córdova Díaz.
11. Discurso: Ing. Justo A. Mendez.
12. Clausura: Hon. Luis A. Ferré.

DISCURSO DE HON. LUIS A. FERRÉ

Compatriotas y amigos, Es una significativa coincidencia que este banquete de la Victoria, que celebra el triunfo de la aspiración de nuestro pueblo a gozar de una verdadera, auténtica y limpia democracia, así como a ocupar el puesto de dignidad que le corresponde dentro de la Unión Americana como estado de esta gran República, sea el día del descubrimiento de Puerto Rico. Porque el 23 de julio, el pueblo de Puerto

Rico descubrió con el plebiscito, su verdadero derrotero de redención.

Descubrió que necesitaba un instrumento político nuevo para lograr su propósito. Que frente a un partido de gobierno decrépito, ineficiente y reaccionario, víctima del caudillismo y engreído por el continuismo después de 27 años en el poder, un partido nuevo, joven y dedicado a promover al bienestar común, era el único remedio. Que para acabar con una burocracia engreída y desatenta a los urgentes reclamos del pueblo, hacía falta un partido nuevo que sirviera de punto de apoyo a las legítimas aspiraciones de un pueblo sufrido. Que para combatir la explotación de un liderato en el poder, que utiliza su poder político para legislarse pensiones lujosas que amenazan el retiro honroso de miles de fieles servidores públicos humildes, en lo que de hoy en adelante se conocerá como la Ley del Festín Popular, había que crear un nuevo partido que no respondiera a estos intereses egoístas y reaccionarios. Que para la *agricultura*, proteger el pequeño comercio, mejorar le educación y la salud pública, hacer completa justicia al obrero y al empleado público, suspender la persecución a la clase choferil, acabar con la delincuencia, y asegurar el progreso económico de Puerto Rico sobre bases firmes, se necesitaban hombres bien preparados en las distintas disciplinas del saber con sentido de responsabilidad social y con espíritu de dedicación al servicio público.

El pueblo comprendió además que para lograr la estadidad, no bastaba con decir que se quería para mañana, mientras se dejaba el ideal abandonado en el momento crucial del plebiscito, expuesto a una derrota que hubiera retrasado por muchas generaciones, o quizás para siempre, el ideal de estadidad. Que hacía falta enfoques prácticos y realistas, que pusieran en marcha el movimiento hacia la estadidad, en la forma reconocida y exitosa en que lo habían hecho territorios anteriores, y en particular Alaska y Hawaii.

El primer paso para lograr la estadidad, es obtener en un plebiscito una votación mayoritaria para la estadidad. Mientras el Congreso de Estados Unidos no reciba la petición de Puerto Rico de ser admitido como estado, a través del único medio reconocido bajo nuestra forma democrática de gobierno, o sea en un plebiscito celebrado exclusivamente para este propósito, el Congreso no actuará en el sentido de admitir a Puerto Rico como estado. El Congreso y el pueblo de Estados Unidos han dicho repetidamente al pueblo de Puerto Rico, que ellos respetan el derecho nuestro a la *autodeterminación*. Quien asegure que el Congreso va a *imponerle* a Puerto Rico un plebiscito o que va a aprobar un proyecto de estadidad para Puerto Rico sin que medie la petición de una mayoría de puertorriqueños, claramente expresada en un plebiscito celebrado a iniciativa de nuestra propia legislatura, como ocurrió en Hawaii y Alasks, está desorientando a nuestro pueblo y le está haciendo un grave daño al ideal de estadidad.

El segundo paso para lograr la estadidad, es conseguir el endoso bi-partidista de la estadidad para Puerto Rico.

El Senador BARTLETT de Alaska, acaba de expresar hace unos días que Alaska logró la estadidad porque ambos partidos nacionales, el Republicano y el Demócrata propulsaron la admisión de dicho territorio como estado. Por eso el Partido Nuevo Progresista ha decidido mantenerse libre de afiliación a los partidos nacionales, de manera que estemos en condiciones de obtener el respaldo de ambos partidos para lograr nuestro propósito. Simbolizando este propósito nuestro, tenemos hoy como huéspedes de honor, dos distinguidos Miembros del Congreso, uno Demócrata y otro Republicano, como paso efectivo para ir logrando un respaldo bi-partita para la estadidad en el Congreso.

El Partido Nuevo Progresista nace pues, después del plebiscito, como el *único y verdadero* campeón de la estadidad para Puerto Rico, y se prepara para lograrla a la *mayor brevedad posible*. Para nosotros, la estadidad está y estará en "issue" todos los días de nuestra vida hasta que Puerto Rico se convierta en estado. Pero reconocemos que no es suficiente con que una minoría piense así. Necesitamos que la gran mayoría del pueblo de Puerto Rico comprenda que este es su mejor destino político y se decida a demandar la estadidad. Para lograr este propósito hay que llevar al poder un gobierno que simpatice con nuestro ideal. Hay que derrotar al Partido Popular cuyo liderato se opone a que Puerto Rico pueda ocupar como estado, el lugar de igual dignidad e igual derecho que le corresponde por razón de su ciudadanía americana. En el pasado plebiscito el PPD violó los principios básicos de toda consulta al pueblo, que debe ser la imparcialidad del gobierno. El Partido Nuevo Progresista se compromete desde ahora a la celebración de un plebiscito fuera de líneas de partido imparcial y sin coacción en el que nuestro pueblo exprese sue verdadera voluntad.

La debilidad de los argumentos económicos contra la estadidad que ha utilizado el Partido Popular Democrático se ha visto recientemente demonstrada. La tesis del libre comercio, que garantiza el desarrollo de nuestra industrialización, se ha visto refutada por la reciente legislación sobre cuotas de petróleo en el Congreso. Por el momento parece salvado el peligro ¿pero quién puede predecir lo que puede ocurrir en el futuro? ¿Por qué no se puede limitar por cuota en el futuro nuestra exportación de televisores o de zapatos, o de cualquier otro producto? Ya lo dijo el 15 de noviembre el Senador BARTLETT: "Uno de los problemas más graves que la condición territorial o lo de Estado Libre Asociado es que el Congreso funciona como una Asamblea Municipal en relación a dicho territorio, que puede ser beneficiosa si uno tiene un amigo poderoso, o que por el contrario puede colocar al Estado Libre Asociado en una condición mala de *subordinación*."

La negación de los beneficios completos de la Ley de Bienestar Público y los beneficios de Medicare solicitados por nuestro Comisonado Residente, es la mejor prueba de esta subordinación. Poco a poco se va abriendo una brecha política, cada día más grande entre Puerto Rico y los cincuenta estados, condición que le niega a nuestro pueblo los instrumentos effectivos para resolver nuestros graves problemas, de desempleo, salud, educación, communicaciones, etc . . . que como estado estarían a nuestra disposicón bajo, entre otras, las múltiples leyes de Ayuda Regional y para Eliminación de la Pobreza.

No nos dejemos engañar. El problema de Puerto Rico es más serio de lo que se nos quiere hacer creer por el partido de gobierno. Y la gente humilde, que siente el dolor y el sufrimiento de estos problemas, que tiene que abandonar sus familias para buscar trabajo en los cincuenta estados, lo sabe. Y lo sabe también todo el que no se deja engañar por las estadísticas acomodaticias que publica nuestro gobierno. Lo acaba de señalar la renombrada columnista económica Sylvia Porter, a quien el gobierno de Puerto Rico quiso deslumbrar mostrándole un Puerto Rico de éxito inigualada en el mundo, que está muy lejos de la verdad. La Srta. Porter, acostumbrada a utilizar su ojo escudriñador, rápidamente vió la realidad que se vive en Puerrto Rico. Apuntó, entre otras cosas, que nustro desempleo es de un 20% no de un 11%—y que el empleo de mujeres está peligrosamente desproporcionado. Que nuestro presupuesto de educación por estudiante está muy por debajo del presupuesto del estado más pobre, y que el número de estudiantes que abandona las escuelas—antes de graduarse de alta escuela, es un desastroso 75%.

El reciente informe Heald sobre la Universidad es aún más alarmante. El por ciento de nuestro presupuesto dedicado a la educación superior, es la mitad del promedio nacional. Cuando se considera que las universidades privadas en Puerto Rico absorben un por ciento mucho menor del estudiantado que en Estados Unidos, la situación resulta aún más trágica. Y empeora la situación la administración ineficiente de nuestra Universidad, que permite el desperdicio de su capacidad educativa, asignando tan sólo un promedio de diez estudiantes por profesor frente al promedio de dieziocho estudiantes en las universidades americanas. Es este un problema que exige seria meditación.

¿Qué porvenir tiene un niño puertorriqueño ante este grave problema de educación, en un mundo en el que la preparación científica es cada vez un requisito más exigente?

En Estados Unidos continentales el porciento de estudiantes que obtienen preparación científia en el nivel universitario es cada vez mayor. Se estima que para 1975, 14 millones de personas se clasificarán en Estados Unidos como empleados profesionales y técnicos.

Esto es necessario, porque en la era postindustrial del mañana predominarán las industrias con base científica, en sustitución a la era industrial de nuestro tiempo, en donde los requisitos son en parte de carácter práctico que requieren tan sólo destreza en oficios. Pero desgraciadamente, mientras hay la necesidad de elevar el nivel y la calidad de nuestro sistema Educativo, la Universidad, que es la forja de nuestro talento, se desangra intelectualmente convertida en campo de batalla de solapado y esteril adoctrinamiento político.

Si como resultado los jóvenes puertorriqueños no pueden disponer de las iguales oportunidades de estudios científicos avanzados de que disponen los jóvenes de los cincuenta estados, los puertorriqueños se irán quedando razagados, y se convertirán en una población de sub-empleados relegados a *funciones de segunda clase* en la sociedad del futuro.

El Partido Nuevo Progresista está consciente de todos estos problemas y mantiene que es con los recursos que puede poner a la disposición la estadidad para Puerto Rico, que se puede hacer frente a este enorme reto. Por eso es urgente la estadidad para Puerto Rico. Para asegurar el verdadero desarrollo de Puerto Rico hace falta un sistema educativo de alta calidad y de suficiente amplitud, para que no se quede un solo niño puertorriqueño, sin la oportunidad de desarrollar sus aptitudes hasta el máximo, no importa su condición económica o social, no empece que sea pobre o que sea rico, que viva en el campo o en la ciudad. El capital del mañana está en el desarrollo máximo del potencial intelectual del pueblo. Este es el objetivo de la nación americana y para lograr este propósito se está aprobando amplia legislación por el Congreso. Puerto Rico se está quedando a la zaga, porque no es un estado con derecho a participar de toda esta legislación a sus necesidades, que son superiores a las de todos los estados.

No basta con mirar el problema solamente en sus aspectos económicos y materiales. Hay algo más que el pueblo de Puerto Rico ansía, y que no ha logrado bajo su presente gobierno. Es paz espiritual, sentido de dignidad, sensación de haber logrado su emancipación política. Nuestra condición ambigua de no saber hacia donde vamos, el sentido de subordinación a una autoridad que reside en un cuerpo en el que la voluntad de nuestro pueblo no está representada, el enfocar nuestros problemas únicamente desde un punto materialista e interesado, nos condena a un estado de continua zozobra e inseguridad, nos hace sentir inferiores y no nos permite desarrollar los valores espirituales que enriquecen la vida del hombre a plenitud. Nuestro pueblo ha ganado en promedio de ingreso per

capita, pero ha perdido en su capacidad para gozar de la riqueza estética de la vida, de su sentido de trascendencia, de sus nobles motivaciones morales.

El hombre no se satisface solamente llenando sus necesidades materiales. Hay en él una chispa de lo divino que lo hace aspirar a goces más elevados, que dan sentido a la vida dentro del misterio de la eternidad. Hay un impulso que lo dirige hacia el enriquecimiento de su espíritu a través del esfuerzo creador en el arte, hacia un concepto moral de la vida que le permita ejercitar la bondad de su corazón. Pero para lograr este propósito, el hombre tiene que sentirse libre y respetado en su dignidad. Hacia esa vida, de igualdad en la dignidad y goce amplio de nuestras libertades políticas, se dirigen los esfuerzos del Partido Nuevo Progresista. Es un nuevo instrumento de redención de nuestro pueblo en el orden económico, en el orden político y en el orden moral y espiritual. Por eso ha calado profundamente en la conciencia de nuestro pueblo. Por eso en menos de dos meses hemos radicado 60,024 peticiones para inscribir este nuevo partido en 83 de los 87 precintos, en una demostración que no tiene paralelo en la historia política de Puerto Rico.

No dudamos que ante la pujanza de nuestro movimiento, y no empece los obstáculos que se han querido poner en nuestro camino, nuestro partido quedará reconocido dentro de un breve plazo, en justo reconocimiento al derecho del pueblo a escoger los instrumentos adecuados para su redención bajo un régimen democrático. Y ahora compañeros en este patriótico esfuerzo, a trabajar en unión perfecta, con espíritu de sacrificio que Puerto Rico necesita de un nuevo amanecer político y un nuevo derrotero espiritual.

El hombre no realiza la plenitud de su existencia, no se identifica con los valores trascendentes del espíritu que le dan sentido a la vida, hasta que no ha aprendido a dar de sí con generosidad.

FERRE PRESSES FOR ANOTHER PLEBISCITE

Luis A. Ferre said Sunday that statehood is necessary for the "political emancipation" of Puerto Rico and called for a new plebiscite that is "impartial and without coercion."

Ferre, the leader of the New Party, spoke at a testimonial luncheon in his honor at El San Juan Hotel. Approximately 650 people paid $25 each to attend.

Other speakers were Congressmen Dante Fascell, a Florida Democrat, and Theodore Kupferman, a New York Republican.

Ferre was the speaker the people wanted to hear, however, and he pledged the New Party to "the spiritual peace, dignity and political emancipation of the people."

Ferre said there is a lack of direction in Puerto Rico because the island does not have full status as a state.

He explained that:

"Our ambiguous position of not knowing where we are headed, the sense of being subordinate to an authority in which the will of our people is not represented, and focusing on our problems from a position of materialism and self-interest; all this, condemns us to a prolonged state of worry and insecurity, which makes us feel inferior and does not permit us to develop the spiritual values that enrich man's life."

Ferre added that the July 23 plebiscite indicated the need for a new "political instrument" to achieve statehood.

He said that to fight "a decrepit government party, inefficient and reactionary, a victim of one-man rule and full of conceit after being 27 years continuously in power, the only means was a new party, young and dedicated to promote the public good."

"The New Party pledges from this moment," Ferre said, "to hold a plebiscite outside party lines, impartial and without coercion, so our people can express their true feelings."

He said the first step to achieving statehood is to obtain a majority vote in a new plebiscite.

The second step, he said, is to achieve bipartisan support for statehood. For this reason, Ferre said, the New Party has decided not do affiliate with either of the national political parties.

In his remarks, Congressman Fascell said Puerto Rico has earned the right to statehood and "can and will be co-equal with other U.S. states if it wants to be."

Congressman Kupferman said it was clear to him that the new party was—as he put it—"the party of the people that is making the world of tomorrow for Puerto Rico."

THE FISCAL CRISIS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VANDER JAGT] 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 Alabama?

There was no objection.

Mr. VANDER JAGT. Mr. Speaker, for the past several months the Congress has repeatedly been told by administration spokesmen and other advocates of ever higher spending that America—the richest Nation on earth—can afford to have its Federal Government spend billions of taxpayer dollars for foreign aid, billions of taxpayer dollars for poverty, billions of taxpayer dollars for aid to education, billions of taxpayer dollars for health programs, billions of taxpayer dollars for public works, billions of taxpayer dollars for science and research, billions of taxpayer dollars for any other nondefense program that our Federal bureaucracy can dream up. In a general sense I agree we can "afford" each of these programs by itself. What the spending advocates fail to realize or refuse to admit is that while we may be able to afford anything, we cannot afford everything.

Recently the Executive in a press conference acknowledged that in the current fiscal year our Federal Government is confronted with a budgetary deficit in the magnitude of between $30 to $35 billion. His proposed remedy was higher taxes on the American people at the same time he was steadfastly refusing to cooperate with the Congress in achieving economy. In fact, the record of his administration is a clear dedication to higher spending—ever onward, ever upward. He has chided the Congress for its economy efforts and pressured the Congress to approve more and more spending legislation. He has refused to establish any priorities in governmental programs so that in this war period, only those programs of absolute essentiality would go forward and those that were less essential could be deferred. The true cost of spending pressures for multibillion-dollar programs has been obscured from the American people by the administration practice of starting a program amid great fanfare with a relatively few million dollars in initial spending request without revealing the billions of dollars in annual cost that must certainly follow if the program is instituted.

The credibility gap in fiscal affairs is more than just a dollar gap. The credibility gap includes a willfulness to spend that is devoid of any semblance of fiscal responsibility and is wanton in its absence of fiscal discipline.

While up to now the President has been refusing to cooperate in Congress efforts to achieve some economy so that his $30 to $35 billion deficit can be reduced to more manageable proportions, he has been criticizing Congress for its failure to "cooperate" in enacting his tax increase bill. He urges a tax increase in the range of $7 to $10 billion—without affirmative action on reducing spending—as a preventative of inflation, as a safeguard against aggravation of our balance-of-payments problems, and as a "prudent" procedure for dealing with our fiscal problems. That is the essence of his incredible credibility gap. He feints and flirts with the fringes and shuns the hard policy decisions that are so urgently necessary at this time of fiscal crisis.

Mr. Speaker, it is my judgment that the Congress has made abundantly clear its willingness to cooperate with the administration in dealing with these urgent matters. The chairman and ranking Republican member of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON] and the gentleman from Ohio [Mr. BOW], and other members of the Appropriations Committee have worked diligently to achieve the essential economy in Government. Oftentimes their efforts have encountered active administration opposition. Our distinguished and dedicated minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], has been outstanding in the able work and leadership he has brought to efforts to provide solutions to our fiscal crisis. But, Mr. Speaker, no individual nor group deserves greater credit for a sound, prudent, and courageous bipartisan stand on this difficult issue than the membership of the Committee on Ways and Means under the leadership of the gentleman from Arkansas, Chairman MILLS, and the gentleman from Wisconsin, Congressman JOHN BYRNES, the ranking Republican member of the committee. These able legislators have clearly delineated the danger and futility of a tax increase without a spending decrease. They have repeatedly called on the administration for cooperation in developing an effective and realistic approach for coping with our fiscal problems.

Recently Mr. MILLS made a statement concerning the fiscal impasse that has arisen from the administration's refusal to heed the demands of Congress that something must be done about spending as a condition precedent to action increasing the tax burdens imposed on the American people and business community. The thoughtful views expressed by Mr. MILLS merit careful consideration by every citizen. I will at this point include as a part of these remarks the text of Chairman MILLS' speech before the Arkansas Farm Bureau Federation:

EXPENDITURES AND TAXES IN THE CONTEXT OF TODAY'S PROBLEMS

(Address of Congressman WILBUR D. MILLS at a convention of the Arkansas Farm Bureau Federation, Hot Springs, Ark., November 20, 1967)

I had thought my views on expenditures and taxes and those of the majority of the

Committee on Ways and Means were spelled out quite clearly around the first of October. But, since nearly two months have elapsed since the Committee expressed its views, with no action having been taken meanwhile, and in the light of some statements that I have read coming from Governmental as well as private sources, it seems to me appropriate that this position be restated since our position is either misunderstood or intentionally overlooked.

On October 3 of this year of the Committee on Ways and Means by a vote of 20 to 5 adopted a resolution temporarily laying aside the President's proposal for a 10 percent surcharge. At that time it was indicated that further consideration of the tax increase was deferred until such time as the President and Congress reached an understanding on a means of implementing significant expenditure reductions and more effective controls as an essential corollary to the further consideration of a tax increase. Upon such an understanding the resolution indicated that the Committee would again give priority in the Committee's order of business to the President's proposals with respect to taxes.

Shortly after the Committee adopted this resolution, I released a statement making clear my opposition to the consideration of any tax increase without first obtaining a specific commitment for a significant and meaningful expenditure reduction.

Following the Ways and Means Committee public hearings we called the Administration witnesses before us in executive session and explored at length with them possibilities for expenditure reduction. However, the only commitment for expenditure reduction the Administration witnesses were prepared to make was a $2 billion reduction in nondefense spending for the fiscal year 1968. Even in the case of this reduction it was not clear how much of this simply would represent a deferral of expenditures until the fiscal year 1969. I believe that the Committee made it clear in its consideration of this proposal, and I have tried to make it clear since that time, that token reductions are not enough—not nearly enough.

The fact that the Committee in taking these views really reflected the views of the Members of the House—and through them I believe the people they represent—has been indicated by the House action since that time on the continuing resolution for those Departments whose budgets have not yet been provided for by the Congress. You will recall that in these actions the House, by a majority of 238 to 164, went on record as favoring an expenditure reduction of from $5 to $7 billion for the fiscal year 1968. Incidentally, the Administration opposed this effort on the part of the House.

With these views so clearly expressed by both the Committee on Ways and Means and the House of Representatives, I would have expected the Administration to have reached an understanding with the Committee and the House on expenditure reduction. Let me point again to the fact that the resolution adopted by the Committee indicated that the Committee was *temporarily* laying this matter on the table and that further consideration of the tax increase was being *deferred* until the President and Congress reached an understanding on means of implementing significant expenditure reduction and more effective controls. The resolution also made it clear that this matter would again be given priority in the Committee's order of business when such an understanding was reached.

To show its sincerity in the position it took, the Committee has kept its calendar free of all business since the time of the passage of that resolution so that it could promptly consider any proposals of the Administration to implement the expenditure control request of the Committee.

Although I have had a few very friendly and useful discussions with the Secretary of the Treasury and the Director of the Bureau of the Budget since the passage of the resolution, and although I am willing to have additional discussions at any time the Administration would like, I have yet to receive a single specific acceptable proposal from the Administration as to how to implement the expenditure control request made by the Committee.

Reality makes it necessary for me to point out that the time the Administration has already waited in this regard makes action this year impossible. However, this in no way lessens the need for an understanding between the Congress and the Administration for imposing expenditure controls, not limited to fiscal year 1968 but for the duration of the proposed tax increase. Even though the deficit now contemplated is at least three times that predicted in January this year, there has been no real evidences so far in spending in this fiscal year of any change of attitude.

NO EXPENDITURE REDUCTIONS ARE YET VISIBLE

As of this date we have expenditure totals only for the first three months of this fiscal year, or through September 30. The expenditures in these three months under administrative budget concepts amount to $36.7 billion or under the cash budget concept, $47.0 billion. In each case the expenditures amount to approximately 111 percent of the expenditures made in the corresponding three months of last year. Should this relationship to last year's expenditures continue for the remainder of the fiscal year, the administrative budget expenditures would be $139.1 billion as contrasted to the $136.5 billion estimated by the Administration and in terms of the cash budget would be $178.5 billion as contrasted to the $173.9 billion estimated earlier in the year by the Administration. Certainly this gives no suggestion of any real effort to cut expenditures this year despite all of the talk heard to the contrary. Let us hope that when the October figures are published the record will be better. A substantial improvement is required even to hold the expenditure totals down to the totals the Administration has already committed itself to, especially when the $2-billion expenditure reduction it promised is taken into account.

The increase in expenditures which has occurred so far in this fiscal year is, of course, greatest in the area of military expenditures. Here the increase so far this year is 121 percent although we have no assurance that all of this is spending required by Vietnam. Even apart from this, however, administrative budget expenditures through September of this fiscal year are slightly above expenditures in the nonmilitary categories for last year and the increase in trust fund expenditures rivals that of the military. It is 114 percent.

What this demonstrates is that we are still following the policy of guns and butter. To date at least there has been no real belt tightening on the part of the government to match what the Administration is asking of taxpayers generally. Let us hope the 1969 Budget will change all this by setting forth the policy required by present conditions. If it doesn't, notice should be taken now that the present debt ceiling may have to be adjusted upward before the next election if the Secretary of the Treasury is to pay all the bills handed to him. I have my doubts now that the House would readily raise this ceiling before the election.

THE NATURE OF EXPENDITURE CONTROL

Expenditure control in my opinion must be viewed both as a short-term and as a long-term problem. Obviously reductions in the 1968 budget which represents mere deferrals of expenditures until 1969 represent no real economy—although I do not by that mean that I oppose deferring expenditures to the maximum extent possible. On the other hand, promising to reduce appropriations in the future while doing nothing about present expenditure levels could turn out to be the will-of-the-wisp.

I believe that the best way to deal with this problem is to provide for a specific expenditure reduction in the current fiscal year of significant proportions. With the appropriation process having gone as far as it has, and taking into account the fact that we are already into the fifth month of the fiscal year, I see no realistic way of achieving the essential expenditure reductions except by administrative action.

I do not by this in any sense of the word mean to undercut the general Congressional demand for long-term expenditure reduction as well. This, too, I consider essential if we are to continue to take the free enterprise road to an expanding economy—the goal we set in 1963 when the House passed the Revenue Act of 1964, which entailed the largest tax reduction of any Act in our history.

I believe it is vital to reach an understanding that the non-Vietnam portion of our budget, at least to the extent the expenditures are controllable, should be held to the 1967 levels for the duration of the emergency in Vietnam. I might add that I take a broad view of what is controllable since I know that one way to control expenditures is for Congress to change some laws.

In addition, as I have said before, I believe it would be desirable to establish a commission to review Government expenditure programs—both present and proposed, both old and new—to see whether the expenditures involved in the various programs can be justified on the basis of their costs relative to the benefits to be derived from the programs. I believe it is also necessary to evaluate these programs in terms of the priority of their importance. This, however, is a long-range project, and action in this regard must not be confused with the need to act also for expenditure control in the immediate future.

At the same time that we are looking at long-term expenditure commitments we need also to review our budgetary and accounting procedures to find more effective ways of controlling expenditures. In the past we have usually said that the way to control expenditures is by controlling appropriations. But there are practical difficulties in this procedure. First of all, appropriations originating in several prior years can give rise to expenditures in a given year, and appropriations passed when the budget for one year is being considered may not have their major impact until two or three years hence.

In addition, what often happens is that while a substantial effort is made *initially* to control the appropriation totals, supplementals come along later and are adopted—after the attention is largely directed to controlling expenditures in the following year.

All of these problems in translating appropriation control into expenditure control have led me to the conclusion that the Congress, as well as the Administration, should begin to analyze the budget from the standpoint of what is necessary to obtain expenditure control, as distinct from mere appropriation control. It seems to me that only in this manner will we obtain real control over the expenditure side of the budget.

EXPENDITURE REDUCTIONS SHOULD ACCOMPANY CONSIDERATION OF TAX INCREASES

There are several reasons why I—and I believe the majority of the Members of the Committee on Ways and Means as well as the House—believe that expenditure reductions should accompany any considerations of a tax increase. Let me briefly run through the reasons as I see them:

First, if the government is going to ask every consumer and every businessman in

this country to cut back his spending or investment by adding 10 percent to his tax bill, or anything like the Administration proposal, it is difficult for us to see why the government should continue on its "spending-as-usual" program in the area of non-Vietnam spending. There seems to us to be a sense of simple justice in calling upon the government to tighten its belt, at least to the extent that taxpayers are called upon to tighten theirs.

Second, the level of government spending over the years has become increasingly difficult to control. I touched on that before when I suggested that we need to evaluate expenditures programs and establish priorities. What happens is that one program is piled on top of another. New programs are brought in by every new administration while existing programs, in part because of their antiquity, in part because they often mean so much to the beneficiaries, and in part because they are difficult to ferret out, are seldom dislodged. As a result, we not only have increases in expenditures occurring because of population growth or because of demands for new programs, but also because these new programs are piled on top of existing programs, rather than replacing them. When we considered the Revenue Act of 1964, we indicated then and there that we were taking the road of expenditure reduction, the road which maximizes the effort of the private economy and minimizes the expenditures made by the public sector. What many of us fear is that tax increases now make more revenue available for expenditure programs in the future. We fear that tax increases not accompanied with very real expenditure control can divert us from this free enterprise road. This is a diversion in which I am unwilling to be a participant.

Third, for those who are concerned with the size of the deficit—and I am certainly in that category—matching expenditure reduction with tax increases should be highly desirable: it doubles the reduction in the deficit. Not only are the additional revenues picked up, but expenditures are reduced by at least a like amount. Fiscal responsibility is served by such expenditure reductions at least to the same extent as by a tax increase.

Fourth, it is also worth noting that if it is consumer spending that is feared from the standpoint of the inflationary pressures generated, a dollar of expenditure reduction is likely to have a greater impact than a dollar of tax increase. I say this because the tax increase is much more likely, in part, to be offset by a decrease in savings than is true of the dollar decrease in government expenditures.

THE CURRENT ECONOMIC SITUATION

So far this fall many of the economic indicators which the Administration economists had expected to show increased inflationary pressures in fact have not done so. Unemployment, for example, has increased from 3.6 percent in March to 4.3 percent in October. Industrial production declined in September following two months of advances. Plant capacity utilization in the third quarter fell to 83.8 percent, the lowest level this year. Retail sales in October were off a significant 2 percent. Plant and equipment spending next year is expected to increase by only about 5 percent in dollars, as contrasted to 15 percent in 1966, and in real terms no increase is now expected.

Despite these factors, which do not appear to reflect the inflationary pressures previously forecast, we have experienced very substantial price rises. The consumer price index, for example, has risen 2.4 index points from the first of this year through September with substantially more rises to come in the last three months. This can be contrasted with a rise of only 3.1 points all of last year and 1.8 points in the year before. To a substantial degree, however, these price rises reflect what the economists call a "cost-push" inflation and as such tend to reflect increased costs more than increased demands. To the extent this is true, they mirror increases occurring in prior periods rather than in the current period.

MONETARY PROBLEMS

The latest argument for the tax increase proposal is that if taxes are not increased, the Federal Reserve will apply monetary constraints so vigorously as to produce "soaring interest rates and a financial pinch." This is like the small boy who, finding that his own threats don't persuade his playmates, threatens to call upon his big brother.

It may not be an idle threat. Early last year, after a long and strong increase in the money supply the monetary authorities jammed on the brakes. The result was the well-known monetary "crunch" of 1966 which sent interest rates soaring. Instead of attempting to persuade the monetary authorities to resume a moderate growth in the money supply, the Administration came scurrying to the Congress for suspension of the investment credit in order to reduce business demand for funds.

The monetary authorities would be well advised to avoid a repetition of last year's "crunch". The hectic pace of monetary expansion of recent months cannot, of course, continue, but moderating the growth of the money stock, not stopping it altogether, is the course to follow. A repetition of the crunch this year or early next year will indeed have unfortunate consequences in the financial markets, but it will not produce a tax increase. What is causing the trouble we may be in is excessive spending. What has delayed further consideration of a tax increase is continued excessive spending. The Congress will be watching the course of monetary developments and will not again be maneuvered into the position of having to raise taxes to offset the excessive swings of monetary policy.

Whenever the going gets tough for a public economic policy proposal, its supporters call in the balance of payments and "protecting the dollar and international monetary system". We now hear, from persons both inside and outside the Government, that a tax increase is necessary not only to reduce *our* balance of payments deficit but also to support the pound sterling. The fanciful notion that a tax increase of the sort proposed will have any significant effect on our balance of payments in the reasonably near future and that it might contribute to the strengthening of the pound is completely without support of facts.

CONCLUSION

As I have indicated, the Committee on Ways and Means stands ready to consider tax measures proposed by the Administration in relation to all then existing conditions and facts whenever the Administration is ready to consider the expenditure controls we view as essential. This does not mean Congress would automatically pass a tax increase when such expenditure controls are established. Rather it means the Committee on Ways and Means will not further consider tax increases until they are established.

To grant tax increases without the assurance of expenditure controls would in my estimation represent a departure from the program to which I am dedicated; namely, tax reductions over a period of time, made out of the so-called fiscal dividends or normal growth in revenues. I feel that tax increases now—not accompanied by real and significant expenditure reductions and firmer controls—would have a serious long-range impact upon the direction of our economy. I fear it would mean bigger and bigger government with a smaller and smaller range of freedom of activity for the private sector. I do not intend to be a party to this kind of a program.

LATVIAN INDEPENDENCE DAY

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] 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 Alabama?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Saturday, November 18, was Latvian Independence Day, the 50th anniversary of the post-World War I freedom of that little Baltic nation.

Unfortunately, the people of Latvia could not legitimately celebrate the day since they are now held in bondage by the Soviet Union, which claims to have absorbed the three Baltic States as permanent republics of the U.S.S.R.

It is especially significant, Mr. Speaker, that we keep in mind the fact that the people of Latvia continue to suffer under an alien Communist control. The Soviet Union is today the world's only major colonial power holding in bondage the people of Latvia and the other Baltic States, the Ukraine, Armenia, and other non-Russian peoples within the present boundaries of the U.S.S.R.

Since the independence of the Baltic States was relatively short, and Soviet propaganda is attempting to submerge the existence of Latvia, I add as a continuation of my remarks an article published by the Latvian Information Bulletin which is very properly entitled "Latvians Are Not Russians":

LATVIANS ARE NOT RUSSIANS

(By Dr. B. Kalnins)

Denationalization, in other words Russification, is today a great menace to the future of the Latvian nation, said Dr. Kalnins. Foreign invaders have come and gone, and yet the Baltic peoples survived (emerging in 1918 as free Republics of Latvia, Estonia and Lithuania). But since the second Soviet occupation the Moscow regime is sparing no efforts to convert them into Russian subjects not only in political, but also in cultural and linguistic respect.

Dr. Kalnins' analysis of this procedure in Latvia is based on thorough study of Soviet statistics, as well as information from other sources. The Russianization policy conducted by the Kremlin expresses itself first and foremost in constant infiltration with immigrants from the Soviet Union. In view of the fact that the politically most important executive posts are occupied by Russians, the Russian tongue has virtually become the official language in all administrative branches of the Soviet Latvian Republic. This trend is, deplorably, supported by the leading communists of Latvian origin who are nominally in charge, with A. Pelse at the head. Gradual Russianization of the minor Soviet "federative" nations was proclaimed an official doctrine in the program of the twenty-second Moscow Party Congress of 1961. There it says that it is the task of the Party to liquidate national differences among the Soviet peoples by promoting a unified Soviet culture based on a single (Russian) language to replace minority tongues. According to the Soviet Census of 1959, 10.2 million, or approximately 5 per cent of the non-Russian inhabitants of the Soviet Union have reported their home conversation to be Russian. Generally, the minority nations are advised to adopt the Russian language as their "second mother tongue." Since today

a great percentage of the inhabitants of the federal Republics are Russians, or of Soviet origin, resistance to a unified Soviet culture (i.e., Russian) is unreasonable, if not criminal, according to Kremlin philosophy.

The Soviet Census of 1959 and its further evaluation provide some significant information on how far Russianization has progressed during the twenty years since the second Soviet occupation. The results of the census for Latvia were published by Moscow in a separate book issued in 1962. It is characteristic that no Latvian translation of this has been published in Riga. According to this source, there are at present 556,000 Russians living in Latvia. If to this are added Byelorussians, Ukrainians and other immigrants from the east, the total amounts to 640,000, or 30.9% of the population. Members of other nationalities, such as Poles, Lithuanians, Estonians and Jews, constitute 7.1%. Instead of the 93,000 Jews who lived in Latvia before the war (most of whom were murdered or deported during the war by the Nazis, but also by the Bolsheviks), there are today 36,000 Jews, of whom about half are not of Latvian origin. The Russians have settled mainly in towns, where their number now amounts to an average of 48.4%, but in Riga to 54.4%. Only in the rural districts are Latvians still in the majority, though even there non-Latvians amount to 24.8%. The number of Latvians in their homeland has decreased from 1,472,000 in 1935 to 1,297,000 in 1959, or from 75.5% to 62%. According to latest Soviet statistical data, the population of Latvia amounts today to 2.5 million.

The figures here presented severe evidence of a determined Russification policy on the part of Moscow. It expresses itself in various ways: Imposing ever increasing numbers of Russian officials on the administration of the Latvian Communist Party and Government. Today the number of functionaries with high school education in administrative jobs amounts to approximately 22,500 Latvians and 18,200 Russians. Of the members of the Latvian Communist Party 61% are Russians and other non-Latvians. The precipitate industrialization of Latvia under Soviet rule, accompanied by unprecedented urbanization, has attracted a great many Russian industrial workers who then settle permanently with their families. In regard to profession, industrial workers today constitute 51% of the population; 26.1% are occupied in agriculture, and 21.9% in administration. In Riga, where 75% of industry is concentrated, Latvian workers today amount to only half of the labor force. Latvia, and Riga in particular, attract Russians in excessive numbers because of its western outlook. Many members of the Soviet armed forces elect to settle in Latvia after demobilization. Russian families are generally larger than Latvian. Russianization is also promoted by mixed marriages. Furthermore, assets in favor of Russification are invested in the Soviet educational policy of late. Beginning 1958, Latvian students are no longer obliged to attend Latvian language schools, while the study of Russian is obligatory for all. There are still schools based on either Latvian or Russian language of instruction. But parents of Latvian children are now free to send their offspring to Russian schools. Russianization is also promoted in kindergartens and mixed schools with parallel classes in Russian and Latvian where children are encouraged to befriend each other in the Russian tongue.

However, asserts the author, Latvian resistance to Moscow's pressure for Russification is equally strong, the young generation not excluded. In institutions of higher education Latvian students still hold a majority of 64.4%, despite favorite treatment bestowed by the regime on Russians. Dr. Kalnins concludes that the next two decades (provided Soviet Russian domination will last that long) will show whether the Latvian people will be able to maintain their slim majority on their ancient native soil. However, regardless of what the future holds in store, no mass conversion of the Latvian nation to Soviet Russian belief will ever occur, as long as a breath of national spirit prevails. The Red Muscovites of today will hardly succeed where their equally reactionary Czarist predecessors failed: namely, to bend the subjected nations of Holy Russia under the reign of one ruler, one creed, and one people.

Mr. Speaker, as I have indicated to the Members, I will continue to emphasize the cause of Latvia and other victims of communism, since the foreign policy of the United States remains dedicated to legitimate self-determination of peoples. We will not give legal sanction to Soviet colonial rule of Latvia and its neighbor states of Lithuania and Estonia.

THE STATE DEPARTMENT—SOME ABUSES AND RECOMMENDATIONS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in his recently published book, "Memoirs, 1925–1950," George F. Kennan, whose credentials in the academic, the foreign affairs, and the liberal community can hardly be questioned and whose present view toward the U.S.S.R. hews to the "mellowing" line, refers to the purge in mid-1937 in which the realistic "hardliners" in the State Department's Russian division were shunted aside by pro-Soviet replacements:

> For here, if ever, was a point at which there was indeed the smell of Soviet influence, or strongly pro-Soviet influences somewhere in the higher reaches of the government.

In view of the nature of the following remarks this illustration is not meant to infer that the same conditions obtain at State today, but merely serves to indicate that cliques and coteries are nothing new in that Department. However, considering the revelations of the past month or so concerning the Runge and the Philby-Burgess-Maclean spy cases, lax security practices in an agency as sensitive as State warrant review and corrective action. Because some of the outrageous abuses that have been perpetrated at State over the last few years have not received adequate attention or publicity, I think it is advisable to comment on the situation and offer possible recommendations. The unparalleled successes of Soviet espionage over the years should have resulted in a highly refined security system at State, but recent experiences indicate that coverups of security violations and purges of qualified security personnel have provided a possible fertile field for Communist penetration. A brief review of the Philby-Burgess-Maclean case will provide a background against which our own security problems at State should be evaluated.

PHILBY, BURGESS, AND MACLEAN

The vital need for unbreachable security procedures has been pointed up during the past two decades by many cases of defections, disappearances, suicides, arrests, scandals and the like, but nowhere, not even in the phenomenal Richard Sorge case, have there been situations to rival those of Harold (Kim) Philby, Guy Burgess, and Don Maclean.

These three men managed to accumulate well over 50 years of communism and aim their spying efforts at the heart of both British and American security. All three were members of the British Foreign Service and all three managed to defect to the Soviet Union, the land of their allegiance.

Donald D. Maclean first entered the British Foreign Service in 1935, shortly after he left Trinity College, Cambridge, where he had a "distinguished academic record." He was stationed in Cairo. Guy F. Burgess entered the Foreign Service as a temporary employee in 1947. His record at Trinity College was described as "brilliant."

For years the damage done by these men has been either hushed or minimized and their backgrounds said to be clear of Communist leanings, at least in the eyes of the security office responsible for their activities.

To the Communists, however, they were picked up early, doubtless well indoctrinated, and used to their fullest extent. While British security did not know of the Communist sympathies of Burgess and Maclean, the Communists latched on to them at Cambridge.

Vladimir M. Petrov, a Soviet MVD agent in Australia who defected to the west on April 3, 1954, clarified the backgrounds and activities of the two spies in these excerpted statements of sworn testimony:

> Burgess and Maclean were long term agents who had each been independently recruited to work for Soviet intelligence in their student days at Cambridge University.
>
> Their flight was planned and directed from Moscow.
>
> (During a period in London after the War) Burgess was bringing out briefcases full of Foreign Office documents, which were photographed in the Soviet Embassy and quickly returned to him.

Petrov stated that he received this information directly from an assistant in the Embassy, Filipp Kislitsyn, who was involved with receiving the stolen documents. In fact, Kislitsyn was an MVD cipher clerk in the Soviet Embassy in London and, Petrov stated:

> Kislitsyn used to encipher the more urgent information and cable it to Moscow; the rest he prepared for despatch by courier in the diplomatic bag.

This same Kislitsyn was later recalled to Moscow and trained to handle a special one-man section of the top-secret archives.

Petrov continues:

> This section was devoted solely to the great quantity of material supplied by Maclean and Burgess. Much of it had not even been translated or distributed to the Ministries concerned, but Kislitsyn used to show particular files and documents to high-ranking officials who visited his section for the purpose.

This testimony reveals the vast amount of information which the informers passed on. The next question is, of course, What information was involved and what damage did it do?

The cost of the security breaches through which Burgess and Maclean moved is indicated not only by their positions in the respective senior and junior service corps, but by their connections with another British traitor, Harold Philby.

"Kim" Philby's exploits over 30 years as a Soviet agent can be compared only with the celebrated Japan-based spy, Richard Sorge. Philby came to Washington as temporary first secretary a few months before Burgess, an old friend—all three were acquainted from Cambridge. From this vantage point he became the third man in the defection plot. Philby, too, had been thoroughly immersed in communism during his Cambridge days, and like the other two, it took. After leaving Cambridge he took years fashioning an elaborate coverup of his leanings toward communism which included pro-Nazi associations and journalistic service in Franco's Spain. He was so successful that Franco gave him a state decoration which he was known to display.

Philby managed to gain access to British security—the lifetime task given him by the Communists—in the summer of 1941 and was assigned to head up counterespionage in the Iberian section. Philby later became the link between British Secret Intelligence Service and the U.S. Central Intelligence Agency.

It was in this position that Philby had access to a secret report from MI5—the counterespionage section—naming Maclean as the principal suspect in a 2-year-old security leak investigation. The logical chain then had Philby relating the secret information to Burgess and Burgess passing it on to Maclean.

Philby was asked to resign from the British Foreign Service in July of 1951 and the "third man" case, according to Prime Minister MacMillan some time later, was both denied and closed.

Thirteen years later Philby defected to the Soviet Union from his post as journalist in the Middle East with the Economist and the Observer, a position taken after the reported separation mentioned above. But it was at the time of the defection, and now generally believed as common knowledge, that Philby had still maintained working connections with British security and had never been taken off the payroll. This would extend his stint as a traitor to a full 30 years: 1933 to 1963, many of them in the Foreign Service.

I will make a more complete presentation of the backgrounds and associations of Philby, Burgess, and Maclean at a later date. At this point it is more important to examine the effects which lax, or nonexistent, security had upon the history of the world.

There is little doubt that these men not only passed on to their Communist superiors a great quantity of information but information of great value. The full nature and impact of secret documents revealed to the Soviets will never be known even though hushed investigations still ferret out facets of the traitor's work. Nevertheless, it should be emphasized that their actions ultimately involved not only Britain but the United States and directly or indirectly many American citizens.

MAC ARTHUR AND KOREA

To the average American citizen concerned with the problems of everyday life, the subject of espionage is as far removed from his area of responsibilities as putting a man on the moon. To be sure, the CIA, the FBI, and other governmental agencies are directly concerned with problems of this nature, but in the long run John Doe can be severely affected by weak security procedures. The case of Gen. Douglas MacArthur and the Korean war is an excellent case in point.

It will be remembered that some months after the North Koreans had invaded South Korea in June 1950, the U.N. forces under MacArthur smashed the advance of the Communists with the brilliant Inchon maneuver. The invaders were chased back to the Yalu River in disarray and the end of the conflict was clearly in sight. Then the buildup of Chinese Communist troops north of the Yalu brought up the question of bombing the Yalu bridges if the Chinese Reds entered the fray. As history has recorded, MacArthur was denied by Washington the permission to bomb the Yalu bridges and the Chinese communication lines in Manchuria in case of necessity. General MacArthur in his book "Reminiscences" states on page 370:

> For the first time in military history, a commander has been denied the use of his military power to safeguard the lives of his soldiers and safety of his army. To me it clearly foreshadows a future tragic situation in the Far East and leaves me with a sense of inexpressible shock. It will cost the lives of thousands of American soldiers and place in jeopardy the entire army. By some means the enemy commander must have known of this decision to protect his lines of communication into North Korea, or he never would have dared to cross those bridges in force.

Again on page 374 MacArthur referred to the apparent leak in intelligence:

> That there was some leak in intelligence was evident to everyone. Walker continually complained to me that his operations were known to the enemy in advance through sources in Washington. I will always believe that if the United States had issued a warning to the effect that any entry of the Chinese Communist in force into Korea would be considered as an act of international war against the United States, that the Korean War would have terminated with our advance north. I feel that the Reds would have stayed on their side of the Yalu. Instead, information must have been relayed to them, assuring that the Yalu bridges would continue to enjoy sanctuary and that their bases would be left intact. They knew they could swarm down across the Yalu River without having to worry about bombers hitting their Manchurian supply lines.

On page 375 MacArthur quotes Chinese Communist Gen. Lin Piao as later stating in an official Chinese leaflet:

> I would never have made the attack and risked my men and military reputation if I had not been assured that Washington would restrain General MacArthur from taking adequate retaliatory measures against my lines of supply and communication.

With recent disclosures in the British press there can remain little doubt as to who was responsible for the intelligence leak in Washington which so benefited the Chinese Reds. Philby arrived in Washington as British liaison to the FBI and CIA and in November 1950, Maclean came to Washington as head of the Foreign Office's American department. The Washington Post of October 16, 1967, excerpted material from the London Sunday Times relating to Maclean's role in the Korean affair. It stated:

> The State Department has compiled an analysis of Maclean's role at the time which credits him with knowledge of the U.S.-Japanese treaty negotiations and the Korean War strategy.
>
> The State Department accounts says that Maclean was aware of the critical American decision to "localize" the Korean conflict.

Instead of the Korean war ending up as a short and ill-advised fiasco for the Reds, it turned into a long-drawn-out stalemate so costly in American lives. Because of the invaluable information relayed to the Chinese Reds, the Korean war was extended to July of 1953 when the armistice was signed. American losses over the 3-year period amounted to 33,629 battle deaths, 20,617 other deaths, 103,284 nonmortal wounds suffered for a total of 157,530 American casualties. The Korean war is an excellent case in point, as I have stated, of the enormous penalties exacted because of weak and inadequate security procedures when dealing with a clever international adversary, the Communist conspiracy.

OTHER SUCCESSES

Although Korean war information is probably the most graphic of any involving these three Communist agents, Philby, Burgess and Maclean, they were also active in other vital areas.

In 1949, on the occasion of the first U.S.S.R. atomic bomb explosion, Philby and staff reportedly spent 4 days and nights coding and decoding messages between the United States and Britain.

Burgess, in 1946, served as assistant private secretary to an under secretary of the Foreign Secretary.

In contrast and not to be outdone, Maclean served as secretary of the United States-British Combined Policy Committee on Atomic Development. This position gave him nearly unlimited access to the tightly guarded Atomic Energy Commission files in Washington. This access, the London Sunday Times reported, "gave Maclean access to the greatest storehouse of atomic knowledge that there is." Maclean could have, and probably did, leak to the Russians the where and how much concerning Allied purchases of uranium. At this time the United States was engaged in preemptive purchase of uranium since it was thought the supply was limited. He also could have—he certainly had the access—told the Communists that the United States had perfected a method of concerting low-grade ore into high-grade, a fact of certain interest to Soviet scientists.

The same congressional committee

which received the testimony of defector Petrov also reported what might be a totally unpublicized area of Donald Maclean.

The committee reported that it heard in closed session a number of Americans who testified to the activities of Burgess and Maclean. These hearings were "designed to determine the possible involvement of our people here":

[The investigators have] the identity of a long series of individuals who were intimates of the pair here. In this connection, we obtained the desk pad of Alger Hiss which revealed that Hiss had had a date at the British Embassy with Maclean on September 14, 1946.

Should evidence of continued association, direct or indirect, between Hiss and Maclean be found, it would greatly broaden the area to which Maclean had access and also provide multiple channels for passing on information.

It is absurd that security procedures should allow three Communists to function year after year after year, especially when one considers that their university days would certainly make them more suspect than had they not been Communist oriented. But, even being generous and granting that this would have been difficult to trace, security violations of other types should have forced their removal from any position in the Government.

Astoundingly, British security kept no tabs on possible homosexuals, although sexual deviates are prime targets for blackmail. If British security had been concerned with this area, Burgess and Maclean might have been routed from service earlier.

Early in 1950 security authorities informed the Foreign Office that in late 1949 while on a vacation abroad, Burgess had been guilty of "indiscreet talk" about secret matters which he knew. Action against this breach consisted only of a reprimand, and evidently security officers did not followup to determine whether this was an isolated incident.

In addition, both Maclean and Burgess had drinking problems and Burgess ran amuck of the police in Virginia three times in 1 day for traffic offenses. The third time the Burgess car was involved in an accident, police found out the man driving had been picked up along the road, had no license, and was a homosexual with a police record.

Assuming that security missed the fact that Philby became a solid Communist during his Cambridge days, investigation and disclosure of the activities of Burgess would have exposed Philby also, since Burgess lived in the Washington home of Philby from August 1950 to April 1951.

Former CIA Chief Allen Dulles summed up the security violations in these words:

Neither a Burgess nor a Maclean should ever have been allowed to have anything to do with classified matters. Even a reasonably casual review of their activities during the years before their defection should have resulted in their dismissal, and Burgess never should have been hired in the first place.

U.S. INFILTRATION

Circumstances do not permit an extensive treatment of difficulties arising from lax security procedures in our own Government during the war years and into the fifties. Several references, however, should suffice to briefly outline the situation during this period. On August 28, 1953, the U.S. News & World Report carried the full text of a report by the Internal Security Subcommittee of the Senate Judiciary Committee concerning Soviet spy rings inside the U.S. Government. Here is what this highly respected national magazine stated in its preface to the text:

A Senate subcommittee of eight—Republicans and Democrats—in a unanimous report declares that the Soviet Government "has carried on a successful and important penetration of the United States Government and this penetration has not been fully exposed."

Giving details of two Soviet spy rings and intimating that there were two other rings, the subcommittee traces the whole web of espionage involving Alger Hiss and others.

Pointing to a confidential memorandum from the FBI in 1945 which warned President Truman and other officials of the existence of these spy rings with names of persons involved, the committee says that despite the FBI reports "little was done by the executive branch to interrupt the Soviet operatives in their ascent in Government until congressional committees brought forth to public light the facts of the conspiracy.

One of the conclusions reached by the subcommittee stated:

In general, the Communists who infiltrated our Government worked behind the scenes—guiding research and preparing memoranda on which basic American policies were set, writing speeches for Cabinet officers, influencing congressional investigations, drafting laws, manipulating administrative reorganizations—always serving the interest of their Soviet superiors.

At another point the subcommittee observed:

Thousands of diplomatic, political, military, scientific, and economic secrets of the United States have been stolen by Soviet agents in our Government and other persons closely connected with the Communists.

In view of our past experiences in the field of internal security, it is only prudent that all necessary steps are taken to put into effect the strictest security measures. Security risks are not confined to Communist agents or sympathizers alone. In addition, questions concerning false statements, immoral conduct, homosexuality, intoxication, mental defects, and so forth, which are covered by Executive Order No. 10450 are criteria for security judgments. It is not just a question of loyalty but of suitability which is important in security evaluations. Although it is important to determine what degree of Communist infiltration there is in Government, it is equally imperative that we know who is doing what the Communists want done, for whatever reason.

Of course, the Burgess-Maclean-Philby case is just one of many examples here and abroad of the extensive intelligence and spy network which the Soviets have perfected over the years. The New York Times of November 10 carried an article, "Structure of Soviet Intelligence Unit Is Outlined," in which it is stated:

The Soviet Union's State Security Committee, which is the nation's principal intelligence agency, employs 600,000 to 1 million people inside and outside the Soviet Union, according to Western estimates.

I do not wish to belabor the point, but it would seem prudent that all necessary measures would be effected to protect this Nation from the Soviet Union's efforts, and those of the other Communist regimes, to penetrate our security defenses. Unfortunately, indications are that such is not the case.

THE OTEPKA CASE

In September 1966, the American Legion passed resolution No. 150 which dealt with the Otto Otepka case. As is generally known, Otepka was, and still is, nominally Chief of the Division of Evaluations, Department of State Office of Security. State accused Otepka of furnishing certain classified documents to the Senate Internal Security Subcommittee. Otepka asked for a hearing and, almost 4 years later, the case has yet to be resolved.

The American Legion resolution stated:

The American Legion deplores the treatment which Mr. Otto F. Otepka has received at the hands of his superiors in the U.S. Department of State, and commends the action of the Senate Internal Security Subcommittee in its thorough investigation of the Otepka case and related matters, and in its bringing to the attention of the public the true circumstances surrounding Mr. Otepka's dismissal from his important position in the Department of State.

More recently, on November 12, 1967, the Sigma Delta Chi, the professional journalism society, through its advancement of freedom of information committee referred to the Otepka case. One passage from the report states:

A study of this entire case makes it obvious that the State Department was misusing a claim of national security for purposes of hiding or obscuring the record. The record of this case discloses a disgraceful pattern of inaccurate and misleading testimony by high State Department officials. These officials gave inaccurate misleading testimony in connection with security cases. When Otepka gave testimony and produced records proving that superiors had lied under oath, the superiors used unauthorized eavesdropping and wiretapping as well as other police state methods to try to obtain grounds for firing Otepka.

The report went on to state that:

For the four years that this case has been pending before the State Department, the Department press office has engaged in a broad pattern of inaccurate and misleading statements to reporters and interested citizens in an effort to smear Otepka. That outrageous pattern of deception has continued at least through August 1967.

The Otepka case is extremely important from the standpoint of national security. Otepka, an experienced officer in the field of security, firmly and consistently refused to give the OK on certain persons with questionable backgrounds. This is the crux of the Otepka case. In direct contrast to the British security officials in accepting Burgess and Maclean, Otepka placed our national security above possible recriminations from highly placed Government officials. In the face of the estimable danger presented by the Soviet intelligence network, the State Department,

instead of strengthening our security forces, has gone to great length to try to remove an experienced and dedicated employee.

The statements by the two national organizations mentioned above is an indication of the resentment felt by many American citizens concerning the Otepka case. The American Defense Fund of Wood Dale, Ill., has been collecting contributions for some time now to help defray the costs of Otepka's defense. It is estimated that over $20,000 has been spent to date by Otto Otepka in defending himself which would not have been possible except for the help of the American Defense Fund. If the case finally goes to court, three times this amount will probably be needed. And who underwrites the expenses of the State Department? Why the American taxpayer, of course.

There are a number of aspects of the case which will eventually be drawn to public attention. The two State Department emloyees who resigned in the face of possible perjury charges, John Reilly and Elmer Hill, have not been brought to account for their possible perjurious testimony before the Senate Internal Security Subcommittee. On August 8, 1967, the Assistant Secretary for Congressional Relations, William Macomber, Jr., stated in a letter in answer to a congressional inquiry:

I have been informed that the transcript of testimony given before the Senate Internal Security Subcommittee by Messrs. John F. Reilly and Elmer Hill has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses.

When I inquired of the Department of Justice as to how the case was progressing, I received this reply from Assistant Attorney General Fred M. Vinson, Jr.:

In response to your letter of October 27, 1967, this is to advise you that no perjury charges against former State Department employees John Reilly and Elmer Hill have been referred to the Department of Justice for possible prosecution.

In all fairness, I cannot speculate on the apparent inconsistency in the two replies, but you can be sure that a satisfactory explanation will be forthcoming. It appears to be a typical deceptive case of semantics. My reply to Mr. Vinson was as follows:

DEAR MR. VINSON: Regarding your letter of November 8 and your statement regarding perjury charges against former State Department employees John Reilly and Elmer Hill, I feel there is some inconsistency. Possibly it is based on your statement that "no perjury charges . . . have been referred to the Department of Justice for possible prosecution."

This may be truthful as far as it goes, but it does not answer the question. On a letter over the signature of Mr. William B. Macomber, Jr., Assistant Secretary for Congressional Relations, The State Department, he makes the following statement:

"I have been informed that the transcript of testimony given before the Senate Internal Security Subcommittee by Messrs. John F. Reilly and Elmer Hill has been forwarded to the Department of Justice for review and recommendation on possible perjury charges against these witnesses. Since enforcement of the criminal statutes of the United States is the responsibility of that Department, I am taking the liberty of forwarding this portion of your inquiry to Honorable Fred Vinson, Jr., Assistant Attorney General for the Criminal Division, Department of Justice, for further comment."

It does appear that what you say is factually correct, but it does not tell the whole truth. While it is true that no perjury charges have been referred to you, it is my understanding that the entire transcript has been sent to you, "for review and recommendation on possible perjury charges against these witnesses."

Would you please give me an indication of the disposition of your office regarding the factual situation which has been presented to you regarding possible perjury and your proposed action, if indeed any action has been determined.

Sincerely,

JOHN M. ASHBROOK,
Representative to Congress,
17th District.

Another aspect of the Otepka case which demands attention is the classification of the transcript of the hearings which the State Department claims is not a public record. I am still awaiting a reply as to what classification marking appears on the transcript and under what regulation the transcript classification falls.

Still another matter in the case calls for further clarification. The State Department originally levied 13 charges against Otepka, some of which concerned the mutilation of documents, a Federal offense. At the outset of the hearings, State dropped the mutilation charges against Otepka. One explanation of State's sudden change of mind was supplied by the Government Employees Exchange, a publication which has done excellent work on the Otepka case, in its May 31, 1967 issue:

The informant added that the reason for the recommendation is Mr. Jaffe's fear that Mr. Otepka obtained positive information regarding the identity of the person actually involved in the "mutilations" and, in the event the charges are maintained in their present form, he will be able to expose the persons at the hearings. In this event, the Department of Justice will have no choice but to bring criminal proceedings against the persons so exposed.

The Exchange continues with its very interesting account:

In turn, these persons have already indicated they will reveal the identities of the "top persons" in the Department of State who had instructed them to "mutilate" the documents and to "plant them" in Mr. Otepka's burn bags in such a way as to make it appear that Mr. Otepka had carried out the mutilations.

The question naturally arises as to who actually committed the mutilations. If Otepka is guilty of this Federal offense, then why has the case not been referred to the Justice Department? Or, if Otepka is innocent, why have charges not been preferred against the real culprits? Here again, this is another aspect of the case, which will bear exploring.

The case of Otto Otepka is most important for another reason. As a civil service employee, Otepka is but one of hundreds of thousands of American citizens in the employ of the Federal Government. If Otepka can be subjected to such disgraceful treatment with impunity, what chance has any civil service worker for fair and honest treatment? How many Federal workers will be willing to endure the anguish of a possible 4-year contest with the Federal Government with the expenditure of thousands of dollars at their own expense?

In addition, what other atrocious vendettas will State Department people be encouraged to try on recalcitrant fellow employees, if the Otepka case is not accorded a fair and equitable solution? Plainly, the virtues of individual responsibility, integrity, and loyalty to the Nation will suffer inestimably.

THE KOCZAK CASE

It is not a secret that the challenge of "cleaning up the State Department" has been avoided by a long succession of Presidents. And it is equally disturbing that an equal number of Congresses have also shunned this needed job.

When it happens, and it must eventually, the housecleaning of the State Department must, of course, begin in personnel procedures. It is this area where the cliques infiltrate, control, and survive. It is here that dissenters can be excluded and followers promoted; mistakes covered up, and injustices hushed.

It is no mere coincidence that a British system that brought Burgess, Philby, and Maclean into its Foreign Service because they were of the right family, school, and club, also has a counterpart within the citadel of Foggy Bottom. Their purposes, too, are the same: to promote "insiders" and provide a firm basis of self-support.

The system is such that the heart of the State Department, the Foreign Service personnel, can be subjected to gross injustices, fired—State's term is "selected out"—and be excluded from their chosen job without recourse to any type of just appeal. The threat of such adverse action hangs daily over the heads of each FSO, and is undeniably more tenuously supported over the heads of conscientious, dedicated men who are, nevertheless, outside the ruling groups.

Right to appeal would seriously hinder the ruthless and unwarranted "selection out" weapon used in the State Department. Without appeal there is a deplorable tendency to "follow along," "not rock the boat," and in effect, subordinate one's better judgment for the sake of one's position.

As stated by John F. Griner, president of the American Federation of Government Employees before the Pell subcommittee studying appeals procedures:

There has always been a problem in the Foreign Service that individual foreign service officers subject to and threatened by "selection out", without any procedures for formal appeal, might conclude that for their own survival in the service it was more to their advantage to approve the policies indicated by their superiors rather than to make recommendations which are the result of trained investigation and careful analysis.

Mr. Griner also quoted Gov. W. Averell Harriman on "selection out" procedures:

Here again, in the process of "selection out," the application of the system can be more fairly applied. I have noted that men have been given low ratings because they haven't gotten along with one individual when others have given them high ratings. If a man happens to be judged at a time when he has worked for a man who doesn't under-

stand him or disagrees with his view he may be "selected out" for reasons which are not sound.

As a matter of fact, I think more consideration should be given to who writes the efficiency reports on Foreign Service Officers. I went over some of them a while ago, and in one case, I found that in recent years, one man had been put in the lowest 25 percentile during two years, and in another two years, he had been put in the top 10 percentile. It was the same man, a man who had been in the Service a considerable period of time, and he had not changed his ways or his judgments, but he worked for a different boss.

Mr. Griner also quotes a report prepared by Yale professor, Chris Argyris, which must have bubbled the mire in Foggy Bottom. It is even more blunt. Here is another selection from that presented to the Senate subcommittee containing comments from the Argyris report.

A report prepared by a Yale University professor, Dr. Chris Argyris, based on a series of conferences in 1965 with 60 senior Foreign Service Officers—many of them ambassadors or deputy chiefs of mission, that is, the "cream of the Foreign Service"—also confirms our views about the harmful professional impact which "selection out" without an appeals procedure has on Foreign Service officers. In his study, entitled, "Some Causes of Organizational Ineffectiveness Within the Department of State," Professor Argyris stated that after officers had been in the foreign service for a few years, they "soon came to write careful and innocuous memos"; to "round the sharp corners off the telegrams"; they also "learn not to make waves"; they "minimize risk taking"; they "fear taking responsibility"; they "play the game."

One officer told Professor Argyris the following:

All this talk on being open and leveling is nice—and I'm for motherhood, too. But, I can tell you, if you get the reputation of having lost some important battles—no one wants a loser. The word gets around and you have been ruled off the promotion lists. Soon you learn. If you want to get back on, be less open and less candid.

Pressures to fall into line, pressure from the top of the clique, will ultimately affect both foreign policy and security. The most well known, and, probably the most important from the standpoint of publicity and effect, is the case of Stephen A. Koczak. In selecting out Koczak the State Department uncovered a case of both loose security and poor policy management.

In outlining the Koczak case it will be helpful to work from the present into the past.

Stephen Koczak is today a "selected out" Foreign Service officer who knows he has been wronged, and is doing his level best to gain vindication. In other words, he is putting up a fight against the State Department establishment. One can only guess at how many good men do not fight.

Koczak was "selected out" of the State Department in 1966 after 19 years as a veteran FSO. An honor graduate of Harvard, Trenton-born Koczak gained a measure of international fame in 1949 when he was expelled from Hungary by the Communists after they charged that he served as the intermediary between Hungarian Cardinal Mindszenty and the U.S. Minister to Budapest.

Koczak began to have his $18,000 a year job pulled out from under him while serving as head of the political section reporting on Communist East Germany in Berlin in 1960–61. Involved against Koczak are persons directly connected with the notorious "Warsaw sex and spy cases" including the celebrated Scarbeck-Discher scandal. Scarbeck, it will be remembered, was second secretary of the U.S. Embassy in Warsaw, Poland. After being surprised in bed with his mistress, Scarbeck agreed to collaborate with the Polish Government. It was here, too, that the marine guard was compromised by female, Communist intelligence officers and the Embassy thoroughly bugged by the Communists.

Koczak came to Berlin in 1960 following a promotion and assignment for the State Department after "brilliant" work in Israel where he was stationed during the Suez crisis of 1955. He was made head of the political section as well as Deputy Chief of Eastern Affairs at the U.S. mission in Berlin.

Koczak's immediate superior was Thomas A. Donovan, who was reportedly transferred to Berlin in September of 1960 because of allegations made by U.S. marine guards who implicated him in illicit associations with Polish women suspected of being Polish agents. Ranking as head of the U.S. mission and the superior of both men was E. Allan Lightner, later Ambassador of Libya and now Deputy Commandant of the National War College. In between Lightner and Donovan was Howard Trivers.

Following his sudden transfer, Donovan still kept ties with Warsaw. Koczak frequently traveled from West Berlin into East Berlin on official trips. His boss, Donovan, would go with him. From East Berlin, Koczak discovered that Donovan would place calls to Communists in Warsaw. These calls were never reported by Donovan to colleagues in West Berlin, nor were they reported to Ambassador Jacob Beam in Warsaw, the receiving end.

Koczak's career as a Foreign Service officer started toward its end when, in addition to the phone calls, Donovan made an unauthorized trip to Warsaw at the exact time when Khrushchev aided by the Polish Government, launched his drive to expel the United States from Berlin. This was too much for Koczak who reported the breaches of security and of orders to Howard Trivers, deputy chief of the mission in West Berlin and Donovan's superior.

By asking Trivers to bring to the attention of Ambassador Beam the phone calls and the unauthorized trip of Donovan, what Koczak termed the "exceptional circumstances of my superior's—Donovan's—telephone calls and his unauthorized trip to Warsaw," Koczak was rewarded with an exceptionally low efficiency rating.

Koczak has stated that he chose going over his boss' head with the problem after facing this dilemma: if he kept silent about the clandestine trip and phone calls, he might be party to a security risk; if he chose to talk with Trivers, he would be a "squealer." Ironically, nothing happened. There was no reaction from Trivers, so Koczak decided to go even one higher, to Lightner. But, to his dismay, both Trivers and Lightner advanced the argument that Donovan had taken advantage of lower telephone rates in East Berlin. Presumably, there was no justification advanced for the unauthorized trip and this item was merely suppressed.

Characteristically, Koczak learned that Trivers had not informed Ambassador Beam of Donovan's activities, and had even failed to inform Lightner.

Information compiled in the years since have indicated that Koczak was definitely up against one of the cliques within the State Department and it was probably futile to attempt to maintain good security if it meant danger to an "insider."

Although Koczak had been in the top 10 percent of the personnel, Donovan gave him the low rating in 1961 and an even lower rating in 1962. Koczak was told in March 1963 that he had been "selected out", in his case, retired. Although he fought for and gained reinstatement, the State Department came back in 1964 with another, and final decree which even letters to the President could not overrule.

The security involved in Donovan's calls and visits to Warsaw, and the fact that nothing was done about the breach, indicates the overriding considerations which insiders can use to shore up the failings of one of their boys.

While Koczak was retired, Donovan was given a good assignment in the Department's Bureau of Intelligence Research, even in the face of serious charges that he was implicated in the Warsaw scandal—and therefore shipped to Berlin—and subsequently continued his contacts with the Polish Communists. It has been reported also that while in Warsaw, Donovan's apartment was "bugged" by Polish intelligence, Soviet intelligence, and even the CIA.

In addition to Donovan's continuation in State positions, Trivers and Lightner are also going their merry ways; Trivers is now the consul general in Zurich and Lightner Deputy Commandant at the National War College.

The reasons why Donovan was not fired after his Warsaw escapades, and why Trivers, Lightner, and Ambassador Beam run such similarly loose ships, can only be that they are a few of the insiders. It has been pointed out that Beam, Lightner, and Trivers all graduated from Princeton within a year of each other. In fact, common usage has come to identify one of the cliques in the State Department as the "Henderson-Princeton pack." The Henderson here is the former Under Secretary for Administration, Loy Henderson, who is supposed to have engineered the reassignment of Donovan from Warsaw to Berlin following a request to this effect from Trivers and Lightner.

Although Koczak has come up against the power of this inside group, he also appears to have caused another faction dire concern; this group having the title of the "Macy-Crockett camp."

The security problems posed by these self-promoting groups are obvious. Less

obvious is the problem of poor policy judgments which can be fostered by excluding some officers or, at the least, disregarding their individual judgments. Again, the case of Stephen Koczak as an example.

Koczak, in his position as political officer, predicted that the Berlin wall was going to be built, and presumably passed his predictions—with justifications—on to his superiors. On August 12 Koczak was talking with a news correspondent and stated that he would not be surprised if the Communists began the wall the next day. It would seem that while the administration was shocked when the wall did go up the next day, Koczak's information should have mediated this blow. Granted, luck was involved but there was also sound judgment and efficient, if not brilliant, work behind the statement. One can only assume that the clique did not approve in some way and the information was never passed on or properly examined.

Few will ever know what action might have been taken had the Berlin wall been planned for and an effective countermeasure ready.

At the center of the Koczak case is the misuse of the efficiency report system, now expanded to include the so-called development appraisal report. In the past it has been a secret item, and in Koczak's case he charges that his records were manipulated to such an extent—in attempts to justify his selection out after years of service in the top 10 percent—that its contents were in part destroyed, forgeries made and backdated and then substituted for originals. In addition, Koczak charges that his file contained a statement that he had read the full report when, in fact, he had not.

The newer development appraisal report has been made available to the individual concerned only since June 1967, and this action by the State Department came only after pressure from the American Federation of Government Employees which stated more than a year and a half ago that the report was startling, dangerous and secretive. But even now the report can be seen only in Washington and even at that, the writer cannot be confronted by the person who may be charged. For the Foreign Service officer overseas, it may be years before he even sees his report. This assumes that State will continue to allow officers to read the report even under these highly limited conditions.

Add to this the fact that the development appraisal report is today the principal criterion on which promotion or selection out is based. Here again are Mr. Griner's statements, this time on the report and the selection boards which pass judgment. As can be seen, not only is the report an atrocious weapon, but the horror is compounded by the built-in inadequacies of the selection board:

We have also carefully examined the methods, procedures, and composition of the Selection Boards which rate officers for "selection out" as well as promotion. At the outset we wish to call attention to the fact that the Boards are primarily composed of Foreign Service Officers whose own future assignments, careers and promotions may very well depend on the way they perform on these Selection Panels. This alone is itself already a situation which needs safeguards through an appeals procedure to prevent bias and favoritism. Not only is the composition of the Panels a matter of criticism, but the Board's procedures are unsystematic, haphazard, and we believe, unenlightened. We are told that hundreds of efficiency records, each containing up to as many as twenty individual annual and other reports, are assembled for each Panel. To these are added further hundreds of so-called Development Appraisal Reports, whose illegal institution we have already condemned in the past. Moreover, none of the Development Appraisal Reports written in the past three years were seen, we wish to note, at the time of writing by the Officers; many have not been seen in the interval. Some may never be seen by the officers being rated.

All this vast assemblage of unseen, unsystematic material is given to the respective Panel for each class; each of the five or six Panel members then proceeds to ⅕ or ⅙ of these heaps of records, sorting them into three piles—one pile, usually approximately ten per cent, is accumulated for persons tentatively considered for promotion; one pile, also usually approximately ten per cent, is for Officers tentatively considered for "selection out." And a third pile, usually seventy five to eighty per cent, is put away not to be read again unless some special message comes from the personnel office suggesting the reread ing of certain files. These will be neither promoted nor "selected out" that year.

Comments we have received from Panel members indicate that dreariness, boredom, and fatigue soon overtakes them. None of the persons being rated ever appears individually—the names thus are faceless. No one knows for sure whether the reports themselves are accurate or not. No one can even meaningfully ask whether the reports are authentic, or, as one person has publicly charged, whether they sometimes contain even forgeries.

It is important that Stephen Koczak have his day in court against his accusers, but his case points up more than just one man fighting the establishment. It also reveals the "system." It is this system within the State Department which must be the target of Congress, and it is through elimination of this system that the Government and the people served will gain better foreign policy, tighter security, surer personnel practices, all through better men allowed to work in a clean, competitive environment.

OTHER U.S. CASES

If the State Department would expend as much energy in ridding its ranks of security risks as it has in the Otepka and Koczak cases, the Philbys and Macleans might not be of such importance. Clark Mollenhoff, the Pulitzer Prize winning reporter for the Des Moines, Iowa, Register and one of America's most fearless reporters, listed 14 cases in the Register of October 4, 1967, wherein violations of security procedures were charged. Here again it must be stressed that security risks are not confined to Communist affiliations or sympathies alone. Issuing of false statements, immoral conduct, homosexuality, intoxication, and mental defects are bases for adverse security judgments. Among the violations mentioned by Mollenhoff are these:

1. A security officer stationed in Athens, Greece, who failed to report a large number of security violations yet was appointed deputy chief of the Division of Security Evaluations at the State Department.

2. A security officer who withheld information from his superiors concerning the loss of classified documents by an American ambassador. The officer was not censured and was promoted to be a top lieutenant of Reilly.

3. A security officer stationed in Moscow who permitted himself to be enticed into the apartment of a Russian woman, an agent for the secret police. The secret police used concealed cameras to photograph the American and his nude companion and tried to get him to spy for the Soviet Union. He never was criticized or disciplined.

4. A foreign service officer who admitted to security officers and State Department medical authorities that he had engaged in homosexual acts. The medical officers found him unfit to serve abroad because in their judgment his homosexual tendencies made him a potential security risk. He was sent abroad, however, and was assigned to a critical post behind the Iron Curtain.

5. A foreign service officer stationed in Mexico and Caracas, Venezuela, who was guilty of a series of incidents of sexual misconduct, including an affair with the wife of the ambassador of another nation. His conduct was excused by State Department politicians.

6. A man dismissed as a security risk by the Mutual Security Agency and characterized as having "a rotten file," who was appointed to a State Department position and given full security clearance.

7. A foreign service officer who admitted he furnished 18 documents, some of them classified "secret" to Philip Jaffe, the publisher of Amerasia magazine and on whom there was a considerable record of Communist activities and affiliation. The officer was permitted to take an honorable retirement and pension.

In two other cases mentioned by Mollenhoff the subjects are still with the State Department. In one case the Foreign Service officer concealed the fact that he had been a member of the Young Communist League and the Communist Party. In the other case a Foreign Service officer stationed in an eastern European post admitted homosexual tendencies and other personal misconduct but was given responsibility for supervising the Marine guard personnel and protecting all safe combinations at the American Embassy. His negligence permitted foreign agents to have access to classified reports at the Embassy. He was not disciplined, received normal promotions, and, like the other case listed above, he is still with the State Department.

In connection with security risks at the State Department it is only fair to state that each year this subject is reviewed by the House Appropriations Subcommittee which reviews State's appropriations requests. Each year State provides the number of employees who have departed from the Department for security reasons of various types. However, the testimony before the subcommittee is briefly dealt with, as it must be, because of the very large volume of work handled by the subcommittee. The number of risks per year is not the prime consideration here, for how can one measure the value of one Philby or Maclean in terms of lesser security risks. What is important is the nature of the present security system with its downgrading of strict security precautions, the waiving of security checks for questionable persons, and the elimination of hardheaded employees who place national security above Department pressures.

Concerning the above-mentioned subcommittee and its annual inquiry into

the security risks in the State Department, the Government Employees' Exchange reported in its issue of July 26 of this year that reference to one "admitted homosexual" was omitted in testimony before the subcommittee earlier this year. This officer was included on the 1967 Foreign Service promotion list and his promotion to a FSO-1 was confirmed by the U.S. Senate.

Another account of this case was placed in the CONGRESSIONAL RECORD on November 3 by the gentleman from Iowa, Congressman H. R. GROSS. This account by Clark Mollenhoff, of the Des Moines Register, reports that the officer had admitted his deviations to security officers and that a State Department medical team warned that as a "latent homosexual" he should not be placed in any position where sensitive security matters are handled. In answer to a congressional inquiry State replied that the man had "a valid clearance, and is not currently under investigation." According to the Government Employees' Exchange, this case has been referred to the appropriate committee, and I am hopeful the the circumstances surrounding this case will be brought to public attention and corrective action taken.

THE ROSTOW CASE

Another case which has a direct bearing on security matters is that of Walt W. Rostow, now a special assistant to the President on national security affairs. According to various press accounts just recently, Rostow was refused a security clearance three times in the 1950's. Rostow, in turn, stated, according to the Washington Post and Evening Star that:

> From 1951 onward, I had continuous security clearance from various agencies of the Federal Government.

Senator STROM THURMOND noted in the CONGRESSIONAL RECORD of October 19 that Rostow's reply was not "responsive to the allegations presented by Mr. Otto Otepka in his brief filed recently before a State Department hearing." It is claimed that 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. Senator THURMOND pointed out:

> Anyone who knows anything about security clearances knows they are granted for various degrees of accessibility 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.

Senator THURMOND further observed that:

> 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.

This is not the first time that Rostow's clearance has been questioned. In June 1962, Everett S. Allen, staff writer for the New Bedford, Mass., Standard-Times and winner of a National Headliners Award for outstanding achievement in journalism in 1959, had a series of eight articles, entitled "What's Wrong With the State Department?" published in the Standard-Times. The series was the result of 18 months of investigation and interview and was shortly thereafter inserted in the CONGRESSIONAL RECORD by the gentleman from Massachusetts, Congressman HASTINGS KEITH. Concerning Rostow, Allen stated in article No. 7:

> A well-informed former State Department official, with more than a quarter-century's experience with the Federal Government, made certain statements to me regarding the professional qualifications of Walt W. Rostow.

Allen went to the State Department and placed these statements before them in the form of questions. The substance of State's reply was, in Allen's words:

> There is no record of any denial of security clearance by the State Department security office or by an undersecretary in a previous Administration. The department felt it was not appropriate to comment further on what happened in a previous Administration.

As was mentioned above, Herbert Hoover, Jr., was Under Secretary of State in 1955, and it was he, according to the Otepka brief, that denied to Rostow the high level security clearance to attend OCB meetings. It would appear then that if the charges of three security rejections against Rostow are true, then "an undersecretary in a previous administration" was definitely involved, contrary to the above statement by the State Department.

WHAT'S TO BE DONE

It is quite evident that the task of enforcing strict security regulations on executive agencies is primarily one for Congress. By means of investigation and legislation changes can be made as in the case of the National Security Agency several years ago. It will be recalled that when two NSA employees, Bernon Mitchell and William Martin, turned up in Moscow as traitors, the House Committee on Un-American Activities uncovered evidence that far more was involved than just the fact that two NSA employees had defected to the U.S.S.R. With the purpose of strengthening security laws and in performance of its legislative oversight authority, the committee launched an investigation of NSA security practices which consumed 2,000 man-hours of its investigators' time, and which covered 15 States, resulting in a total of 16 separate executive hearings. The outcome of the committee's effort was the initiation of 22 corrective security steps on the part of NSA. Legislation was drawn up based on the committee's recommendations and is now Public Law 88-290. NSA's Director of Personnel, who had falsified information on his form 57 and then covered it up, resigned and the dismissal of 26 individuals because of sexual deviation was effected. The committee's annual report for 1961 stated in part:

> Former investigators for agencies which conduct background inquiries of NSA employees told of homosexuals and sex deviates within the Agency. They related how difficult it was to check on some NSA personnel because often the only references given by employees were personal friends or fellow employees.

The report then cited a condition which could well be applied to cases in the State Department:

> The most outspoken complaint against NSA by former investigators, however, was that occasionally, prior to the committee's investigation, when derogatory information was uncovered during background investigations, responsible officials in the Office of Security Services ignored it.

The similarity to the State Department lies in the fact that security precautions were ignored, both here and abroad. Worse still, some of those who undertook to enforce strict security procedures were subject to various devices calculated to remove them from their positions.

The most recent and comprehensive investigation of security at the State Department was carried out by the Senate Internal Security Subcommittee, a subcommittee of the Senate Judiciary Committee. Had it not been for the persistent efforts of this body, and Otepka's refusal to make a "deal" with State, much of the information now made public would have gone uncovered. On November 6 of last year, after the subcommittee had released the 20th part of its hearings on State Department Security, Willard Edwards, the Chicago Tribune's experienced Washington reporter, stated:

> The subcommittee, it was learned, is now working on a report which will draw conclusions and make recommendations based on the 1,500,000 words of testimony it took in the Otepka case. The task is enormous and will take months. The eventual report will be from 50,000 to 100,000 words in length. All indications point to a historic paper, an account of intrigue designed to destroy a government official and a high-level administration conspiracy to frustrate a Senate subcommittee's investigation of the affair.

A number of months before the subcommittee had completed its hearings, Senator JAMES EASTLAND introduced S. 3388 which was designed to correct a number of security problems at the State Department which were revealed during the hearings. Cosponsoring the bill were Senators DODD, DIRSKEN and HRUSKA, indicating the bipartisan nature of this issue. Here are the nine provisions of the legislation:

First. Guarantee continued existence of the Passport Office and Visa Office, and provide against abolition of the position of Director of either Office.

Second. Assure the Office of Security will be staffed by professional security officers, under civil service. Foreign Service officers will not investigate or evaluate each other for security purpose.

Third. Guarantee that all evaluative functions in personnel security will be performed by professional security officers trained in evaluations, within Evaluations Division of the Office of Security.

Fourth. Require that a copy of any document transmitted to the State Department by the FBI or CIA and marked for the attention of the Secretary, must be transmitted immediately and directly to the Secretary's office, flagged for his personal attention.

Fifth. Provide that no Foreign Serv-

ice officer or other employee of the State Department having any responsibility to, or subject to any orders or instructions from, any other agency of Government may be concerned in any way with (a) policymaking, or (b) administration of any function of the Bureau of Security and Consular Affairs or the Office of Security, or any other security function of the Department of State.

Sixth. Direct that all field investigations in State Department personnel security cases are to be conducted by an agency other than State—except that interrogations may continue to be made by State Department officers abroad.

Seventh. Assure that no State Department employee shall be prohibited from communicating directly or indirectly, orally or in writing, with Members or committees of the Congress.

Eighth. Establish legal requirement for security clearances of all U.S. nationals for employment with international organizations.

Ninth. Write into law the present provision of State Department Security Regulations prohibiting reinstatement or reemployment of a Foreign Service officer or other officer or employee of the Department discharged for security reasons.

There can be no doubt that the Congress alone must act to improve security and personnel policies in Government agencies such as the Department of State. The need for congressional action exists but alongside this need are the duty and mandate deriving from the investigative and legislative functions. As in the NSA case mentioned above, Congress can do the job. The machinery for doing it exists through presently constituted committees and subcommittees of both the House and the Senate.

A beginning must be made and I believe that Senator EASTLAND's bill, S. 3388, is that beginning. Although it is only the first step it does state nine demanding points which should be covered. To this same end I have introduced complimentary legislation, the same bill, on the House side. Investigation and disclosure are helpful and necessary but they are merely a demand for legislation; they can serve as diagnosis but only legislation can effect a cure.

HALLUCINOGENIC DRUGS MUST BE CONTROLLED

Mr. EDWARDS of Alabama. 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 Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, Congress has an excellent record of providing Federal enforcement agencies with whatever authority is needed to protect the American people—and particularly our youth—from the consequences of drug abuse.

History shows that there always has been a small element in our midst which will fight for the individual "right" of self-corruption by drug use. Opium had its champions, and so have heroin and marihuana.

Fortunately for our Nation, this lobby of permissiveness, which seems to be made up of both the vicious and the misguided, has made little headway in Congress. We have stood firm against repeated demands that penalties for illicit drug sales and use be softened or repealed.

But, unfortunately for our Nation, the development of new and potent mind-warping drugs has made our laws obsolete. LSD has become a part of our national lexicon and apparently usage is increasing.

Scientists and academicians are engaged in extended investigations into just how harmful LSD and other hallucinogenic drugs may be to the human mind and genetic structure.

And while they are engaged in this very necessary investigation, the lobby of permissiveness is counseling us to do nothing until we can precisely measure the worst effects of these drugs.

I have read a great deal of testimony and background information on this subject in recent weeks, and it seems evident that we can today demonstrate that tangible damage to individuals and society results from the promiscuous use of hallucinogenic drugs, and no definable benefits result.

I can cite heinous crimes committed under the influence of LSD. I can quote statistics about temporary and permanent mind damage which is associated with LSD.

The time has come, Mr. Speaker, to at least move ahead with minimum penalties so that our law-enforcement agencies can begin a positive control program.

It may well be that we will want to modify these laws, once all of the scientific and medical evidence is in, but to hold the matter in abeyance until that time would be a disservice to the Nation.

Mr. Speaker, I am today introducing a bill which would, for the first time, give our enforcement agencies the legal tools they need to prosecute those who illicitly sell hallucinogenic drugs.

My bill also would make it unlawful to possess LSD and similar drugs except under carefully specified conditions. While I am mindful of the fact that the users should perhaps be treated more as medical patients than as lawbreakers, there clearly is a requirement for possession penalties in order to effectively control traffic in these drugs.

SUPPORT FOR ACCURACY IN BUSINESS ACT

Mr. EDWARDS of Alabama. 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 Alabama?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, last May 15 I was pleased to join two of my colleagues, the gentleman from Nebraska [Mr. DENNEY] and the gentleman from New Jersey [Mr. HUNT] in introducing H.R. 9966, the Accuracy in Business Act, and a companion resolution, House Resolution 476. Subsequently, the gentleman from Oklahoma [Mr. SMITH] introduced similar legislation in November.

Recently, we joined together in asking the chairman of the Committee on Government Operations and the chairman of the Rules Committee to hold hearings early in 1968 on these measures. These measures are designed to give the Congress better information on the inflationary impact of appropriations which we are called upon to enact.

Mr. Speaker, this proposal has attracted nationwide attention. Recently the Omaha World-Herald and the Shelbyville Indiana News carried editorials supporting this measure and Mr. DENNY's continuing battle against the forces of inflation. I am inserting these editorials in the RECORD in the hope that other Members will take the time to read these comments and lend their support to this important proposal.

[From the Omaha World-Herald, Nov. 17, 1967]

A BUSINESSLIKE IDEA

Congressman Robert V. Denney of Nebraska is sponsoring a resolution requiring that every proposal submitted to the House of Representatives include an estimate of its cost for the next two fiscal years.

Cumulative totals would be published twice a month.

The National Federation of Independent Business reports that 82 percent of its 241 thousand members voted to support the Denney resolution. Ninety-two per cent of the Nebraska members favored it. The federation said that if every piece of legislation carried a price tag, Congressmen might vote with more concern for economy.

Mr. Denney's proposal would introduce a measure of business judgment into the deliberations of Congress. It's so sensible that we wonder why it wasn't enacted long ago.

[From the Shelbyville (Ind.) News, Oct. 31, 1967]

HOW ABOUT THE COST?

If "truth in packaging" and "truth in lending" are valid national objectives—and many people believe that they are—then it would seem that "truth in pricing legislation" is also desirable.

At least a majority—82 percent to be exact—of members of the National Federation of Independent Business, Inc., believe that if every measure introduced before the House of Representatives contained a "price tag" showing its cost to the taxpayers, then congressmen might vote with more concern for economy.

This novel approach to legislative bookkeeping was proposed by Congressman Robert Denney of Nebraska. He would like to see twice-a-month tabulations on the cumulative cost of all bills and resolutions introduced, and a similar total for all legislation passed by the House.

The proposal was put to a vote of independent business proprietors by the National Federation of Independent Business, and 82 percent of the respondents registered approval of the idea, 12 percent were opposed and 6 percent were undecided.

Businessmen, usually outspoken on the subject of government spending, apparently believe the Denney proposal would be a worthwhile step toward money management during the complex legislative process.

Aside from appropriation bills, many measures presented to Congress authorize government services and projects without any

mention of costs which will result. The costs usually show up later in department appropriation bills.

Congressman Denney's measure would require that estimates of the cost for both current fiscal year and the next fiscal year be written into each piece of proposed legislation. The Clerk of the House would publish in the Congressional Record the cumulative cost figures for (1) bills and resolutions introduced, and (2) legislation passed, on the 1st and 15th of each month.

While some deficiencies may be acknowledged—an "estimate" might be far off the actual cost, and amendments could drastically alter expenditures—most businessmen would like to see the innovation.

CALIFORNIA'S MASSIVE WATER CONSERVATION PROGRAM

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. TUNNEY] is recognized for 15 minutes.

Mr. TUNNEY. Mr. Speaker, there is hardly a single Member of this body who is not in some way concerned with a water resource problem of one sort or another, be it pollution, drought, or overabundance.

In the past year or more a considerable amount of our time and attention has been focused on these nagging problems and as a result we have passed some impressive milestone legislation to combat the threat to our rivers, streams, and watersheds. These legislative efforts have been reported widely, and justifiably so, by all the news media and they, equally concerned, have done a remarkable job of arousing the public to the need for better water management practices.

Now, however, I would like to take this opportunity to speak about a relatively small, and definitely less publicized, project which is nearing completion in Hemet, Calif. With an unglamourous title of "Reverse Osmosis To Remove Dissolved Solids From Reclaimed Water Used in Ground Water Recharge Program," it may be understandable that it has received scant public attention outside California's 38th Congressional District but it has a significant purpose which should interest every one of our colleagues.

The twofold purpose of this $300,000 research project is to find out whether, first, large flows of brackish water can be made usable continuously without tremendous waste problems, and second, the unit cost can be made reasonable. According to the scientists in charge, the capacity of the reverse osmosis desalting facility will be 50,000 gallons per day by next January.

If this pilot demineralizing plant proves efficient and economical, its lessons can not only be applied to neighboring water reclamation plants but to other communities in similar straits.

That is not the entire Hemet story, either. The Eastern Municipal Water District, which serves the Hemet area, has been at work the last 3 years searching for an answer to a question which faces orbiting astronauts: Can we completely clean the water we have and recycle it in a closed system? This experimental research study, now in its third and final year, is a special aspect of a modern waste-water reclamation facility that presently salvages 1.5 million gallons a day and will be expanded to 15 million gallons a day as necessary to meet future demands.

To the 30,000 Hemet citizens who voted a $6.85 million bond issue to finance the system, this can mean that they will be as independent of rain as men in a space capsule.

Although the Hemet project has some unusual characteristics, it serves as one fine illustration of the fact that in no comparable region of the world is more money spent on more projects to conserve water and salvage waste water than in the southern California counties that are dependent on the sadly imbalanced Colorado River for their water supplies. More than 60 reclamation plants are in operation in this area and they are salvaging more than 350,000 acre-feet of waste water a year.

To accomplish this, the municipal, industrial, and agricultural water users in southern California are spending many, many millions of their own dollars. For example, the Imperial Irrigation District has for several years expended more than $1 million annually on a program of lining canals to prevent seepage.

Investment in land leveling to maximize water penetration to crop roots and additional spending for tile drains to keep the soil sweet add even more to the annual total. To prevent seepage from the main All-American canal, Imperial already has buried a half mile of 14-inch, open-joint piping along its East Highline Canal to collect what water leaks from the main ditch there. Data are being collected on salvage costs and quantities, and, if hopes are realized, the system will be expanded in order to raise the district's amazing 85.6-percent conveyance efficiency rating even higher.

Water conservation programs in Riverside County are designed to cope with both municipal and agricultural water salvage, which have inherent differences. Urban water conservators must solve problems largely of organic and toxic chemical contamination. Rural husbanders of water supplies must cope primarily with dissolved mineral degradation. It is easier to disinfect water so that people will not get sick than it is to get the minerals out of solution so that crops will grow better. One domestic use of water adds about 300 parts per million of minerals in solution. One irrigation use adds three to five times as much salinity.

In the service area of the Western Municipal Water District around the city of Riverside, the people are examining the question of how best to spend from $20 million to $34 million on a system to dispose of unreclaimable waste water.

Other Riverside County reclamation projects are operating, or planned to start soon, at Beaumont, Banning, Perris, Corona, Elsinore, Twentynine Palms, Palm Springs, Palm Desert, Indio, La Sierra College, and March Air Force Base.

Irrigators of the Coachella Valley County Water District near Indio, and those of the Palo Verde Irrigation District surrounding Blythe, are already employing all applicable practices for conserving farm water. The Whitewater River drainage basin in the Coachella District has six water reclamation projects in operation. These are distributed along the waste disposal conduit as near as possible to each point of water re-use to save conveyance costs. The treatment plants are scaled for size to meet each varying water demand.

The State department of water resources estimates that the Coachella Valley is already reclaiming, by direct and indirect means, more than 75 percent of the 4.8 million gallons of domestic waste water discharged daily.

The foregoing has concerned conservation of water from the Colorado River after it is diverted to irrigation districts. The Federal Bureau of Reclamation also has invested heavily in river management improvements to save water before it is diverted. Some $18,500,000 of a $42,500,000 Federal program has been expended on tailoring the lower river channel by dredging and filling to reduce silting problems as well as to a Federal program to reduce losses from backwater evaporation and trash growth transportation which will save an average 254,000 acre-feet annually.

The amount of water which can be reclaimed in southern California for subsequent use, however, cannot possibly represent a quantity large enough to solve the deficiency problem of the Colorado River. When future development of the river occurs under legal rights now unimplemented, California's allotment will be limited to 4.4 million acre-feet a year instead of the 5.1 million acre-feet taken now because other potential users are not yet equipped to divert their allocations. The quantity of water which might be reclaimed after one domestic use in southern California obviously would not replace the lost 700,000 acre-feet by a wide margin even with its massive conservation effort.

Some proponents of the central Arizona project, striving by any means possible to convince Congress of its feasibility, allege that water wasted in the Colorado River Basin is six times that amount. But they should confess now, as they have in the past, that the Colorado cannot be made whole by circulating absurd claims or by pushing shortages around. It must be obvious that the only remedy for the Colorado River's deficiencies is a water augmentation program.

REACTION OF JOHNSON ADMINISTRATION TO DEVALUATION OF BRITISH POUND STERLING

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 5 minutes.

Mr. GROSS. Mr. Speaker, the hysteria with which the Johnson administration reacted to the news of the devaluation of the British pound sterling shows again the complete ineptitude of the President and his associates to manage the affairs of our Nation.

The conclusion of the President that

this action by Great Britain compels an increase in income taxes for the people of the United States is ridiculous.

We in America have carried Great Britain on our backs for some time. Since World War II, we have given or loaned Great Britain billions of dollars. She has been no more than a cheering section in helping us in Vietnam. She continues to trade with Communist Cuba and the Communist enemy in North Vietnam.

Yet, the President seems to believe that the American people should make greater sacrifices to pay for the devaluation of the British pound sterling, the result of which will be to increase sales of British products in the United States with a corresponding loss in sales of American goods.

It might be wise for the President to learn some lessons in economics from Prime Minister Wilson. Great Britain has, within the past months, drastically cut government spending and inaugurated an austerity program. It appears that it was too little and too late.

The action which has now been taken will increase British exports by lowering the prices of British goods on foreign markets. The action of Mr. Wilson in raising the British official bank lending rate from 6.5 percent to 8 percent will drain capital from other nations including the United States which will seriously affect our gold flow position in the world.

All of this leaves the United States at a complete disadvantage. While the Communist bloc countries sap our economic strength by wars and rumors of wars which require interminable and excessive expenditures of wealth and materials with incalculable loss of American lives, our so-called allies aid and abet by the above-described policies which we hope are unavoidable but nevertheless weaken us.

And the only solution the President can offer is higher taxes for the American people.

We have not yet reached the stage in our economy where devaluation of the dollar is necessary. But I caution the "brain trust" in the White House that unless we reduce Federal spending by at least $10 billion this year we will be headed for the disaster which has now reached Great Britain.

No less so than any individual citizen, when a government lives beyond its means, spends wildly beyond its income, goes head over heels into debt to provide what it cannot afford, it is headed for the poorhouse.

We are, Mr. Speaker, rapidly approaching the doors of that poorhouse. We have spent ourselves into the most colossal debt in all the history of civilization. Our national debt now exceeds, by a huge margin, the combined debts of all the nations of this earth.

For years now we have been borrowing money to give away to others, spewing out our wealth in a torrent, trying to be everything to everybody everywhere.

We are no longer trying to keep up with the Joneses. We are the Joneses—trying to stay ahead of the rest of the world.

Utopia, Mr. Speaker, does not lie in this direction.

MEMORY OF PRESIDENT JOHN F. KENNEDY'S ASSASSINATION

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GILBERT] 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 California?

There was no objection.

Mr. GILBERT. Mr. Speaker, this season of the year, with the chill in the air and the leaves on the ground, inevitably evokes for all of us the baleful memory of John F. Kennedy's assassination. The bullets fired in Dallas were a traumatic experience for all of us and they left a deep scar on each of our minds. We cannot, we should not, forget that terrible day 4 years ago.

John F. Kennedy meant something different to every American. He was intelligence and decency and beauty and courage. I most like to remember him for his audacity in challenging the cliches of our time. He rejected the idea that we had to have periods of recession to alternate with periods of prosperity; he rejected the view that the cold war was permanent; he rejected the contention that the Nation must necessarily have, because it has always had, two classes of citizens. I join my colleagues in mourning John F. Kennedy's death as I dwell for a moment on the values that he imparted to us in life.

A DETROIT WOMAN SPEAKS

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, at this time, I would like to insert in the RECORD a letter I received from a Negro woman in my district. As we desperately search for answers in the aftermath of the summer's riots, I think it would do well for each of us to read her words. She voices the innumerable frustrations faced by the Negro in everyday life. She looks to the children of this country and the future they hold. She asks why we continue to nurture the seed of anger and hate rather than love. This woman speaks with meaning. She is a poet.

You will probably want to destroy this letter, and never remember its contents, but it is a letter that must be written for it explains anger or madness that no one who considers himself sane wants to face.

In order to understand someone else's anger you must have experienced this feeling yourself. I intend to go back a few years and relate some incidents or facts that have aroused my anger over the years.

In the year of 1960 I was forced to move from Royal Oak Township because of urban renewal. I found what I considered a satisfactory house for my six children and myself. We were happy and thankful for this blessing of a home of our own. We had never noticed that the house needed immediate repairs, but the Home Improvement Companies hammered away at me for three consecutive years. I would have been iron if I had not visualized their sales pitch about the location and how this house would be a show place when completed. Yes I had the siding put on. A new roof was added, because the old one leaked. Wrought iron columns replaced the wooden ones. The patio was screened in with cheap screening; for the entire job I was charged over $3,000.00 including financing. They didn't even trim the house. I took it for granted that this was part of the job. They explained that the terms had to be FHA because this was the only terms I could get because of my poor credit rating. The deal was financed through a bank. After I foolishly signed the contract I realized that this would not pass the credit because I was loaned to the hilt. These guys had a way to get things done. I immediately became upset and contacted FHA for my house would be in jeopardy if I failed to pay.

FHA answered and assured me that no one from their office had OK'd such a loan. But when the bank failed, FHA picked up the tab. They are now collecting the money. And if I don't pay I lose my home.

The next angry moment in my life came in 1966. My son who was twenty years old at the time was employed at Chrysler Corp. He decided to buy a car for transportation. When he found a 1965 Mustang for $2098.00 I signed for the car. The car was to be serviced and the salesman agreed that if my son returned the car at a certain time the repairs would be done immediately. But when he returned the car, he was given the run around so badly that I returned the car myself. I was not treated any better. This thing struck me so intensely that I wrote to Henry Ford II, who in turn contacted the head man over the used car division, who contacted the head man at the dealer's who contacted me, with the sugared conversation that he was very sorry, and please bring the car for servicing.

At the time I wrote to Henry Ford II, I also wrote Governor Romney complaining of the shabby treatment and the reluctance on the part of the dealer to service the car. In both letters I said something like this. "Why is it if I had approached this establishment as a rowdy, threatening to tear the place apart, I would have gotten the very best service the first day. But because I did exercise self-control and tried to be a civilized intelligent person they walked all over me?" I also stated that the madness I felt is what infests riots. I even asked Governor Romney about a law to protect the used-car buyer.

I have also reserved an angry moment for the telephone company. It mainly lies in the fact that I was late paying an overdue bill of $91.92, but I did pay the bill. When my son who is home from college went to have a phone turned on in his name they accepted his $25.00 deposit, but when they found out he lived at home they demanded a $100.00 deposit. They told him that if the rest of us were going to use the phone he had to pay $100.00. Suppose at this time now that this civil disturbance has come about, something drastic happened in or around my home and I could not telephone for help. Who would be at fault? The bill has been paid for several months but I am not allowed another telephone unless I deposit $100.00. The phones were removed after the bill was paid.

Who really cares about the Negro? If they find out you're colored all kinds of dirty tricks are played on you. Oh, I have a complex all right, who hasn't. I know that the Negro is made to suffer untold agonies for no reason at all except that the color of his skin is black. In the past he hasn't complained too much. But do you know what? I wouldn't have it any other way. I'm proud that I'm a Negro.

You know, I've been weighing this situation out, about this civil disturbance. It's pretty bad I realize, but I also realize that the people who started the riot may not be as angry as a lot of Negroes have been in the past. They may be just mercenaries, enjoying the adventure, violence, chaos and death. This must be the pattern for they are striking in too many different places creating the same destruction. What you must realize is that although they have started it, the angry people are carrying it on. They have been down-trodden, and their burdens have been terribly heavy. They have been shunned and mistreated wherever they have gone. If their resistance had not been worn down they would not have rampaged. Remember, they were already angry, and this explosive situation has intensified that anger.

Many of these people and especially their children are hungry. They have been deprived of the finer things of life or why would so many risk their lives to loot? Their homes are shabby and inferior. To most of them there is hopelessness in the slum existence they live in. Rats and filth and no one seeming to care about their predicament. The absence of love for fellow human beings lowers their resistance to such an extent that whatsoever comes their way they are susceptible to it. The hate that has cropped up over the last few years could only develop into riots, looting, arson and murder.

I remember a few years ago when my second husband and I separated over a very severe domestic problem, I contacted Aid to Dependent Children to get support for my six children. I was first referred to the Welfare Department who sent me to Recorders Court to get a warrant for personal support from my husband. At the court I was told, because I had no children by my second husband I was not entitled to support. I was sent back to ADC and was investigated repeatedly. The situation at home worsened. Although I was employed, I had no other compensation. The social worker gave me such a run-around that I wrote to Mayor Cavanagh who in turn referred me to the Welfare Department who referred me to ADC. Finally, my grant was approved. My social worker harassed me so that I did not receive my grant for several weeks thereafter. I again contacted the Mayor who again contacted the welfare, who in turn contacted ADC. By then my social worker was quite belligerent and he cut my transportation allowance. He seemed reluctant to give me aid for my children. This man destroyed a great deal of my self-confidence. I felt so depressed that when my husband asked me to accept him back even though I preferred not to, I did so in order to give my children and myself a little self-respect.

When I think of the many ordeals that other mothers less fortunate than myself have gone through I shudder, for I can understand their "anger". You can put people to task so very often when their only intentions are to do good toward their fellowman and their family, until their spirit is broken. This in my opinion is what is wrong in Detroit.

There was a time that children were really cared for even if there was a new father in the home. Because of this security the woman and her children were not plagued with the fact, if this doesn't work we'll go to the dogs. Many irate taxpayers complained, why should we care for the poor, the fatherless? For nearly 25 years or more the city did care, the state cared, the nation cared. The community had a backbone. Little children were not deprived of food or clothing, the poor got by. There was plenty of milk and food.

Your children whether you realize it or not are the backbone of your nation.

You were all mad a few years ago because of the high rate of illegitimacy and now you're irate over the high rate of crime. But have you or the government asked the young men that have been drafted into the armed services to fight for their country what manner of birth they had? Have you inquired whether they are illegitimate or whether they had sufficient food and clothing as they grew up? Do you divide them up and decide that they can't fight because their birth record is not what you call proper? No you don't, but these same youngsters are throttled and embarrassed by the news media and put to shame. The little money their mothers receive for support was cut and their mothers left home to seek employment while the children roamed the streets with bitterness in their hearts because they had been exploited. I can understand their "anger".

We little people are always thinking about our problems and how they can be solved. We're right down front and center with the issues of the day. Some times it would pay the city fathers and the important people of the community to listen to them.

Do you believe the poor Negro as you call him wants to be cared for by the City or State? Do you believe that he is content to let you run his life? This is most assuredly not true. You spend millions for education, but you also allow your teachers to undermine the Negro students until they are so disgusted they drop out of school and then you spend millions more creating a "no drop out program". What is wrong with your thinking anyhow?

When the school system realized that there were pupils and teachers that had not been exposed to one another before, certain rules should have been set up to protect both student and teacher. The teacher in particular should have been introduced to psychology in order to ease any tensions prevalent. It doesn't take very much harrassment to discourage a Negro child for most of them have been discouraged from the start. Why do you continually close your eyes to this situation?

In 1964, one of my letters suggested bringing the jobs to children right in their classrooms so that they would realize that it is honorable to be a public servant, and not a disgrace. What has this country done to the children of our race that they project venomous hate for policemen. When I was a child my best friend was a cop.

The police force should be the best friend everyone has instead of the most feared. Why do you wait for race relations to break down before you decide that you need a few more Negro policemen? The police department should be a part of the education system for all school children also the fire department. Why do these departments hold so much terror for so many? Wake up America this is 1967 not 1863. While you are doing your darnest to clean up overseas, your filth is swelling out of the gutters and sewers and you're finding it almost impossible to contain it.

Well now just what do you intend doing about this very vile situation. My solution is to care for the young, the children that is, the fatherless, the motherless, the proper births and the illegitimate ones. God made all races from one blood. Why should you sift them as wheat? Who gave you the authority? I still contend that children are the backbone of a nation.

China is training her very young for war and hate. Russia is training hers to further communism. Now America and especially Detroit what will you train your children for or should I say what will you drive them to? Black Power, Muslims, Ku Klux Klan, etc., or will you train them to love God first and their neighbor as themselves? Train the child in the way he should go and when he is old he will not depart from it. Don't make a distinction between them. Teach them all love; give them food; give them security. Build your backbone strong with the love you have for your children.

A year or so ago there was a young Negro girl who lived in the ghetto in Detroit who wrote a poem. To me the poem expressed her hatred for white people. Her poem was printed in the Detroit News. You understood her hate. I did not understand her hate then but am beginning to understand it now, at this point. I've written many poems starting at the age of ten and I have yet to form a poem that expresses hate. It just doesn't come out. To me this is one of your basic reasons for the turmoil and strife in Detroit. You understood why a young girl hated, but what did you do to plant the seed of love? If it was too late to help her did you investigate to see if you could save some other child from such a horrible burden?

The child and her family needed money desperately. Most low-income families need money. Money may be the root of all evil, but it is also the root of all security. It is difficult to love if you are hungry, poorly housed and clothed.

Would Detroit be riot-torn today if most of her inhabitants were well provided for? If the color of your skin did not make the difference? My answer is simply no, it would not be. If the homeowner had known when the robber would strike he would not have left his home unprotected. The same holds true to you Detroit. If you had realized years ago that depriving the Negro of his just rights and weakening his resistance to the disease of hate you too would have fortified him rather than defeat him.

Yes I understand their "anger" and I condone it, because I have a faith in God that tells me in his own time he will right all wrongs. I'm not impatient. I'm willing to wait.

Plant the seed of anger, nurture it, and you will spring forth a tree of hate. Hate is blind, it recognizes no race, no color, no creed.

Build your future Detroit on love. Love for God, love for your fellowman, but above all love for your innocent children. They only learn hate when you teach it to them. Love your children Detroit and the backbone of your city your state your nation will be strong and mighty.

Suffer the little children to come unto me and forbid them not for such as they shall enter the Kingdom of Heaven, Amen.

AMERICA LOST A GREAT AND BELOVED PRESIDENT

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ADDABBO] 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 California?

There was no objection.

Mr. ADDABBO. Mr. Speaker, today America grieves again at the tragic death of our late President John F. Kennedy. It was on this date 4 years ago that our young President was shot down in the streets of Dallas.

John F. Kennedy was a man who had everything: brilliance, wealth, dignity, a beautiful wife, and wonderful family. He is a man who could have lived a life of elegance, of luxury and ease. Instead, Kennedy chose public service, and for 17 years—as a Member of the House, the other body, and finally as President—he tried to do for his country those things he thought were right.

Mr. Speaker, not everyone agreed with President Kennedy, but even his most ardent political foes were shocked and sickened by the events in Dallas. It was

a time when the American people shuddered at the idea of violence and completely repudiated it as a means to an end.

That America lost a great and beloved President in a moment of insane violence just 4 years ago should be remembered by those who have taken it upon themselves to preach a philosophy of violence today. Hate and violence are ends in themselves, and they have no place in American democracy.

Mr. Speaker, I want to again associate myself with the tributes being paid to the late John F. Kennedy.

THE CLOCK TURNED BACK IN MARYLAND

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RARICK. Mr. Speaker, against the emotional, sugar-coated ballyhoo of progress and reform anything can be put over the American people today.

Maryland, situated in the dark shadow of the nonelected Supreme Court, where its citizens behold firsthand the evil dictates of a gang of politically appointed, nonelected judges, has now been "educated" to submit to appointed judges—not chosen by the democratic vote nor selected by the people—in its new State constitution.

The lessons of history dating back to the colonial days before the American Revolution have been forgotten. Again, our leaders choose to tamper with liberties won by blood—the basic structure of justice which has contributed so greatly to our individual liberties and local government of, by, and for the people.

Why must the so-called intellectual leaders shut their eyes and ignore our products of trial and error? Who do these false intellectuals fear? Their people or the possibility of losing their power and image.

Once we were sold the great story of full equality. Then came the one-man, one-vote theory with a guaranteed right to vote. This we were given to understand would result in the purest form of government—a democracy.

Now the same heretics who must perpetually be against something or other refute last year's style and in effect are telling the people in Maryland, they can not be trusted to select by ballot their own judge—a blue-ribbon committee of intellectuals who know best must make the selection for the good of the people.

A guaranteed right to vote for everyone, but since the people are too stupid to know how to select their judge—the right to vote is cleverly denied.

What happens to the theory of equality when some profess to be above the common herd and usurp the power of the people to rule themselves.

Many times the well-meaning beady-eyed liberal, in his shortsighted, emotion-stampeded desire to right some minor wrong, tramples underfoot the same basic rights he sought to improve. Democracy in Maryland is lost to the citizens. Is the evil of appointed judges not given in the Declaration of Independence as one of the indictments against the King of England which provoked the Revolutionary War by our ancestors? Can anyone deny the responsibility of the unelected Federal judiciary for the present crime increase, moral breakdown, increased Communist influence and destruction of our people to govern themselves.

Can anyone seriously doubt that the nonelected Federal judges are politicians and render politically motivated decisions? Nor that better men could not have been selected by the American people if the positions were filled by election rather than political appointment?

Our people should be moving forward to liberate our children from the greed, graft, and personal dictates of the unelected judiciary instead of turning the clock back by allowing the politicians to take over our State courts.

Our great, great grandfathers and early ancestors who gave us our philosophy of elected officials were not much different from our present people. Except, of course, they did not have television, radio, and twisted newspapers which are sociologically oriented to think for our people.

In fact, our generation is better educated and own more worldly possessions than the old folks. The main difference between our generations seems to be that we lack their guts and ability to think for ourselves.

Progress and reforms? How? The same old lines and trials, just different actors and scenery. Discounting the emotion-packed expressions of progress and reality—and applying the terms to reality—how can they be distinguished from slavery and serfdom?

Poor Maryland. The clock is turned backward and Maryland becomes another experimental laboratory. Take notice, my friends. You are forewarned.

Mr. Speaker, I include the news account from the November 21 Washington Evening Star article to follow my remarks so our colleagues can be on the alert for this erosion of constitutional government in their States:

DELEGATES OK KEY REFORM FOR JUDICIARY

(By James B. Rowland)

ANNAPOLIS. — Constitutional Convention delegates yesterday approved the key part of a plan to remove the direct selection of judges from the voters.

Seven hours of bitter debate on the subject were sparked by changes that judicial aspirants can "buy" their nominations in Baltimore City, and that support of the plan from Montgomery County was based on a dislike for one of its judges.

The deciding vote came on a 95 to 42 ballot to defeat an amendment that would have, in effect, scuttled the plan whereby all judges would be picked by the governors from names submitted by lawyer-layman nomination commissions.

The judges would run for 10-year terms on their records without opposition in the next election on a "yes" and "no" ballot. Judges rejected by the voters would be replaced by another round of gubernatorial appointments.

The procedure is the backbone of a report by the committee on the judicial branch calling for a drastic conversion of the present fragmented court system into a standardized and unified four-tier judiciary.

Known in Maryland as the Niles plan, it repeatedly has been rejected in recent years by the General Assembly although pushed by the state bar association.

Strong minority opposition to the plan is reflected in the debate that already has taken 3½ days to cover the first 15 sections of the 31-part committee proposal. Delegates yesterday spent seven hours arguing over 14 amendments to three sections. Two riders were adopted.

Backers of the plan contend it would abolish political influences in the selection of judges and eliminate the "evil mess" now found in the judiciary.

Opponents of the committee report maintained the Niles plan removes judicial selection from the voters, and neatly places it in the hands of politically oriented bar associations.

Under the present system the governor seeks the advice of bar associations and fills most judicial vacancies by interim appointment. The judges then run in the next open election and can be opposed by any candidate meeting the legal requirements.

Sitting judges are seldom ousted by the voters. Judges of Peoples and Trial Magistrates courts are named by heads of their respective counties or by the governor, subject to Senate confirmation.

POSTMASTERS SAY THIRD-CLASS MAIL SHOULD PAY ITS WAY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. HECHLER] 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 California?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, next week the other body is scheduled to take up the postal rates and pay bill, which has already passed the House. I was very pleased to note that the November 1967 issue of the Postmasters Advocate contains a strong editorial supporting the concept that third-class mail should pay its way.

Under the House bill, which set a rate of 3.8 cents for bulk third-class mailing, this class of mail would pay only 82 percent of its way, taking into consideration ZIP code savings and also the effects of the pay raise. The Senate committee bill raises third-class rates in two stages, to reach 4 cents in 1969. Even after the higher rate becomes fully effective in 1969, the Senate committee bill would provide only 85-percent cost coverage.

Mr. Speaker, I hope that the eventual outcome will be a 4.5-cent rate passed by the other body and this Congress. This will bring in $370 million more income from third-class mail than the present rates, and it will be close to 100-percent cost coverage. Under unanimous consent I include the editorial from the November 1967 issue of the Postmasters Advocate:

THAT THIRD-CLASS MAIL AGAIN

We believe in Third Class Mail. We have nothing against it, whatsoever.

And, ever since we wrote that editorial in the Advocate a couple of months ago praising it, we've sworn off calling it by the shorter, four-letter name used by many.

But, while we readily admit that 3rd Class Mail creates jobs, helps the economy, and disseminates information about products and services, we have to admit that we think it should pay its own way.

The 3rd Class Mail users might counter that the Post Office Department subsidized the airlines in their infancy, or that the United States subsidizes the farmers now.

Well, of course, the airlines don't get those big, fat subsidies now nor do they need them; and we're no expert on the farming problem so we cannot comment on the feasibility of continuing those subsidies.

But we do feel that commercial enterprises using the postal service should pay their way 100%. And we're close enough to the "grassroots" of the nation that we think our opinion is generally shared by all Americans.

The third Class Mail users have a very powerful lobby in Washington—they make themselves heard!

Here is a statement made by Representative Clarence D. Long of Maryland taken from page 28613 of the CONGRESSIONAL RECORD of October 11, 1967. He was reporting to the House of Representatives on some lobbying about 3rd Class Mail that was "unique in my experience in Congress." Representative Long had this to say:

"My legislative assistant got a call yesterday from a Harry Maginnis who, I believe is President of the Associated Third-Class Mail Users, who said his only contact with me was in connection with a solicitation to attend a fund-raising dinner, but that he wanted the Congressman—meaning me—to vote against this Hechler of West Virginia amendment (to raise rates on 3rd Class mail). My legislative assistant said she would be glad to tell the Congressman this and he would certainly consider it. He said that he did not want me just to consider it. He said, "I want his warm body over there to vote against it." Now, this is the kind of lobbying we can do without. The Members of this body know the type of pressure that Congressmen are up against . . . . But this kind of lobbying predisposes me at the moment to vote for the Hechler of West Virginia amendment."

The people of the United States don't have such lobby to protect their interests in the halls of Congress. They do have the ballot, however, which can be exercized from time to time.

We hope that the Congress, in its wisdom, seeks out, and tries to reflect, the views of the majority of the electorate as regards rates for Third Class Mail.

Unless we miss our guess—and our study was very thorough—the citizenry wants this type of mail to pay its own way.

JOHN F. KENNEDY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] 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 California?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, today we recall a tragic event which shocked the entire world and inflicted a profound loss upon our Nation. On November 22, 1963, our beloved President John F. Kennedy was cruelly taken from us. His passing diminished many of the hopes and expectations that his spirit, valor, and freshness of vision had engendered in us.

This is a day for mourning but it is also a day of thanksgiving. For John Kennedy left an indelible impression upon our society. He impressed upon us a new awareness of the cultural, economic, and educational inequities that surround us and he challenged us to do something about these shortcomings. Fortunately this challenge has been reechoed by the late President's successor and many of John Kennedy's dreams have become realities under the leadership of President Johnson. But much remains to be done.

We can best honor the memory of John F. Kennedy today by rededicating ourselves to meeting his challenge, "Ask not what your country can do for you—ask what you can do for your country."

OBSERVE MAY 29 AS PRESIDENT KENNEDY'S BIRTHDAY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] 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 California?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the 4 years which have elapsed since the assassination of our beloved President, John Fitzgerald Kennedy, have not assuaged the profound sadness with which this day is tinged.

Perhaps in the late autumn of the year we feel more poignantly the loss of this young leader whose life, words, and deeds are indelibly etched in our minds and hearts as the symbol of a new age for mankind.

Better, perhaps, that we should invoke his memory—as with our other great and martyred President—Abraham Lincoln—on the anniversary of his birth. Better it would be that generations to come will remember not that November day of unspeakable horror, but will honor the day in May when this vibrant spirit was born in a State which has contributed so richly to our Nation's heritage.

Our 35th President embarked upon a crusade against the ancient injustices plaguing mankind with an illumined vision and vigor which continues to inspire our people and our Government. Lost to the world in the prime of manhood, the memory of John Fitzgerald Kennedy remains ever fresh in our minds, as do those shining and stirring years when he championed the cause of peace and the elevation of human dignity throughout the world.

This sad anniversary should be a time of rededication to the ideals of John Fitzgerald Kennedy, so that our deeds may be measured by his dreams for a greater and better America in a greater and better world.

A MODEL CITY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, on Friday, November 17, the Wilkes-Barre Record published an editorial entitled "A Model City." This editorial concluded that—

The Model Cities program is a creative and imaginative undertaking aimed at making life in the cities not just bearable, but rewarding. Wilkes-Barre can be proud that it is to participate in a program whose potential for influencing urban living in the United States is unlimited.

As representative of the people of Wilkes-Barre, I was particularly delighted to learn that their application had met the program requirements and thus been selected a model city. I agree with the Record in its assessment of the excellent local leadership that made this possible. It will give Wilkes-Barre an opportunity to work with our local problems and to show cities across the country that solutions are not impossible.

Secretary Robert C. Weaver, in announcing these grant recipients, said:

The neighborhoods that have been selected for the first round of the program represent every section of the country. They are in communities of all sizes. They have an incredible diversity and complexity of problems. They represent the hard core both of need and of opportunity in meeting our urban problems. They are on the cutting edge of American life. For in them we shall start now to transform blight and decay into health and hope.

I can assure Secretary Weaver that Wilkes-Barre will respond to this call to "transform blight and decay into health and hope." It is a city that is not afraid to take a hard look at its problems and plan the most effective measures to deal with its problems. And we have the dynamic local leadership necessary to carry forth this pledge.

So that my colleagues might read this interesting editorial appearing in the Wilkes-Barre Record I would like to include it in the CONGRESSIONAL RECORD:

A MODEL CITY

The possibility that Wilkes-Barre might become a "model city," that is, a city to which other communities might one day look for inspiration in solving some of America's pressing urban problems, seemed remote when the formal application was filed earlier this year. The City was, after all, but one of perhaps two hundred which might seek to be included in a program for which funds had yet to be voted and were likely to be limited. That Wilkes-Barre was one of those chosen is due primarily to the leadership of Mayor Frank P. Slattery and members of Council, those whose knowledge, skill, and inspiration were evident in the application itself, and the influence in Washington of Representative Daniel J. Flood.

The program was originally called the "demonstration cities" program, which is more descriptive of its purpose, for the chosen cities are ultimately to demonstrate to the rest of the nation what can be done to eradicate some of the evils which are at the root of many social ills. The expression "demonstration cities" was dropped, however, because some persons thought its purpose was to give money to cities in which demonstrations had taken place.

Under the model cities program, resources of federal, State, and local governments, together with private efforts, are to be coordinated to develop "model" neighborhoods. In contrast with earlier redevelopment efforts,

the model cities program is designed to consider every aspect of the environment of the area in which it functions. Actual physical rehabilitation is to be carried out with as little relocation of families and businesses as possible so that the essential character of the area will not be markedly changed. Moreover, residents of the neighborhood—the Heights, in this case—will be involved in planning and carrying out the changes in their area, and community facilities for health, education, transportation, shopping, recreation, and culture are to be included in the plan.

The model cities program is a creative and imaginative undertaking aimed at making life in the cities not just bearable, but rewarding. Wilkes-Barre can be proud that it is to participate in a program whose potential for influencing urban living in the United States is unlimited.

FUTURE NEEDS OF PANAMA CANAL: A WISE AND EFFECTIVE SOLUTION BY H.R. 13834

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, the January 1964 Panamanian Red-led mob assaults on the Canal Zone, which required the use of the U.S. Army to protect the lives of our citizens and the Panama Canal itself, dramatized the interoceanic canal problem to a greater extent than any event since the 1898 dash during the Spanish-American War of the U.S.S. *Oregon* from the Pacific coast around Cape Horn to join our fleet off Santiago. Unfortunately, the real significance of this assault was not presented to our people at the time as it should have been and required a long period for clarification. A comprehensive summary of this attack on the Canal Zone will be found in the CONGRESSIONAL RECORD of March 9, 1964, in my address, "Panama Canal: Focus of Power Politics," which address was reprinted in House Document No. 474, 89th Congress.

There were two direct consequences in 1964 of the Panamanian assault: First, agreement by the executive branch of our Government to renegotiate the 1903 treaty with Panama that had granted the United States sovereignty over the Canal Zone in perpetuity for the construction, maintenance, operation, sanitation, and protection of the Panama Canal; and the enactment, as the result of administration pressure, of Public Law 88–609, 88th Congress, providing for an investigation to determine the feasibility of one predetermined type of canal to replace the existing waterway.

In two addresses to the Congress on April 1 and July 29, 1965, on the subject of "Interoceanic Canal Problem: Inquiry or Cover Up?" which also are reprinted in House Document No. 474, 89th Congress, I gave the legislative history of Public Law 88–609, summarized the key canal issues, supplied much essential information, and outlined a program of action for our Government based upon the realities of the situation and not theoretical hypotheses.

Mr. Speaker, the program adopted by our Government was not one for realistic, constructive action but one that linked the surrender of U.S. sovereignty over the existing canal with the old dream idea of a canal at sea level, and with some person acting as our chief negotiator and chairman of the sea level canal study group.

Despite the efforts to keep the texts of the treaties secret and to prevent discussions in the Senate, English versions of them, though not yet signed, were published in Panama and sold on the streets there for $1.25. They have been quoted in statements to the Senate by the distinguished senior Senator from South Carolina [Mr. THURMOND] in the RECORDS of July 17, 21, and 27, 1967, following the outstanding exposé of the proposed treaty texts by the Chicago Tribune.

The reactions to the terms of the proposed treaties have been violent. In Panama, despite the support of its Government, they have been the target for sharp attack on the ground that they do not give Panama enough; in the United States, they are opposed because of their surrender of U.S. sovereignty over the Canal Zone and the Panama Canal, and some 150 Members of this House specifically joined in introducing resolutions opposing the fatal concessions that our negotiators had accepted and supported in this connection.

The Subcommittee on Inter-American Affairs of the House Committee on Foreign Affairs, before which a number of Representatives including myself testified, has held lengthy hearings on the indicated resolutions but has not authorized their printing.

Mr. Speaker, these hearings contain much that is pertinent in the formulation of our Isthmian policy and they should be printed without delay and not held up as is being done, for Members of the Congress and the Nation should have them for study now and not be kept uninformed until faced with a fait accompli.

The opposition, both in Panama and the United States, in blocking the proposed treaties has now cleared the way for long overdue remedial legislation as regards the increase of capacity and the major operational improvement of the existing Panama Canal. To this end, I introduced, on November 2, 1967, a bill providing for the major modernization of the Panama Canal, which will be quoted later.

In these connections, Mr. Speaker, I would invite the attention of all Members of the Congress to the following facts:

First. In 1939, the Congress, in Public Law No. 391, 76th Congress, authorized the construction of a third set of locks for the Panama Canal at a cost not to exceed $277,000,000.

Second. Construction started in 1940 on a rush basis but was suspended, because of alleged more urgent war needs, in May 1942.

Third. The total expenditure on this project was $76,357,405, including excavations of new lock sites at Gatun and Miraflores, which are yet usable for third locks purposes.

Fourth. No excavation was started at Pedro Miguel.

Fifth. During World War II, the operations of the canal were comprehensively studied in the canal organization as a natural result of war experience.

Sixth. Out of these studies there was developed a plan for the elimination of Pedro Miguel locks, which plan was recommended by Gov. Glen E. Edgerton to the Secretary of War for "thorough investigation," and which won the support of the Secretary of the Navy, and the approval of the President of the United States as a postwar project.

Seventh. In making his recommendation to the Secretary of War, Governor Edgerton warned him that advocates of the sea level type would oppose "unjustifiably" any major improvement of the existing canal on the ground that it would delay the time when authorization of a sea level canal might otherwise be obtained.

Eighth. As predicted by Governor Edgerton, the 1945–48 canal studies were directed toward securing authorization of a sea level project in the Canal Zone territory on the fallacious assumption of its greater security against atomic attack, but it failed to receive Presidential approval and was ignored by the Congress.

Ninth. The 1964–67 investigation still in progress, as previously indicated, was directed under an inadequately considered statute toward one predetermined objective that has served to exclude consideration of what many informed and experienced engineers, navigators, and other experts consider the best and most economical solution when the problem is evaluated from all angles.

Tenth. The current enlargement of Gaillard cut scheduled for completion in 1971 at a total estimated cost of $81,257,097 is a second important step for the modernization of the existing high level lake and lock canal of greater magnitude than the excavations for the third locks project.

Eleventh. The plan proposed in the bill enables the maximum utilization of all work so far accomplished on the Panama Canal, including that on the third locks project and the later Gaillard cut enlargement.

Twelfth. The plan is also covered under existing treaty provisions and does not require the negotiation of a new one, which fact is a paramount consideration.

Thirteenth. It will also serve the best economic interests of Panama, the United States, and the world at large by supplying the best operational canal practicable of achievement at the least cost.

Mr. Speaker, what is needed for increased transit capacity at Panama is both obvious and simple: a two-way ship channel between the Atlantic and Pacific locks with ample and logically arranged lock capacity at each end of the summit level. The enlargement of Gaillard cut will supply the two-way ship channel. The additional lock capacity can be provided by the construction of a third set of larger locks at Gatun and the consolidation of all Pacific locks south of Miraflores to correspond with the capacity and lock layout at the Atlantic end. Moreover, any lock plan that does not provide for the elimination of the Pedro Miguel locks is not worthy of the least consideration whatever, and no tax

money should be wasted on it. In the opinion of competent engineers, navigators, and other experts, the indicated plan is not only best for engineering but also best for navigation.

Since, as previously stated, the way has been cleared by the blocking of the three ill-advised proposed treaties, the time has come for positive, constructive action by the Congress. To that end, I introduced, on November 2, 1967, a bill to modernize our long-neglected waterway and adequately meet the present and future needs of the canal for the indefinite future.

The text of the indicated bill, a letter of the Panama Canal Company giving the status of Public Law No. 391, 76th Congress, and another giving the total estimated cost of the enlargement of Gaillard cut, follow:

H.R. 13834

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Panama Canal Modernization Act of 1968".

SEC. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of one hundred and forty feet by one thousand two hundred feet by forty-five feet, and including the following: elimination of the Pedro Miguel Locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks arrangements at Gatun, raise the summit water level to approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at a total cost not to exceed $850,000,000.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

SEC. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which its work under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is $500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay and allowances as a retired officer, will establish his total rate of pay from the United States at a per annum rate which is $500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, a Secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The Secretary and other personnel of the Board shall serve at the pleasure of the Board.

SEC. 4. (a) The Board is authorized and directed to study and review all plans and designs for the Third Locks project referred to in section 2(a) of this Act, to make on-the-site studies and inspections of the Third Locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the Third Locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval of disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the Third Locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

SEC. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code, at rates not in excess of $200 per diem.

SEC. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

SEC. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

SEC. 9. The Administrator of General Services shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

SEC. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

SEC. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

SEC. 12. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out its functions and activities under this Act.

PANAMA CANAL COMPANY,
Washington, D.C., October 2, 1967.

Hon. DANIEL J. FLOOD,
House of Representatives.

DEAR MR. FLOOD: This is in response to your letter of September 29, 1967, inquiring as to the status of Public Law 391, 76th Congress, approved August 11, 1939 (53 Stat. 1409), authorizing the construction of a third set of locks at the Panama Canal, and the appropriations and expenditures made under the Act.

The Act of August 11, 1939 has never been repealed or directly amended.

As enacted, the Act of August 11, 1939 contained this proviso:

"Provided, however, that all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States."

Section 2 of the War Department Civil Appropriation Act of 1941, Public Law 653, 76th Congress, approved June 24, 1940, which contained appropriations for the Panama Canal, included a similar provision limiting employment in the Canal Zone in the enumerated categories of jobs to citizens of the United States or of Panama, with the following proviso:

"Provided, however, that notwithstanding

the provisions of the Act approved August 11, 1939 (53 Stat. 1409) limiting employment in the above mentioned positions to citizens of the United States from and after the date of approval of said Act, citizens of Pamana may be employed in such positions."

The same provision in regard to Canal Zone employment, with the same proviso referring to the Act of August 11, 1939, was incorporated in each succeeding appropriation act for the Panama Canal through fiscal year 1959 and in the military appropriation acts for fiscal year 1941 and each year thereafter through fiscal year 1959.

At that time special provision in the appropriation acts for employment of Panamanian citizens in the Canal Zone had been made unnecessary by the provisions of Item 1 of the Memorandum of Understandings Reached, accompanying the 1955 treaty with Panama, (TIAS 3297) and implementing permanent legislation adopted in 1958 extending to citizens of Panama full equality of employment opportunity in the Canal Zone. (Public Law 85-550, approved July 25, 1958, 72 Stat. 405).

Appropriations for the third locks project in a total amount of $106,758,800 were provided in the War Department Civil Appropriation Acts of 1941, 1942 and 1943.

In 1942, the project was modified to provide for completion of contracts for excavation of new Gotun locks, partial completion of the excavations for the new Miraflores and Pedro Miguel locks, completion of designs and specifications, completion of the bridge over the existing Miraflores Locks, relocation of various utilities, and construction of emergency power plants.

In 1944, the funds previously appropriated appeared to be more than sufficient to complete the modified program and the War Department Civil Appropriation Act, 1945 (58 Stat. 332) returned $30,257,572 of those funds to the Treasury.

However, an additional appropriation of $810,600 was provided for the project under the War Department Civil Appropriation Act, 1946, and appropriations were made in subsequent appropriation acts for completion of the project and for studies of improving the capacity of the Canal under Public Law 280, approved December 28, 1945, as follows:

War Department Civil Appropriation Act, 1947	$2,618,000
War Department Civil Appropriation Act, 1948	750,000
Civil Functions Appropriation Act, 1949	100,000

The total expenditure on the third locks project was $76,357,405.

Sincerely,

W. M. WHITMAN,
Secretary.

PANAMA CANAL COMPANY,
Washington, D.C., November 8, 1967.

Hon. DANIEL J. FLOOD,
House of Representatives.

DEAR MR. FLOOD: This is in response to your request for information concerning the project to widen Gaillard Cut in the Panama Canal.

The widening of about one and one-third miles of the Cut (Culebra Reach) was accomplished between 1935 and 1955 with Panama Canal personnel and equipment working on this project when not otherwise engaged in maintenance operations. In 1958 the Company commenced the present program to improve the channel and increase capacity of the canal by a series of related projects that included completion of the widening of the Cut throughout its remaining length of approximately eight miles.

Total expenditures on the project from 1935 to 1967 were $65,187,897. The 1968 budget program of the Company contemplates completion of the project in 1971 at an additional cost of $16,069,200. On completion of this program, the total cost of widening the Cut would be $81,257,097.

The Board of Directors is currently considering modifications of the program which would include completion of the program early in 1970 and deepening by six feet the widened portion of the part of the Cut being widened. The additional cost of this modification is estimated at $900,000, which would bring the total cost of the whole project to $82,157,097.

In addition to the widening project between 1915 and 1951 miscellaneous channel improvements, principally consisting of improvements in alignment of the channel in Gaillard Cut, were made at a total cost of $20,093,700.

A tabulation of the cost of widening the Cut by fiscal years is attached for convenient reference.

Sincerely,

W. M. WHITMAN,
Secretary.

Expenditures for widening Gaillard cut, Panama Canal

Actual expenditures, fiscal years 1935–67:	
1935–55	$15,654,700
1957	19,554
1958	333,746
1959	1,421,600
1960	8,135,226
1961	6,830,918
1962	6,481,792
1963	3,673,825
1964	1,847,387
1965	227,680
1966	3,276
1967	1,320,806
Total actual	65,187,897
Estimated expenditures, fiscal years 1968–71:	
1968	5,279,200
1969	4,500,000
1970	4,000,000
1971	2,900,000
Total estimated	16,069,200
Grand total	81,257,097

COLOMBIA ASSERTS ITS TREATY RIGHTS IN PANAMA CANAL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, in my discussions in this Chamber of the fatal consequences that would be involved should the pending proposed treaties with Panama be ratified, I have often mentioned the failure of our treatymaking authorities to consider the treaty obligations of the United States with Colombia with respect to the use of the Panama Canal and Railroad. These rights are set forth in the Thomson-Urrutia Treaty of April 6, 1914, proclaimed on March 30, 1922.

In this treaty, Colombia, as the sovereign of the isthmus prior to the independence of Panama, recognized the title to the Panama Canal and Railroad as "vested entirely and absolutely in the United States." In response, the United States granted Colombia rights comparable to those of Panama, including the transit of ships of war and troops without charge. Except for this treaty, Colombia would never have recognized the independence of Panama.

It is, indeed, interesting that my predictions as regards the stand that Colombia would take have been fully verified by recent formal actions of the Colombian Government in notifying our own Government that Colombia expects its treaty rights in these connections to be observed by Panama and the United States although the proposed treaties with Panama contain no mention of these rights.

Thus the treaty negotiators, both of Panama and the United States, appear to have wholly ignored the solemn treaty rights of Colombia in this connection; and such treatment is illustrative of the ruthless course pursued in the treaty negotiations.

Recently, the Colombian Government served notice on our Government that its treaty rights as to the use of the canal would be maintained by Colombia and that it expected Panama and the United States to respect these rights. Up to this time, apparently, our Government has made no response to Colombia's demands.

Recent issues of the Spanish-language press of Panama have featured these developments in Colombia. Résumés of them, published in the Daily Digest by the Panama Canal Information Office, follow as part of my remarks:

[From the Panama Canal Information Office Daily Digest, Nov. 13, 1967]

(NOTE.—This Digest is an informal résumé of items selected from Isthmus newspapers and broadcasts as being of interest to Canal Zone officials. It does not purport in any sense to summarize the full content of the press or to translate in detail any articles therein.)

LA ESTRELLA, NOVEMBER 10

In the news columns:

"'Colombia declares it will not renounce transit rights through the canal,' says an eight-column headline across the top of the front page over an Associated Press Bogota datelined story. Colombia has notified the United States government that it will not give up its rights and toll exemptions on transits through the Panama Canal granted under treaty of 1914, says the story. The same story appears in the English edition of La Estrella."

EL MUNDO, NOVEMBER 11

In the news columns:

"A AFP Washington dateline story on the front page refers to the problem of Colombia's special privileges in the Panama Canal and says that both the U.S. and Panama are opposed to any special privilege extended to a third country but have made no decision on the matter. Persons in the know think there are several solutions to the problem without hurting Colombia's privileges, says the story."

PANAMA AMERICA, NOVEMBER 11

In the news columns:

"The Colombian government has expressed certainty that its rights through the Panama Canal will be maintained in the new treaties between the U.S. and Panama, says a UPI Bogota dateline story on the front page. According to a Colombian government communique, this position was presented to the government of Panama and the U.S. and no objection has been received from either one at the present time, says the story."

COMMUNIST PLANS FOR PANAMA CANAL

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. FLOOD. Mr. Speaker, during the present session of the Congress distinguished Members of the Congress, in both Senate and House, have commented on Communist plans for the Panama Canal but none more effectively than the distinguished Senator from South Carolina [Mr. THURMOND].

In two notable addresses over the "Manion Forum" on October 8 and 15, 1967, Senator THURMOND discusses the proposed canal treaties with Panama and shows how they support the Communist program. Because of the new light that the indicated addresses show, I quote them as part of my remarks, as follows, and urge that they be read by all Members of the Congress:

COMMUNIST PLANS FOR THE PANAMA CANAL—PROPOSED TREATIES WOULD GIVE AWAY U.S. JURISDICTION, SOVEREIGNTY, LAND, AND PROPERTY

Dean MANION: As most of you undoubtedly know, President Johnson is proposing to dispose of our Panama Canal. He will ask the United States Senate to ratify treaties with the Panamanian Government which would voluntarily relinquish a large part of the valuable investment that American taxpayers have made in this vital waterway and expose our commerce and our military security to the tender mercies of unpredictable Panamanian politics.

Our Presidential Administration has told the American people little or nothing about this startling project, but through the vigilance of the Chicago Tribune and the patriotic efforts of certain able Senators and Congressmen, the truth about the amazing Panama proposal has finally broken into the news.

In the forefront of the courageous group now fighting to retain and protect our sovereign interest in the Canal Zone is United States Senator Strom Thurmond, of South Carolina. I want you to hear this distinguished man's statement of the American people's case against the proposed surrender in Panama.

Senator Thurmond, I am grateful for your appearance here. Welcome back to the Manion Forum.

Senator THURMOND: Thank you, Dean Manion. Last June President Johnson and President Marco Robles announced that 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 way to describe their contents. These treaties are the greatest give-away since God gave man the world for his dominion. They give away U.S. jurisdiction and sovereignty. They give away U.S. land, property, operating facilities and engineering works. In short, they give away the entire U.S. Canal—and indeed any new canal that the U.S. might build in Panama—to a dubious operating authority whose sole strength is the slender reed of promises by the Republic of Panama.

The first and most important treaty is the basic renegotiated Panama Canal Treaty. It sets up an organization described as an "International Juridical Entity" which would be the administrative agency for operating the Canal. All property that now belongs to the United States Government there 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 one 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 nine men. The U.S. has a one-man majority on this board, but Congress will relinquish all control over the appointment of these men and will have 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 the 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.

Another aspect of this treaty is that 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 year by year. After these payments are made, 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. These increased payments will undoubtedly result in increased tolls which could easily be as high as 25 per cent.

The second treaty is the proposed status of forces treaty, which defines the rights and privileges of our military forces stationed to defend the Canal. One of the most serious drawbacks of this treaty is that it provides for a committee to confer when any special action is necessary to defend outbreaks of insurrection or enemy attack. It stipulates that in the event the committee fails to come to agreement on what measure can be taken, the controversy will be directed toward the respective governments through proper channels. This is an extremely cumbersome arrangement.

Another feature of this treaty is a provision that the Panamanian flag shall fly over all United States bases on Panamanian soil. The U.S. flag cannot fly unless Panama gives special permission.

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. At the very least, these treaties should be held up until the study is complete.

But in spite of this give-away, recent dispatches from Panama report that there is tremendous opposition growing within the ranks of Panamanian politics to approval of the treaties. We hear that President Marcos Robles is being attacked on all sides.

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 her 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 were not surprised. From statements in the Spanish language press in Panama, it was clear that the Nationalists were prepared to urge extreme measures. Among their objectives were: First, that Panama aspires to have the same relation to the Panama Canal that Egypt has to the Suez Canal and proposes to nationalize it. Second, that Panama repudiates the idea of internationalization. Third, that Panama is determined to have complete sovereignty over the Canal Zone. Fourth, that Panama is considering closing its territorial waters around the Canal Zone—a jurisdiction not recognized by the United States—as a trap to get its demands.

From these and other objectives, it was soon to be clear that the contents of the proposed treaties would not satisfy the demands of Panamanian politics. Insofar as the United States maintained any kind of indirect control at all, or retained any power, however bridled, to protect the Canal and its installations—to that extent the Panamanian nationalists would remain dissatisfied.

The latest word is that even the most responsible of the forces opposing the treaty are demanding that President Robles renegotiate four principle items which give minimum safeguards for the extensive U.S. interests in the Canal. As a matter of fact 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 five to four 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 crisis 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. Those who wish to bury the United States must begin by blocking the Panama Canal.

And 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. Similarly, during the Korean War over 1,000 U.S. Government vessels transited the Canal to carry troops, supplies and war materiel to U.S. troops in Korea. Despite the fact that there are those who say the Canal is outmoded in an age of nuclear warfare, it continues to be an important supply line to Viet Nam.

If the Canal were blocked now, a large part of the U.S. railroad capacity would have to be used to shuttle troops and supplies from Atlantic to Pacific. And 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. It is no wonder, then, that the Communists have given the Canal the No. 1 long-range priority.

Americans 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 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."

Now let us turn 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* laid forth the Communist strategy for the takeover of Panama in an article published in March, 1965. 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.

"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 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. 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. 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."

The impossibility of distinguishing true Nationalist aims from issues which the Communists can use to agitate their two-part plan should make us wary of any arrangement in the Canal Zone which would weaken our control.

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 increasing 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 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, and if we are to avoid a stunning defeat, we must immediately change course.

DEAN MANION. Thank you, Senator Strom Thurmond for this wise counsel and sound patriotic advice.

Ladies and gentlemen, for the sake of the national security of the United States these treaties should not and must not be confirmed. Send this discussion by Senator Thurmond to your Senators and help develop a tide of patriotic public opinion that will prevent a give-away of this most valuable property of your country.

TRIBUTE TO JOHN F. KENNEDY

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. KYROS] 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 California?

There was no objection.

Mr. KYROS. Mr. Speaker, although I realize no eulogy can fully recall the greatness of spirit of John F. Kennedy in his dedication to mankind, I nevertheless would like to offer the following brief statement in tribute to our late President on this anniversary of his untimely death:

Beloved by his countrymen and respected throughout the world, John F. Kennedy inspired those who knew him to emulate his dedication to ideals and resourcefulness of purpose.

I shall always remember the weekend of November 22, 1963, as the longest weekend of my life. The impact of the sudden death of our great President, as it was felt throughout the world, was perhaps best described by Ferdinand E. Marcos, President of the Senate of the Philippines. He said:

> In a few moments of shock, on the report of his death, the whole of mankind glimpsed the life and purpose of John F. Kennedy. The hearts of men pounded in unison their cadence of sorrow; great chords of sympathy seemed to arise all over the world as from a universal cathedral.

The eternal flame which now marks his gravesite in Arlington Memorial Cemetery is a symbol of the fire which John F. Kennedy kindled in the minds and hearts of his fellow man.

Many words have been written in an effort to describe the human qualities and spirit of this great man. I should like to repeat those of Theodore C. Sorenson, when he said of John Kennedy that:

> He was eloquent but never pompous, tough but always gentle, an idealist but still a realist. He knew when to reflect and when to act. He was a student of the past and a prophet of the future, a thinker and doer who both studied history and changed it. He always saw the larger picture while demanding all details. He thought of the next generation as well as his own—and he understood the difference between patience and hesitation.

John F. Kennedy was a remarkable man. His service to his country will endure long after his death as others take up the challenge of what they can do for their country, rather than asking what their country can do for them.

OUR APPROACHING ECONOMIC CRISIS

Mr. EDWARDS of Alabama. 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 Alabama?

There was no objection.

Mr. WYATT. Mr. Speaker, the United States is heading rapidly toward a real economic crisis. The situation is of such serious magnitude that I am devoting this entire issue of the "Washington Spotlight" to its discussion.

The present fiscal trend in this Nation poses a more severe threat to us in the Pacific Northwest than elsewhere in the country because home building and construction will be the first industries to feel the bite of runaway inflation. The wood products industry will be immediately affected.

Instead of the $8.9 billion deficit forecast by the President for the next fiscal year, it now appears that our real deficit gap will be in the neighborhood of an outrageous $29 billion for fiscal 1967–68. Next year's promises to be at least as large. Combined, the 2 years' deficits spell very real fiscal problems.

When the Government enters the money market at the multibillion-dollar level to finance the deficit and pay for its operations, interest rates, already at a 40-year high, will skyrocket even higher. Inflation can run rampant.

THE RESPONSIBILITY

The imprudent fiscal policies of this administration have created the awful situation we now face. Why the President's economic and financial experts could not anticipate this crisis is hard to understand. President Johnson made the decision that we could have both guns and butter. Since then the rubberstamp Congress in 1965 and 1966 has passed an overwhelming number and variety of new programs.

Most of these programs were begun with modest appropriations, but with huge, built-in increases. Last January Mr. Johnson proposed 16 new programs alone, in the middle of a wartime economy. In the past 7 years 70 new programs have been launched, 46 of these in 1965.

The Government payroll has increased by 479,650 persons during this period. Over 149,900 have been added within the past year. Many of us have warned that these hasty actions would create serious fiscal problems and fan the fires of inflation.

The gross miscalculation of costs for the Vietnam war is unbelievable and unpardonable. Gimmicks have been used by the administration to make past deficits look smaller than they actually are.

These one-shot fiscal manipulations are now used up. The high finance levels of the new programs are unavoidably with us. So, unhappily, are the irresponsible policies which have brought the fiscal chickens home to roost.

APPROPRIATIONS AND EXPENDITURES

The news media have been critical of Congress in its impasse this year with the administration over a tax increase and a reduction of Federal spending. Many people do not understand the mechanics of this spending.

After programs have been authorized by Congress, the Appropriations Committee recommends the amount of money for each program in a separate bill. The Congress then votes separately on the funds for each program.

However, this money that has been appropriated frequently is not spent. It may be held up by the Bureau of the Budget, or because the money, for some special reason, cannot be spent in the fiscal year for which is was approved.

These dollars accumulate, and can be spent on the authority of the President at any time thereafter. He has thus taken over the real "spending" authority of the Government.

At present there are nearly $125 billion in this "pipeline", appropriated but unspent. All or part of this money may be spent by the President at any time, through order of the Bureau of the Budget. Thus, reductions in appropriations by the Congress in any given fiscal year do not necessarily control in any way the actual amount of money spent by the Government in that fiscal year.

The amount of actual spending is controlled, therefore, directly by the President. It is this spending which determines if there is a deficit for a fiscal year and, if so, how much of one.

The House of Representatives this year has reduced appropriations below Johnson administration requests by over $6 billion. This is more than $1 billion less than was allocated by the Congress for the previous fiscal year.

In spite of the Congressional cutbacks, the President has authorized expenditures totaling $11 billion more than the previous fiscal year, thus completely disregarding the general demand for a reduction in Government spending.

THE ANSWER

I agree fully with Congressman WILBUR MILLS, chairman of the House Ways and Means Committee. The administration must make an absolutely firm commitment to achieve a substantial reduction in expenditures. Only after this is accomplished can we even consider the necessity for and possible effects of a tax increase. Any other course of action would be sheer hypocrisy and folly on the part of the Congress.

What the President has failed to tell anyone is that even with a substantial reduction in spending, and even with a tax increase, under his proposed spending program we will still have a whopping deficit. This can force interest rates higher and spiral inflation upward at a very fast rate. As a result, the deficit and the total national debt will be increasingly difficult to finance and manage.

The President did not submit a specific tax proposal to the Congress until August of this year. It was November 20 before he showed any interest at all in even considering reduced expenditures. In the meantime, the Johnson administration has all year fought vigorously against a determined congressional effort to reduce appropriations and to force a reduction in expenditures.

Major spending cutbacks are called for. Efforts must be made immediately to work toward a balanced budget and sound fiscal policy. Our eventual goal must be to hold our annual expenditures within our annual income.

With our Nation now involved in a major armed conflict in Southeast Asia, we cannot have "guns and butter." We certainly cannot have them to the extent proposed by the administration. To continue on this course leaves the country wide open for financial disaster.

To fully fund scores of new programs at home and abroad while carrying on a vast war effort, all through borrowing and increasing the annual deficit, can only have the most dire effects on our economy and the soundness of the U.S. dollar. The administration must take steps to cut expenditures now if we are to avoid the terrible fiscal crisis now facing this country.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. GROSS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROYBAL.

(The following Member (at the request of Mr. EDWARDS of Alabama) and to include extraneous matter:)

Mr. ROBISON.

(The following Member (at the request of Mr. TUNNEY) and to include extraneous matter:)

Mr. ROUSH.

ADJOURNMENT TO MONDAY, NOVEMBER 27, 1967

Mr. TUNNEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with Senate Concurrent Resolution 51, the Chair declares the House adjourned until 12 o'clock noon on Monday, November 27, 1967.

Thereupon (at 12 o'clock and 45 minutes p.m.), pursuant to Senate Concurrent Resolution 51, the House adjourned until Monday, November 27, 1967, at 12 o'clock noon.

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. POAGE: Committee on Agriculture. H.R. 4282. A bill to amend the Agriculture Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries (Rept. No. 984). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 974. An act to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., with amendment (Rept. No. 985). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 2195. An act to amend the marketing quota provisions of the Agriculture Adjustment Act of 1938, as amended (Rept. No. 986). 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. BINGHAM:

H.R. 14143. A bill to amend Public Law 89–214 in order to liberalize the payment of death gratuities under section 3 thereof; to the Committee on Veterans' Affairs.

By Mr. WILLIS:

H.R. 14144. A bill to enact title 44, United States Code, "Public Printing and Documents," codifying the general and permanent laws relating to public printing and documents; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 14145. A bill to amend the Federal Food, Drug, and Cosmetic Act to prescribe penalties for the possession of depressant, stimulant, and hallucinogenic drugs by unauthorized persons, to increase penalties for the unauthorized sale, delivery, or disposition of such drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL (by request):

H.R. 14146. A bill to amend the Federal Aviation Act of 1958 to authorize the establishment of aircraft noise standards and the use of such standards in aircraft type certification, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 14147. A bill to amend the act of June 8, 1906, to direct the Secretary of the Interior to permit the limited removal of fossil fish by anyone from public lands designated by the Secretary; to the Committee on Interior and Insular Affairs.

H.R. 14148. A bill to authorize the distribution of certain funds on deposit in the Treasury of the United States to the credit of the Arapahoe Tribe of the Wind River Reservation; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

209. Mr. FRASER presented a petition of the City Council of Minneapolis, relative to flying the United Nations flag with the flag of the United States from the city hall tower in Minneapolis, Minn., which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The President Vigorously Defends an Enviable Record

EXTENSION OF REMARKS

OF

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 22, 1967

Mr. ROYBAL. Mr. Speaker, in what James Reston, of the New York Times, called "as effective a performance as has been seen at a White House news conference in years," President Johnson vigorously defended the record of his administration before the eyes of the Nation and the press.

What came through was the essential Lyndon Johnson: the man Reston said:

> . . . has extended the Negro's franchise . . . raised the standard of education and of living . . . and . . . has presided over the most spectacular peacetime economic boom in the history of the United States.

That record alone would entitle any President to be called a great leader. But what Reston cited was only part of the remarkable Johnson record of accomplishment in 4 years.

Mr. Speaker, President Johnson was highly effective in his press conference on Friday not because of some new technique, as some seem to think, but because he was defending one of the finest records ever compiled by any President of the United States.

More has been done in the last 4 years for the education of our children, for the improved health of the population, for the revival of our cities, for the raising up of the Negro and other minorities, for the general good and well-being of this Nation than had been done by some Presidents in a century.

President Johnson's own words are in place here:

> We have made revolutionary strides in education and health and conservation. . . . We feel we have brought a degree of stability in our international relations in this hemisphere through the Alliance for Progress . . . we think we have, working with other nations, made material advances in helping underdeveloped nations in Africa. . . .
>
> We're happy that nine million more people have good paying jobs today than had when I came into this office. . . .

Any man would be proud of a record like that. Any man would be proud to bring it to the American people as President Johnson did last week in the White House.

I hope the American people will not be confused by false rhetoric and glittering personalities in the days ahead.

We do not elect a personality as President of the United States. We do not vote for a face or a name. We vote for a man and his record, and Lyndon B. Johnson has that record.

Support Our Men in Vietnam

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 22, 1967

Mr. ROUSH. Mr. Speaker, at a time when those who oppose our policy in Vietnam seem to get all of the headlines, it is heartwarming to know that there are a great many people who are offering encouragement to those men who are serving and sacrificing in far places. I received a real thrill when I learned of a project in my own District designed to support and encourage the men in Vietnam. The project was conceived by Miss JoAnn Cowgill, a secretary in the St. Regis Paper Co. plant in Marion, Ind. The project caught the imagination of other employees who generously contributed both time and gifts to the project. Approximately 200 men from Grant County, Ind., who are now serving in Vietnam received boxes from home containing homemade cookies, candy, cigarettes, fruitcake, pocketbooks, Koolaid, and soap. The company donated the postage and purchased several items to complete the well-rounded gift boxes. What a source of encouragement it must be to those men, who after reading some of the headlines here at home must believe that they are fighting a lonely battle, to know that there are people like Miss Cowgill and her coworkers who believe in them and appreciate their sacrifice. We cannot give those who participated in this project enough credit but we can give them our heartfelt thanks.

Missing Priorities

EXTENSION OF REMARKS

OF

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 22, 1967

Mr. ROBISON. Mr. Speaker, one of the more interesting statements made by the President at that recent press conference of his that has attracted so much attention was this charge—and indictment:

> I feel that one of our failures in the Administration has been our inability to convince the Congress of the wisdom of fiscal responsibility.

Well, of course, the President is entitled to his point of view in this respect but, even so, I would be tempted to take up the cudgel in defense of this House—that in recent months has been trying to walk a tortuous path toward its own but dimly-perceived goal of fiscal responsibility—except for the fact that the Nation has probably already had its fill of pot-versus-kettle type arguments over this particular issue.

Of far more value to all of us, it seems to me, would be an attempt to pursue the basic reasons why neither President nor Congress has, of late, been able to demonstrate much other than lipservice to the idea of fiscal responsibility; and every time I get to thinking about this

problem, as I suppose most of us are again in connection with the President's about-face in favor of some sort of attempt at spending restraint, I get back to what has to be the key word toward understanding our problem—which word is "priorities."

In today's Wall Street Journal, Alan L. Otten has a useful column on this which, under leave to do so, I now include with these remarks for the consideration of my colleagues:

MISSING PRIORITIES

WASHINGTON.—President Johnson has taken to attacking Congress of late for applying "a disordered sense of priorities" to domestic spending programs, and almost surely the nation will be hearing more of this as the Presidential campaign heats up.

Yet the President has poor grounds for his protest, because the Congressional actions are the natural and quite expectable product of a vacuum created by Mr. Johnson himself: His own reluctance to set forth clearly, and advocate firmly, some very definite spending priorities of his own.

Given this vacuum, Congress was bound to make its own decisions, and almost inevitably it has favored older, firmly established, better-lobbied programs over newer, more controversial ones.

For a long while after the Vietnam war began consuming so much Federal revenue, the President continued to argue that the nation could afford all the guns it needed and all the butter it wanted, too. Gradually, though, he began to admit that perhaps the nation couldn't have quite all that butter but certainly it could afford to give a little more to practically every Federal program, old and new.

Now, with his notice to the House Ways and Means Committee that he's willing to propose some sizable spending cuts, he finally seems ready to concede the butter portions must be reduced—but all signs are that he'll still try to accomplish this simply by taking a little away from each.

Mr. Johnson, in short, doesn't yet seem willing to acknowledge that the times and the Government's money squeeze require a very different approach: The setting of definite priorities among domestic programs, with perhaps large increases for top-priority items and level spending or even sharp cutback for less urgent ones.

There really is no evidence—in the budget or any other Administration pronouncement—that Mr. Johnson has indeed confronted more than the most superficial problems of priority-setting. Where is the evidence that the White House has weighed whether to switch moon-landing money into the reconstruction of rotting central cities, divert dam and dredging dollars into slum children's education and Negro job creation, spend highway and airplane millions on pure air and water instead?

It's possible that the spending cuts the President proposes to Congress next week may seem to deal with a few of these questions, but chances are that any effort in this direction will, at this late date be more sham than real. And the Presidential proposals will almost certainly avoid tackling such other basic questions as whether the Administration is spending too much to help older people and too little to help younger ones or too much to help teenagers and too little on pre-schoolers or too much on medical research and too little on building medical schools.

The President has clearly been ducking these and dozens of other tough decisions. Presumably motivated by a politician's desire to keep everyone as happy as possible (or at least to make everyone as little unhappy as possible) he has encouraged all programs almost equally—model cities and supersonic transports, aid to old folks and aid to young education and pork-barrel projects. First they were increased together. Then the increases were scaled back together. This may all be good politics (although some would argue it's not even that) but it certainly is poor leadership.

It's easy to understand the President's reluctance. The choices are indeed difficult, the competing claims convincing. Politically, it's almost impossible to make the "right" decision, to avoid enraging somebody. And the views of key lawmakers aggravate an already complex chore.

Moreover, the President had an unhappy experience last year when he tried just a mild priority-setting. He proposed cutbacks in school-lunch funds, in aid to land-grant colleges and in a few other programs—and the howls were deafening. First lawmakers accused him of trying to pull a fast one, proposing cuts he knew Congress would reject. Then they proceeded to reject the cuts.

The Congressional system, indeed, almost guarantees fragmented and often erroneous decisions. Long-established programs—such as farm price supports, highway building, health research or aid to aviation—tend to build up widespread, almost unquestioning support. Voting for them becomes a habit with many lawmakers; to convince others, advocates can tick off evidence of accomplishment and progress. In contrast, new programs like model cities have to be taken on faith, or develop early snags that create antagonisms (the war on poverty is an example).

Lobbyists for the older programs tend to be the more influential. Mayors hunting massive Federal aid aren't yet as experienced as Government workers seeking a fat pay raise. People wanting cleaner air and water aren't as well organized as veterans. Little children don't have the political clout of old folks. And so on.

Somehow, too, the Congressional committees handling the older programs push them with more unity and conviction than the committees handling newer ones display; in part, this results from the differences in lobbying impact. The seniority system provides the top members of committees handling older programs more prestige and following among their colleagues. Not too facetiously, one observer suggests that perhaps the surest way to obtain a more intelligent Congressional assessment of competing national needs is to switch committee jurisdictions every year—letting the space committee pass on the farm budget, the education committee on the space budget, for example.

Shortcomings inherent in the Congressional approach make it imperative that the President fix the priorities—not only making the hard choices between competing claims but also dramatizing the decisions and rallying the nation behind them.

The President can take a small step in this direction in the spending cuts he's to propose next week, and a bigger step in the budget he's to send Congress in January. If he ducks again, he must expect that Congress again will fix its own priorities—and that these will be no more to his liking than this year's.

Disregarding, for the moment, the special failings of this particular Congress, Mr. Otten's major point that shortcomings in the present congressional approach to the funding process make it imperative that the President fix priorities—making "the hard choices between competing claims and also dramatizing the decisions and rallying the Nation behind them"—is, I believe, well taken.

At the same time, merely to rest on that point is too much like saying—which is another matter of some division between us—that, in this difficult and dangerous day and age, only the President is qualified to deliberate and determine such foreign policy courses as our Nation is to pursue; and I, for one, would hope that a responsible Congress would reject both such assumptions.

If, therefore, Congress is to regain better control over Federal spending processes—as I would hope we can agree it should—it must find better tools than it now has at hand for doing so. A modernized, and hopefully more realistic, budgetary concept will help—as would some updating of the appropriation process, itself, for the same is no longer adequate to meet the challenges posed by the multibillion-dollar budgets of today.

But, in the end, I suspect Congress will have to reach outside itself for help, doing so perhaps along the lines suggested by H.R. 10520 as introduced by the distinguished and able gentleman from Arkansas [Mr. MILLS]. Under this proposal—which is not altogether dissimilar from my own bill, H.R. 82, to establish a Commission on the Organization of the Executive Branch of Government—a Commission to be known as the Government Program Evaluation Commission would be created. As envisioned by the gentleman from Arkansas [Mr. MILLS], the latter would be an independent, bipartisan Commission whose job would be to determine the effectiveness of all old, new, and proposed Federal programs, weighing their relative priorities and recommending their continuation—or discontinuation—and, if the former, their level of funding.

The President, I understand, has indicated he is not averse to having such a task force—as he put it—especially since, I assume, he would have some say in selecting its members, but the critics of this proposal have said, or will say, that this is something the administration is already doing, now, through its programing, planning, and budgeting system—PPBS—and is something Congress, for its part, ought to be able to adequately do through its committee system. But such critics of the Mills proposal—and of its several variations—fail to address themselves, as the gentleman from Arkansas [Mr. MILLS] did, to the fact that, in his words:

> Congress has far too little time to review and evaluate what is already done . . . (because it is always being) called upon to do something more.

Or to the validity of the warning made by Daniel P. Moynihan, former Assistant Secretary of Labor, that it may not be altogether wise for the executive branch to have—now in his words—"a virtual monopoly on evaluation research."

As Mr. Moynihan further said, in commenting on this "monopoly":

> Congress, the State legislatures, the City Councils, are simply told what have been the supposed results of such research. They do not have to agree; but they are hard put to disagree.
>
> There is nothing sinister about this state of affairs. Serious evaluation research is only just approaching the state of a developed, as against an experimental, technique. Inevitably it has been sponsored in the first instance by executive departments. However, precisely because the findings of such re-

search are not neutral, it would be dangerous to permit this imbalance to persist. Too often, the executive is exposed to the temptation to release only those findings that suit its purposes, (and) there is no one to keep them honest.

Therefore, Mr. Speaker, the Mills-Moynihan idea—or should it be the other way around?—makes a good deal of sense to me, in that—to borrow another Moynihan phrase—Congress should have a program outside the executive branch to "evaluate the evaluators," and I should think this would remain true no matter how well the PPB system that the Bureau of the Budget has initiated works out, for the challenges of tomorrow are so great as to demand the utmost in vision and informed objectivity of all of us if they are to be surmounted.

I would therefore, Mr. Speaker, urge our early consideration of Mr. MILLS' bill—H.R. 10520—along with its several variations, and also our consideration of bills such as H.R. 131 as introduced by myself, along with numerous of my colleagues, which would create a National Commission on Public Management that would study into and recommend methods by which both the executive branch and the Congress could begin to make better application than we have of our newer technological capabilities—as embodied in the so-called systems analysis approach—for finding comprehensive solution to our manifold domestic problems. I am certain that this tool, which private industry has developed and used with such success, could be adapted to our needs here—and I further believe it is a tool we badly need.

Mr. Speaker, there are undoubtedly several routes leading to fiscal responsibility, but the one we have been following this year does not go in that direction.

HOUSE OF REPRESENTATIVES

MONDAY, NOVEMBER 27, 1967

The House met at 12 o'clock noon.

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

If ye fulfill the royal law according to the scripture, thou shalt love thy neighbor as thyself, ye do well.—James 2: 8.

O God, our Father, whose light is above us, whose love is about us, and whose life is within us, grant unto us a joy of spirit and a courage of heart as we enter upon the tasks of another week. Give us to feel that we can meet every demand made upon us and manage every duty which comes our way because Thy spirit lives in our hearts. With Thee may we face our work in the high mood of integrity and the upward moving spirit of good will.

In this land we love with all our hearts may there be a greater unity of purpose as we seek to remove discrimination and poverty and as we endeavor to promote liberty and justice for all. In the Master's name we offer this our morning prayer. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, November 22, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On November 15, 1967:

H.R. 5091. An act to amend Public Law 87–752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States.

On November 17, 1967:

H.R. 11627. An act to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland; and

H.R. 13165. An act to extend the period during which Secret Service protection may be furnished to a widow and minor children of a former President.

On November 18, 1967:

H.R. 4538. An act for the relief of Dr. John E. Yannakakis.

On November 20, 1967:

H.R. 11641. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, Interstate Commission on the Potomac River Basin, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1968, and for other purposes.

On November 22, 1967:

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

H.R. 6692. An act declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 859. Joint resolution extending for 1 year the emergency provisions of the urban mass transportation program.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12080. An act to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12080) entitled "An act to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. GORE, Mr. TALMADGE, Mr. WILLIAMS of Delaware, Mr. CARLSON, and Mr. CURTIS to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10595) entitled "An act to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. MUSKIE, Mr. BENNETT, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1036. An act to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities; and

S. 1073. An act to remove arbitrary limitations upon attorneys' fees for services rendered in proceedings before administrative agencies of the United States, and for other purposes.

The message also announced that the Vice President, pursuant to Public Law 170, 74th Congress, appointed Mr. LAUSCHE to be a delegate, on the part of the Senate, to attend the Interparliamentary Union meeting to be held in Rome, Italy, December 3 through December 9, 1967.

The message also announced that the Vice President, pursuant to Public Law 81–754, appointed Mr. PELL to be a member, on the part of the Senate, of the National Historical Publications Commission.

APPROVAL OF CONSTRUCTION AND ALTERATION OF PUBLIC BUILDINGS

The SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works, which was referred to the Committee on Appropriations:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COMMITTEE ON PUBLIC WORKS,
Washington, D.C., November 13, 1967.

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

MY DEAR MR. SPEAKER: Pursuant to the provisions of the Public Buildings Act of 1959 for the construction and alteration of public buildings, the Committee on Public Works of the House of Representatives on November 9, 1967, approved modifications and increases in previously approved prospectuses as follows:

NEW HAVEN, CONN.

Post Office, Courthouse and Federal Office Building (to provide expanded court facilities in the converted Post Office and Courthouse and provide space in an adjacent Post Office and Federal Office Building to permit consolidation of Federal activities):