

for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. TAYLOR:

H.R. 14157. A bill to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes; to the Committee on Agriculture.

By Mr. FOLEY:

H.R. 14158. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture.

By Mr. MAILLIARD:

H.R. 14159. A bill to authorize the establishment of the site of the discovery of San Francisco Bay as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 14160. A bill to authorize the Secretary of the Interior to designate the Skyline National Parkway in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROGERS of Colorado:

H.J. Res. 933. Joint resolution to proclaim National Jewish Hospital Save Your Breath Month; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.J. Res. 934. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H. Con. Res. 589. Concurrent resolution seeking U.S. initiative to assure United Nations Security Council consideration of Vietnam conflict; to the Committee on Foreign Affairs.

## MEMORIALS

Under clause 4 of rule XXII,

293. The SPEAKER presented a memorial of the Legislature of the State of California, relative to providing encouragement and support to research leading to the development of aircraft capable of vertical landing and takeoff with minimal noise and vibration and greatest reliability, which was referred to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolution were introduced and severally referred as follows:

By Mr. FINO:

H.R. 14161. A bill for the relief of Rosario Pallavicino; to the Committee on the Judiciary.

H.R. 14162. A bill for the relief of Michele Grech and his wife, Concetta Grech; to the Committee on the Judiciary.

H.R. 14163. A bill for the relief of Filippo Gambino and daughter, Maria A. Gambino; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 14164. A bill for the relief of Giuseppe DiMaria; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 14165. A bill for the relief of Raffaele De Padova; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 14166. A bill for the relief of Aurora Castell (also known as Aurora Villanueva); to the Committee on the Judiciary.

By Mr. QUIE:

H.R. 14167. A bill for the relief of Lydia M. Parsley; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 14168. A bill for the relief of Silverio Conte, his wife, Lucia Conte, their son, Aniello Conte, and their daughter, Silvana Conte; to the Committee on the Judiciary.

H.R. 14169. A bill for the relief of Camola Pulicino; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 14170. A bill for the relief of Giuseppa Imme; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

210. By Mr. ST GERMAIN: Petition of the Communications Workers of America, AFL-CIO, relative to the elimination of the causes which lead to rioting and civil disturbances in our Nation; to the Committee on Education and Labor.

211. By the SPEAKER: Petition of Henry Stoner, Avon Park, Fla., relative to the editing of the Daily Digest in the Congressional Record; to the Committee on House Administration.

## SENATE

MONDAY, NOVEMBER 27, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who dost speak to us in the quietness, with minds burdened for the Nation and for the world, we turn to Thee in this baffling hour, praying that in this fear-haunted earth the flame of our faith may not grow dim. Unworthy though we are, Thou hast made us keepers for our day of the holy torch of freedom the Founding Fathers kindled with their lives.

We would share that sacred fire until tyranny everywhere is consumed and thus all the nations of the earth be blessed.

By a vision of Thy eternal kingdom whose sun never sets, give us the inner strength to serve the present age—

To be true to all truth the world denies,  
Not tongue-tied by its gilded lies,  
Not always right in all men's eyes,  
But faithful to the light within.

For Thine is the kingdom and the power and the glory. Amen.

## THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 22, 1967, be dispensed with.

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

## MULTILATERAL TRADE AGREEMENT—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 184)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying paper, was referred to the Committee on Finance:

## To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to section 226 of the Trade Expansion Act of 1962, a copy of the multilateral trade agreement signed in Geneva on June 30, 1967.

The agreement brings to a successful conclusion what we all know as the Kennedy round of trade negotiations. It fulfills the purposes and high hopes of the Trade Expansion Act passed by the Congress in 1962.

The documents contain a mass of detail. On paper those details appear dry and technical. In reality they represent new factories, more jobs, lower prices to consumers, and higher incomes for American workers and for our trading partners throughout the world.

These decisions recorded in these documents rest on solid experience. The remarkable postwar expansion of international trade brought strength and growth to the free world economy. It enriched the lives of people everywhere—and thus it served the cause of peace. We and our trading partners had an enormous stake in the future removal of trade barriers. Trade expansion would continue to benefit us all—the more so because of our growing prosperity. Protectionism and trade wars would hurt us all—the more so because of our growing interdependence.

This report celebrates the wisdom of these decisions and the success of this tremendous effort. As a consequence, international trade can continue to be the world's biggest growth industry. We must continue to provide leadership in international trade policy to realize its vast potentialities and share fully in its benefits.

The results of the trade negotiations are of unprecedented scale. We received tariff concessions from other countries on between \$7½ to \$8 billion of our industrial and agricultural exports. We reduced duties on about the same volume of our imports. The gains will be even greater in future years as world trade grows.

In approaching the trade negotiations, two fundamental standards governed our actions.

First, we sought—and achieved—reciprocity in trade concessions. Our consumers will benefit by lower import costs. Our export industries will benefit by greater market opportunities abroad.

Second, we sought to safeguard domestic industries that were especially vulnerable to import competition. We accomplished this through procedures worked out in accordance with guidelines wisely established by Congress in the Trade Expansion Act.

On October 21, 1963, we issued the first of a series of public notices of our intention to negotiate. Public hearings were held by the Tariff Commission and by the interagency Trade Information Committee. From these hearings, and from special studies carried out by the Office of Emergency Planning, we were given advice on each article under review for possible concession. When this expert examination revealed that a particular industrial and agricultural product was exceptionally vulnerable to import com-

petition, it was withheld from negotiation. These background studies also guided our negotiators in determining how large a concession we could reasonably make on each item.

Because of the care exercised in these preparations, the selectivity with which reductions were made, and the fact that most of these reductions will come into effect gradually over a 5-year period, we can be assured that the vital interests of American labor, agriculture, and industry have been safeguarded.

Throughout the negotiations my special representative for trade negotiations worked closely with the bipartisan congressional advisers.

The thoroughness of our preparation has borne fruit. As we made many concessions, so did our leading trading partners—the West European nations, Canada, and Japan. The major features of the basic agreement illustrate its depth and potential benefits.

Tariff cuts of 30 to 50 percent on a very broad range of industrial goods. For example:

Canada reduced tariffs on a wide range of machinery from 22.5 to 15 percent, on metal furniture from 25 to 17.5 percent, and on coal from 10 percent to zero.

Japan cut tariffs on bearings and parts from 25 to 12.5 percent and various types of radio transmission apparatus and parts from 20 to 10 percent.

Great Britain cut its tariffs on American electric typewriters from 16 to 7.5 percent, on circuit breakers from 16 to 8 percent, and on air conditioners from 12 to 7.5 percent.

The nations of the European Economic Community cut tariffs on U.S. pumps and compressors from 12 to 6 percent, on refrigerating equipment from 10 to 5 percent, and on automobiles from 22 to 11 percent.

Agricultural concessions that will open new trading opportunities for our farmers and set a valuable precedent for bringing the benefits of competition to world agricultural trade. For example:

Canada eliminated all tariffs on American apples, halved its tariff on orange and grapefruit juice from 10 to 5 percent, reduced its tariff on tallow from 17.5 to 10 percent.

Japan reduced its tariff on soybeans from 13 percent to 6 percent, on turkey from 20 percent to 15 percent, and on prunes from 15 percent to 10 percent.

The European Economic Community cut tariffs on dried peas and beans from 9 percent to 4.5 percent, on variety meats from 20 percent to 14 percent, and on unmanufactured tobacco from 28 percent to 23 percent.

Great Britain cut duties on soybeans from 5 percent to zero, on variety meats from 20 percent to 10 percent, and on raisins from 7.5 percent to 3.5 percent.

We gave comparable concessions on a wide range of products that we import. From them, we will gain the opportunity to choose from a wider variety of consumer goods, industrial materials, and capital equipment at lower prices.

Other parts of the Geneva agreement will also promote trade and encourage

economic growth in all free world nations. These are:

The basic elements of a world grains arrangement. This understanding provides for higher minimum trading prices and a program under which other nations will join us in the task of supplying food aid to the undernourished people in many of the developing nations;

A significant accord on antidumping procedures. This accord—consistent with existing American law—binds our trading partners to insure fair procedures to American exporters, while safeguarding American industry;

Progress in dealing with particular commodity groups. A 3-year extension of the Long Term Cotton Textile Arrangement was concluded. Useful approaches were developed in negotiating tariffs for steel, aluminum, chemicals, pulp and paper;

A separate bargain on the American selling price issue. The United States stands to gain additional tariff concessions on chemical exports and liberalization of some European nontariff barriers in exchange for abolishing the American selling price system of valuating certain chemicals. This package will require special legislation.

Significant benefits to the developing countries. These countries will get help from the food aid provision of the grains arrangement and from concessions they received from all industrial countries on export products of particular interest to them.

Each Member of the Congress has already received a copy of the "Report on United States Negotiations." This report summarizes the concessions granted by other countries and the results of special multilateral negotiations in the Kennedy round. It also lists all tariff concessions granted by the United States in the Kennedy round. An additional report will soon be transmitted showing the tariff concessions each of the major Kennedy round participants granted on the principal commodity groups in the negotiations.

I expect to issue a proclamation shortly making the reductions in the U.S. tariffs effective beginning on January 1, 1968. I shall seek the advice and consent of the Senate regarding U.S. participation in the world grains arrangement. International agreement on this arrangement was recently reached in Rome as a consequence of the understanding on grains negotiated in the Kennedy round.

Finally, I shall submit to the Congress a trade bill to make effective the American selling price agreement in the Kennedy round, to revise the adjustment assistance program for firms and workers, and to provide authority that will enable us to make further progress in promoting world trade.

The Geneva Conference set a solid record of achievement, unmatched in world trade history for its constructive and beneficial results. The results represent a monument not only to our late President who gave the negotiations his name, but also to another great American, the late Gov. Christian A. Herter, whose inspiration and leadership guided us

through the difficult first 3 years of the negotiations.

I commend this agreement and these reports to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, November 27, 1967.

#### MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On November 17, 1967:

S. 62. An act for the relief of Dr. Pablo E. Tablo;

S. 808. An act for the relief of Dr. Menello Segundo Diaz Padron;

S. 863. An act for the relief of Dr. Cesar Abad Lugones;

S. 1105. An act for the relief of Dr. G. F. Valdes-Fauli;

S. 1109. An act for the relief of Dr. Ramon E. Oyarzun;

S. 2167. An act for the relief of Dr. Rolando Pozo y Jimenez; and

S. 2192. An act for the relief of Dr. Rafael de la Portilla Lavastida.

On November 18, 1967:

S. 2168. An act for the relief of Dr. Pedro Pina y Gil.

On November 20, 1967:

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety.

On November 21, 1967:

S. 780. An act to amend the Clean Air Act to authorize planning grants to air pollution control agencies; expand research provisions relating to fuels and vehicles; provide for interstate air pollution control agencies or commissions; authorize the establishment of air quality standards, and for other purposes.

On November 24, 1967:

S. 1552. An act to amend the Highway Safety Act of 1966; and

S. 1556. An act for the relief of Dr. Orlando O. Lopez.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

#### TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

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

#### SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be



authorized to meet during the session of the Senate today.

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

#### WAIVER OF CALL OF THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule VIII, the call of the calendar of unobjected-to bills be waived.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

#### ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, November 27, 1967, the Vice President signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

S. 706. An act to amend section 27 of the Shipping Act, 1916;

S. 764. An act to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath;

S. 770. An act to amend an act to provide for the establishment of a public crematorium in the District of Columbia;

S. 2428. An act to authorize the Secretary of the Army to convey to the State of Washington certain lands in the counties of Yakima and Kittitas, Wash., in exchange for certain other lands, and for other purposes;

H.R. 168. An act to amend the act of June 20, 1918, relating to the retirement age requirements of certain personnel of the Coast Guard;

H.R. 1006. An act to provide an increase in the retired pay of certain members of the former Lighthouse Service;

H.R. 3351. An act to amend the act of August 19, 1950, to provide annuity benefits for an additional number of widows of employees of the Lighthouse Service;

H.R. 6430. An act to amend the public health laws relating to mental retardation, to extend, expand, and improve them, and for other purposes;

H.R. 10442. An act to facilitate exchanges of land under the act of March 20, 1922 (42 Stat. 465), for use for public schools, and for other purposes; and

H.R. 12910. An act to establish a Judge Advocate General's Corps in the Navy, and for other purposes.

#### MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 287. An act for the relief of Wen Shi Yu;

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended;

S. 1781. An act for the relief of Kyong Hwan Chang;

H.R. 162. An act to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements;

H.R. 169. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living in-

creases in benefits payable to such widows and to such former employees;

H.R. 6418. An act to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes;

H.R. 13606. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes; and

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

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

##### THE 1966 REPORT OF SMALL BUSINESS ADMINISTRATION

A letter from the Administrator, Small Business Administration, transmitting, pursuant to law, the 1966 Annual Report of the Small Business Commission (with an accompanying report); to the Committee on Banking and Currency.

##### REPORT OF DEPARTMENT OF TRANSPORTATION

A letter from the Assistant Secretary for Administration, Department of Transportation, reporting, pursuant to law, that the U.S. Coast Guard made no procurements or contracts under clauses 11 or 16 of section 2304(a) of title 10 during the period May 1, 1967, to October 31, 1967; to the Committee on Commerce.

##### REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings in use of commercial air service for transportation of cargo to Southeast Asia and Europe, Military Airlift Command, Department of the Air Force, dated November 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvements in controls over Government-owned property in contractors' plants, Department of Defense, dated November 24, 1967 (with an accompanying report); to the Committee on Government Operations.

##### DELIVERY OF WATER FROM NAVAJO RESERVOIR

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

##### REPORT OF CIVIL RIGHTS COMMISSION

A letter from the Chairman, U.S. Civil Rights Commission, transmitting, pursuant to law, a report entitled "A Time To Listen, a Time To Act: Voices from the Ghettoes of the Nation's Cities," dated November 1967, with an accompanying report; to the Committee on the Judiciary.

##### PETITIONS AND MEMORIALS

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

By the PRESIDING OFFICER:

A resolution of the Legislature of the State

of California; to the Committee on Commerce:

##### "SENATE RESOLUTION 26

"(By Senators Kennick and Deukmejian relative to aircraft noise)

"Whereas, The trend in both civil and military air transportation is toward higher speed; and

"Whereas, The achievement of high speed is accompanied by longer low-altitude flight paths during landing and take-off maneuvers and 'sonic booms'; and

"Whereas, The noise and vibration during landing and take-off are of increasing annoyance to those in the vicinity of the flight path; now, therefore, be it

"Resolved by the Senate of the State of California, That the Senate respectfully memorializes the President and the Congress of the United States to provide encouragement and support to research leading to the development of aircraft capable of vertical landing and take-off with minimal noise and vibration and greatest reliability and that encouragement and support be provided for research and development leading to the abatement of noise and the overpressure associated with supersonic flight; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

"I hereby certify, That the above resolution was adopted by the Senate on November 21st, at the 1967 2nd Extraordinary Session of the Legislature.

"J. A. BEEK,

"Secretary of the Senate."

A resolution adopted by the Kiwanis Club of Miami Shores, Fla., praying for the enactment of legislation to control crime; to the Committee on the Judiciary.

A resolution adopted by the city council of the city of Coachella, Calif., urging congressional approval for funding the Economic Opportunity program to allow the continuation of all programs at the current level; to the Committee on Labor and Public Welfare.

#### REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment:

S. 2634. A bill to amend section 867(a) of title 10, United States Code, in order to establish the Court of Military Appeals as the U.S. Court of Military Appeals under article I of the Constitution of the United States, and for other purposes (Rept. No. 806).

#### BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. HOLLAND:

S. 2691. A bill for the relief of Julia Insausti; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2692. A bill for the relief of Gilmer County, Ga.; to the Committee on the Judiciary.

By Mr. METCALF:

S. 2693. A bill to amend the Federal Aid in Wildlife Restoration Act, as amended, to make the revenues from the excise tax on pistols and revolvers available to the Federal aid in wildlife restoration fund, and for other purposes; to the Committee on Finance.



By Mr. RIBICOFF:

S. 2694. A bill for the relief of Nick Norbert Reis; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. MONTANA):

S.J. Res. 123. Joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

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

## RESOLUTION

### AUTHORIZATION OF CERTAIN ADDITIONAL STUDIES BY THE COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH submitted the following resolution (S. Res. 189); which was referred to the Committee on Public Works:

S. RES. 189

Resolved, That S. Res. 23 as considered, amended, and agreed to, is amended by adding the following new paragraph at the end of Section 1 thereof:

"In furtherance of the understanding of matters coming within its jurisdiction, the Committee on Public Works is authorized to contract with public and private agencies, institutions and organizations and with individuals for the purpose of conducting a study or studies relating to the movement of commuter traffic into and out of the Washington, D.C. Metropolitan Area, to test the relationship between highway facilities and other modes of commuter services in the movement of people at peak hours, especially from those areas beyond the range of projected mass transit and urban freeway facilities, to the disposal of solid waste originating in the Washington, D.C. Metropolitan Area by such manner and means as will obviate air and water pollution in the Washington, D.C. Metropolitan Area; and to test the feasibility of creating satellite communities within a reasonable radius of the Washington, D.C. Metropolitan Area, all designed to test the impact of proposals which will affect various programs authorized by the Committee on Public Works pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, solid waste disposal, public buildings and all features of water resource development and economic growth."

Section 4 of S. Res. 23 as considered, amended, and agreed to by the Senate on February 7, 1967, is further amended by striking the words, "\$165 thousand", and inserting in lieu thereof, "\$185 thousand".

### LONG-TERM CONTRACTS FOR DELIVERY OF WATER FROM NAVAJO RESERVOIR, N. MEX.

Mr. ANDERSON. Mr. President, on behalf of my junior colleague [Mr. MONTANA] and myself, I introduce a joint resolution to grant congressional approval to long-term contracts for delivery of water from the Navajo Reservoir in the State of New Mexico and for other purposes. This measure was submitted and recommended by the Department of the Interior as an executive communication.

The necessity for congressional approval of such a repayment contract stems from the requirement found in section 11(a) of the act of June 13, 1962, Public Law 87-483, which authorized the Navajo Indian Irrigation project and the

San Juan-Chama project as participating projects of the Colorado River Storage project.

A determination has been made that sufficient water is reasonably likely to be available to fulfill contracts that involve water depletions up to 100,000 acre-feet annually from this reservoir through the year 2005. The present resolution contains two contracts which have been approved by the Secretary of the Interior. Others are under active consideration by the Department and undoubtedly will be submitted subsequently to the Congress for approval.

I ask unanimous consent that the letter and the data on the hydrologic determinations accompanying the joint resolution be included at this point in my remarks.

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

The joint resolution (S.J. Res. 123) to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes, introduced by Mr. ANDERSON (for himself and Mr. MONTANA), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter and data, presented by Mr. ANDERSON, are as follows:

U.S. DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY,  
Washington, D.C., November 21, 1967.

HON. HUBERT H. HUMPHREY,  
President of the Senate,  
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed joint resolution, "To approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes."

We recommend that this joint resolution be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Act of June 13, 1962 (76 Stat. 96, Public Law 87-483), authorized the construction and operation of the Navajo Indian Irrigation Project and the San Juan-Chama Project as participating projects of the Colorado River Storage Project. The Act also authorized the Secretary to market water from Navajo Reservoir for other municipal and industrial uses in New Mexico if he determines on the basis of hydrologic investigation that such water is reasonably likely to be available. Section 11(a) of the Act provides in part that:

"No long-term contract, except contracts for the benefit of the lands and for the purposes specified in sections 2 [Navajo Indian Irrigation Project] and 8 [San Juan-Chama Project] of this Act, shall be entered into for the delivery of water stored in Navajo Reservoir or of any other waters of the San Juan River and its tributaries, as aforesaid, until the Secretary has determined by hydrologic investigation that sufficient water to fulfill said contract is reasonably likely to be available for use in the State of New Mexico during the term thereof under the allocations made in Articles III and XIV of the Upper Colorado River Basin Compact, and has submitted such determination to the Congress of the United States and the Congress has approved such contracts."

I hereby determine that sufficient water is reasonably likely to be available under the provisions of section 11(a) to fulfill contracts that involve water depletions up to 100,000 acre-feet annually through the year 2005.

The basis for this determination is explained in the enclosure entitled "Hydrologic Determinations".

Also enclosed with this letter are copies of the following two contracts which have been negotiated for the delivery of water from Navajo Reservoir for municipal and industrial use in the Four Corners area of New Mexico. They involve an estimated water depletion of 16,250 acre-feet annually, and are within the preceding determination.

|                                   | Water diversion (acre-feet) | Estimated water depletion (acre-feet) | Proposed uses                |
|-----------------------------------|-----------------------------|---------------------------------------|------------------------------|
| Public Service Co. of New Mexico. | 20,200                      | 16,200                                | Thermal-electric generation. |
| Southern Union Gas Co.            | 50                          | 50                                    | Pump cooling.                |
| Total.....                        | 20,250                      | 16,250                                |                              |

A summary of the contract provisions is enclosed.

The purpose of the proposed legislation is to approve the execution of these contracts. Other contracts within the 100,000 acre-feet total will be submitted for approval after they are processed within the Department.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,  
KENNETH HOLM,  
Assistant Secretary of the Interior.

## HYDROLOGIC DETERMINATIONS

Determinations as to the availability of water under long-term service contracts for municipal and industrial uses from Navajo Reservoir involve a projection into the future of estimated water uses and water supplies. On the basis of such hydrologic studies, water depletions under municipal and industrial contracts could reasonably be allowed to rise to 100,000 acre-feet annually through the year 2005.

To avoid a critical compact interpretation, we assume that the Upper Basin will be obligated to deliver 75 million acre-feet of water every 10 years at Lee Ferry, plus 750,000 acre-feet annually toward Mexican Treaty deliveries. This would require an average annual water delivery at Lee Ferry of at least 8,250,000 acre-feet. This assumption is not to be considered as an interpretation of the Upper Basin obligation for water delivery at Lee Ferry under the Colorado River Compact. It represents, rather, a practical and conservative approach for the purposes of the present determination required by section 11(a).

In August 1965, we provided the Congress with the following water data in connection with the proposed Lower Colorado River Project:

|   | Year of development |           |
|---|---------------------|-----------|
|   | 2000                | 2030      |
| Estimated normal annual depletion in upper basin (acre-feet)..... | 5,430,000           | 5,800,000 |
| Estimated annual Lee Ferry regulated delivery (acre-feet).....    | 8,600,000           | 8,250,000 |

Water deliveries at Lee Ferry, in the absence of depletions under proposed long-term municipal and industrial contracts, would in all probability be at least 8,500,000 acre-feet annually through year 2005. Contracts involving a depletion of up to 100,000 acre-feet would leave more than enough water to meet the 8,250,000 acre-feet estimated annual delivery requirement even in year 2030. On this basis, we conclude that the expansion of water uses now envisioned in the Upper Basin by 2005, including deliveries under long-term contracts involving 100,000 acre-feet depletions, would not impair the Up-



per Basin's ability to meet its water delivery obligation at Lee Ferry.

As to water use in the Upper Basin, subsection (b) of article III of the Upper Colorado River Basin Compact permits New Mexico or any other Upper Basin State to use waters in excess of its percentage allotment, provided such excess use does not prohibit any of the remaining States from utilizing its respective allotment. Thus, the availability of Navajo Reservoir water for municipal and industrial purposes in New Mexico through year 2005 depends upon the extent of water use in the entire Upper Basin during that period as well as upon the physical availability of water in Navajo Reservoir.

Hydrologic studies based on repetition of the 1928-65 water runoff period, which includes the severest drought period of record, and with water depletions anticipated during the 38 years prior to the year 2005, indicate with reasonable certainty the availability of a sufficient amount of water from Navajo Reservoir for the proposed municipal and industrial water delivery contracts, with reasonable shortages to be borne at times by all diverters from Navajo Reservoir. Pertinent data from the operation study on the shortages are summarized below:

|  | Navajo<br>Indian<br>irrigation<br>project | Hammond<br>project | M. & I.<br>contracts |
|--|---|--------------------|----------------------|
| Number of years of study...  | 38  | 38                 | 38                   |
| Number of years of full<br>supply.....                             | 35  | 35                 | 35                   |
| Assigned shortage (percent<br>of normal diversion<br>requirement): |   |                    |                      |
| 1955.....  | 10  | 10                 | 10                   |
| 1956.....  | 40  | 40                 | 40                   |
| 1964.....  | 26  | 26                 | 26                   |
| Average for 38 years..   | 2   | 2                  | 2                    |

We therefore conclude that water deliveries specified in the proposed municipal and industrial contracts can be provided from Navajo Reservoir with reasonable shortages.

#### SUMMARY OF CONTRACT TERMS

Each of the proposed contracts provides for:

1. Termination in year 2005, and subject to renewal or extension only if such is authorized by law;
2. A sharing of shortages in accordance with law, compact, and treaty;
3. Advance payment for the water to be delivered at an annual rate of \$7 per acre-foot;
4. Water pollution control provisions on return flows; and
5. Standard provisions for penalties for delinquency in payment, water measurement, and responsibility for distribution, water quality, record keeping, conflict of interest, equal employment opportunity, etc.

II. The proposed contract with Public Service Company of New Mexico also provides for:

1. Termination of the contract for nonuse of the water after January 1, 1977;
2. Advance approval by the Secretary of contractor's designs, plans, and specifications for facilities or major modifications thereof which will utilize the contracted water;
3. Air pollution control standards, with provision for review of these standards not less often than each 10 years, and with the further condition that in case agreement cannot be reached between the contractor and the United States on designs, plans, or equipment, the matter shall be submitted to arbitration;
4. Coordination of Federal and non-Federal generating and transmission facilities as a precedent to the delivery of water for thermal-electric generation.

## POSTAL REVENUE AND FEDERAL SALARY ACT OF 1967—AMENDMENTS

### AMENDMENTS NOS. 468 THROUGH 471

Mr. WILLIAMS of Delaware. Mr. President, I submit four amendments intended to be proposed by me to H.R. 7977.

The first amendment deals with the requirement that any unused stationery allowance for Members of the Congress shall automatically revert to the Federal Treasury.

The second amendment deals with the Executive order issued by President Johnson on September 20, 1966, at which time he announced a freeze on Federal civilian employment as of July 1, 1966. Since that time 185,393 employees have been added to the Federal civilian payroll.

The second amendment provides that that Executive order would be implemented by filling one of every four vacancies occurring in any quarter beginning with the quarter ending March 31, 1968. As employees resign and retire, this would automatically reduce the number of employees until the July 1966 level was reached, and it would accomplish this objective without discharging any employees.

The third amendment closes a loophole in the law as it relates to travel allowance for staff members of Members of the Senate. Under existing law the Members of the Senate themselves are reimbursed on the basis of so many trips, but they are reimbursed only on the basis of receipts for actual expenditures. The same restriction does not apply to staff members. In instances it is possible for them to draw twice the amount expended on travel. This amendment would restrict staff members to the same reimbursement basis as applies to Members of the Senate; that is, they could collect only for proven expenditures on travel.

The fourth amendment strikes out eight lines of the bill which in effect is a special private section dealing with increased retirement for just one former Member of Congress, Mr. Paul J. Kilday. Under this section this former Member of Congress would automatically have his retirement boosted by \$8,400 over and beyond what is provided by existing law. Based on normal life expectancy this has a value of about \$100,000. I do not think this special treatment can be justified.

Under existing law this former Member of Congress will upon retirement in May 1976 be eligible for retirement benefits of \$18,000 per year. This special section would raise his benefits to \$26,400. Why?

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

### AMENDMENT NO. 472

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 7977) to adjust certain postage rates, to adjust the rates of basic compensation for certain officers and employees in the Federal Government, and to regulate the mailing of pandering advertisements,

and for other purposes, which was ordered to lie on the table and to be printed.

### AMENDMENT NO. 473

Mr. McGEE submitted an amendment, intended to be proposed by him, to House bill 7977, supra, which was ordered to lie on the table and to be printed.

## ADDITIONAL COSPONSORS OF BILL AND JOINT RESOLUTION

Mr. McGOVERN. Mr. President, I ask unanimous consent that, at its next printing, the names of the senior Senator from Texas [Mr. YARBOROUGH] and the senior Senator from Idaho [Mr. CHURCH] be added as cosponsors of the bill (S. 2617) to establish producer owned and controlled emergency reserves of wheat, feed grains, soybeans, rice, cotton, and flaxseed.

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

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the concurrent resolution (S. Con. Res. 47) relative to the establishment of a United Nations peacekeeping force.

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

## MEAT INSPECTION

Mr. TALMADGE. Mr. President, I am at a loss to understand the attitude of the executive branch of the Government regarding S. 2147, the so-called meat inspection bill, which is the unfinished business. In the House, the administration supported the so-called Purcell bill. When the bill came to the Senate, the administration apparently supported the Montoya bill and then switched to the Mondale bill. It is difficult to understand exactly what the position of the administration is.

I have a copy of a telegram which Georgia's distinguished commissioner of agriculture sent to Secretary of Agriculture Freeman. I quote from the telegram:

ATLANTA, Ga.,  
November 21, 1967.

Senator HERMAN E. TALMADGE,  
Washington, D.C.:

Attached is copy of my wire to Secretary Freeman. It is inconceivable to me that committees of Congress approve efforts by lower bureaucrats in Federal departments to prevent State officials from testifying before congressional committees with threats of smears in retaliation. Carbon copy of msg. sent Hon. Orville Freeman, Secretary, U.S. Department of Agriculture, Washington, D.C. Quote many times prior to my testimony before the Senate committee in support of the original administration House passed Purcell bill, I and other Commissioners of Agriculture over the United States, received long distance telephone calls from personnel of the USDA threatening us with a smear campaign and stating that things would get very nasty if we testified for the original administration Purcell bill. Mr. Secretary, you know me well enough to know that regardless of the consequences, I cannot be blackmailed. I am certain you are unaware of some of the activities of your personnel. Within two days after my testi-



mony on November 15 Federal personnel of the USDA meat inspection staff in Atlanta received orders to find something wrong in non-federally inspected Georgia plants. I presume they are now making an effort to follow these orders. Mr. Secretary, you know as well as I, that a close inspection of federally inspected plants would certainly find something wrong in some of these plants. I send you this telegram for information purposes only as all matters pertaining to the Georgia Department of Agriculture are open to the Georgia public at all times and I fear no activities of your personnel.

Mr. President, I feel certain that some meat inspections in some States would not come up to the standards I prefer. I likewise am certain that some inspections at the Federal level would not come up to the standards I prefer. I feel certain that the educational systems and the police protection systems of some States are not all that is to be desired. But I do not think that is any reason or any excuse to dispossess State operations within their constitutional sphere of influence and delegate them to Federal agencies.

I am at a complete loss to understand the attitude of the U.S. Department of Agriculture in this instance. Georgia's commissioner of agriculture, Phil Campbell, is doing an outstanding job, not only in meat inspection but in every other sphere of the operations of the Department of Agriculture. He is a man of outstanding ability.

I think it is high time that Secretary Freeman called a halt to the coercive tactics used by the U.S. Department of Agriculture against State departments of agriculture.

Mr. President, I ask unanimous consent that the text of Commissioner Campbell's telegram to me, which includes the text of the telegram he sent to Secretary of Agriculture Freeman, be printed in the RECORD.

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

ATLANTA, Ga.,  
November 21, 1967.

Senator HERMAN E. TALMADGE,  
Washington, D.C.:

Attached is a copy of my wire to Secretary Freeman. It is inconceivable to me that committees of Congress approve efforts by lower bureaucrats in Federal Departments to prevent State officials from testifying before Congressional Committees with threats of smears in retaliation. Carbon copy of message sent Hon. Orville Freeman, Secretary, U.S. Department of Agriculture, Washington, D.C. Quote many times prior to my testimony before the Senate committee in support of the original administration House passed Purcell bill, I and other commissioners of agriculture over the United States, received long distance telephone calls from personnel of the USDA threatening us with a smear campaign and stating that things would get very nasty if we testified for the original administration Purcell bill. Mr. Secretary, you know me well enough to know that regardless of the consequences, I cannot be blackmailed. I am certain you are unaware of some of the activities of your personnel. Within two days after my testimony on November 15, federal personnel of the USDA meat inspection staff in Atlanta received orders to find something wrong in non-federally inspected Georgia plants. I presume they are now making an effort to follow these orders. Mr. Secretary, you know as well as I, that a close inspection of

federally inspected plants would certainly find something wrong in some of these plants. I send you this telegram for information purposes only as all matters pertaining to the Georgia Department of Agriculture are open to the Georgia public at all times and I fear no activities of your personnel.

Carbon copy to: Senator Allen J. Ellender, Washington, D.C.; Senator John L. McClellan, Washington, D.C.; Senator Harry F. Byrd, Washington, D.C.; Senator Richard B. Russell, Washington, D.C.; Senator Herman E. Talmadge, Washington, D.C.; Congressman W. R. Poage, Washington, D.C.; Congressman Graham Purcell, Washington, D.C.; Congressman Robert G. Stephens, Washington, D.C.; Congressman John Flynt, Washington, D.C.; Congressman Phila Landrum, Washington, D.C.; Congressman Ben Blackburn, Washington, D.C.; Congressman Maston O'Neal, Washington, D.C.; Congressman G. Elliott Hagan, Washington, D.C.; Congressman Jack Brinkley, Washington, D.C.; Congressman S. Fletcher Thompson, Washington, D.C.; Congressman John W. Davis, Washington, D.C.; Congressman W. S. Stuckey, Jr., Washington, D.C.; Editor, the New York Times, New York, N.Y.; Editor, the Washington Post, Washington, D.C.; Editor, the Chicago Tribune, Chicago, Ill.; Editor, the Wall Street Journal, New York, N.Y.; Editor, the Los Angeles Times, Los Angeles, Calif.; Editor, the Christian Science Monitor, Boston, Mass.; Editor, the Atlanta Journal, Atlanta, Ga.; Editor, the Atlanta Constitution, Atlanta, Ga.; each State commissioner of agriculture.

PHIL CAMPBELL,  
Commissioner, Georgia Department of  
Agriculture.

#### THE DOLLAR, THE POUND, AND U.S. FOREIGN TRADE

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may proceed for 8 minutes.

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

Mr. SYMINGTON. Mr. President, there are additional disturbing aspects of the position of the dollar in its relationship to the now devalued pound sterling.

The deficit in the U.S. balance of payments has worsened. For the first three quarters of this year that deficit stood at \$1.75 billion, nearly double the \$938 million of the first three quarters of last year.

This development points toward a possible 1967 deficit of between \$2.2 and \$2.5 billion, the greatest deficit since 1964; and presumably as a result, the Government has recently announced new programs which are designed to limit the outflow of American investment and banking funds during 1968.

As our own position so deteriorates, that of the pound grows even more precarious. The British trade deficit in October was the largest since January 1964. This created fear of another "sterling crisis" throughout the world, causing the pound to be under severe pressure in foreign exchange markets. On Saturday, November 18, that pressure was too much and the British were forced to devalue. As of last Friday, 16 other countries, plus 15 small political units associated with the United Kingdom—such as Hong Kong—have since followed suit. These actions will increase the cost of our exports as well as cheapen our imports, obviously with further adverse effect on our balance of payments.

It is now clear that the steady deficits in the balance of payments of the two reserve currency countries, the United States and the United Kingdom, have continued far too long. If unchecked, these continuing deficits could trigger a major financial crisis throughout the free world.

It would appear that we have fooled around with palliatives long enough; and that the time is now here for basic assessment.

It would also appear that much careless thinking has been expressed about this problem. As but one example, many believe that proposed arrangements to expand world liquidity will provide a fundamental solution to this problem; but as presented many times, this is merely wishful thinking.

In the first place, the agreement reached at Rio during the annual meeting of the IMF, hailed by some as a great success, nevertheless provided the Common Market countries with an effective veto over the activation of the new liquidity plan; and as long as these countries continue to have a surplus of reserves, there is no assurance they would vote for the activation of the new liquidity plan—so-called special drawing rights—even though they had ratified the agreement which establishes the basic machinery for such activation.

To say that we must wait until the end of the Vietnam conflict—which is not in sight—before deciding to eliminate this continuing unfavorable balance, is but another rationalization against taking any meaningful action now.

Another subject has come to the forefront in recent months, a subject also related to the position of the dollar; namely, the subject of trade policy. One of the principal arguments used to promote the passage of the Trade Expansion Act of 1962 was that it would not only help our balance of payments, but would also provide guaranteed access to the European Common Market. It would appear, however, that actual events will prove the United States has not benefited in this connection so far as its balance of payments is concerned.

In the first place, we did not gain access to the important agricultural market of the EEC. In fact, we did not even preserve the status quo. In the area of feed grains, for example, of which the United States exports approximately one-half billion dollars per year to the Common Market, we find that those European countries have already increased their protectionism: because variable levies on feed grains will be increased by approximately 4.5 percent from their already shockingly high levels.

In most European Common Market countries, tentative agreements have been reached to increase the border taxes from about 5 percent to approximately 15 percent; and the export subsidies on many products will also increase. As but one example, the European Common Market has adopted an export subsidy on canned hams equivalent to about 50 cents for a 2-pound can.

The point I want to make is that protectionism is already present, and growing, now, in many countries, particularly



those in Europe; whereas these same countries now threaten retaliation against anything we may do here in the United States to assist our own industries and employees.

Some over here who are responsible for trade negotiations have warned of possible retaliation against anything we might do to protect our own industries and workers; but these people say little if anything about the rampant protectionism which is now characteristic of the operations in so many foreign countries. It is an attitude I do not understand.

It is for such reasons that U.S. trade policy needs review and reappraisal. Tariffs are no longer the major obstacle to international trade. The so-called non-tariff barriers, far more prevalent abroad than in this country, loom much larger as impediments to trade than do tariffs.

The Senate Finance Committee is to be commended for its legislative review of the foreign trade policies of the United States. It is time to take stock of where we are, where we are going, and how we can bargain to eliminate the discriminatory practices of foreign nations in this vitally important area.

Let us hope also that during the next session, the Foreign Relations Committee and the Congress will undertake a thorough review of our trade and balance of payments policies. The recent devaluation of the pound sterling, with the subsequent "run" on gold, emphasizes the importance of such studies.

I yield the floor.

#### THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the call of the calendar of business under general orders, beginning with Calendar No. 787 and proceeding in sequence through Calendar No. 790.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the first measure.

#### INCREASING THE NUMBER OF ASSOCIATE JUDGES ON THE DISTRICT OF COLUMBIA COURT OF APPEALS

The bill (H.R. 8582) to amend chapter 7 of title II 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 was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 802), explaining the purposes of the bill.

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

#### PURPOSE OF THE BILL

The purpose of H.R. 8582 is to authorize the appointment of three additional associate judges to the District of Columbia Court of Appeals, thus increasing the number of such associate judges from two to five. This expanded court is to be separated into divisions consisting of three judges each, for

hearing and determining cases and controversies, except when a hearing or a rehearing is ordered before the court in banc. Two judges shall constitute a quorum of a division of the court, and four judges a quorum of the court sitting in banc.

#### BACKGROUND

Prior to 1942, there existed in the District of Columbia two local courts, the municipal court with jurisdiction in civil cases where the amount involved did not exceed \$1,000, and the police court with jurisdiction over misdemeanors and violations of municipal regulations. There was no right of appeal from either of these courts, although applications for writs of error could be made to the U.S. Court of Appeals.

By act of Congress of April 1, 1942, the municipal court and the police court were combined into one court, the municipal court for the District of Columbia, and the jurisdictional limitation in civil cases was increased to \$3,000. The same act created the municipal court of appeals with jurisdiction to hear appeals, civil and criminal, from the new municipal court. The new municipal court had 10 judges and the municipal court of appeals three judges.

In 1949, three additional judges were added to the municipal court, giving it a total of 13 judges. However, the number of judges on the municipal court of appeals was not increased.

In 1956, exclusive jurisdiction of all domestic relations cases was transferred from the U.S. District Court for the District of Columbia to the municipal court. Three additional judges were appointed for the domestic relations branch of the municipal court, giving this court a new total of 16 judges.

In 1962, the civil jurisdiction of the municipal court was increased to include cases involving not more than \$10,000. The act giving this increased jurisdiction changed the name of the municipal court to the District of Columbia court of general sessions, and changed the name of the municipal court of appeals to the District of Columbia Court of Appeals.

In 1966, five more judges were added to the court of general sessions, giving it a total of 21 judges. Again, however, there was no increase in the number of judges for the court of appeals.

Thus, over a period of 25 years since its inception as the municipal court of appeals, the present District of Columbia Court of Appeals has handled all the cases of appeal, both civil and criminal, from a lower court whose judicial personnel has grown from 13 to 22 judges and whose jurisdictional limitation in civil cases has expanded from \$3,000 to \$10,000—with no increase whatever in its own judicial manpower, which has remained at one chief judge and two associate judges.

#### INCREASE IN APPEALS CASES

Over this period of time, the increase in the jurisdiction of the court of general sessions, and the increase in the number of its judges, have naturally led to an increase in the number of appeals from that court. The following tabulation shows the increase in the appeals in the District of Columbia Court of Appeals:

#### Cases filed in fiscal year ending June

| 30—  |     |
|------|-----|
| 1944 | 141 |
| 1949 | 159 |
| 1954 | 167 |
| 1959 | 217 |
| 1964 | 211 |
| 1965 | 241 |
| 1966 | 295 |

In the 10 months of the present fiscal year, 262 appeals have been filed, and the indications are that more than 300 appeals will be filed in this fiscal year.

Another case for the increase in appeals has been the rulings of higher courts relat-

ing to the rights of indigent defendants in criminal cases to appeal, to have counsel appointed, and to have transcripts of testimony at Government expenses. In the year 1964, the District of Columbia Court of Appeals had 56 criminal appeals. In 1966, there were 112 criminal appeals. In the first 10 months of the current fiscal year, there have been 140 criminal appeals.

The foregoing figures relate only to the general docket of the District of Columbia Court of Appeals. In addition, there is an original docket on which are filed many special matters, such as applications for appeals from the small claims branch of the court of general sessions and in criminal cases where a fine of less than \$50 is imposed, motions for reduction of bail bonds and supersedeas bonds, motions to stay, motions seeking special relief such as writs of mandamus, motions to proceed in forma pauperis, and motions to dismiss. All such motions, applications and petitions, are time consuming.

Although the court of general sessions furnishes the bulk of appeals, the District of Columbia Court of Appeals has had jurisdiction since 1942 of appeals from the juvenile court, and over the years has been given jurisdiction of appeals from a dozen or more of administrative agencies of the District of Columbia government, such as the Director of Motor Vehicles, the Real Estate Commission, the Architect's Board, Board of Pharmacy, the District of Columbia Physical Therapists Examining Board, and the Public Service Commission in its administration of the District of Columbia Securities Act.

#### PRESENT BACKLOG OF COURT

Until recent years, the three judges of the District of Columbia Court of Appeals have been able to maintain the work of the court on a current basis. However, the workload of the court has now reached such a level that this is no longer possible.

As of April 30, 1967, the court had 196 cases pending and unheard. Of these cases, 128 were civil and 68 were criminal. The court has given preference to criminal appeals, which accounts for the disproportionate number of civil cases unheard. Criminal cases are being heard approximately 4 months after ready for hearing but civil cases are not heard until approximately 10 months after ready for hearing.

With the five new judges recently added to the court of general sessions, it is anticipated there will be more trials in that court, resulting in more appeals. Furthermore, it is reported that the trial court will soon seek five additional judges.

#### NEED FOR LEGISLATION

With the exception of the Tax Court of the District of Columbia, the District of Columbia Court of appeals is now the only court in the District which has not had an increase in the number of its judges since 1942. Meanwhile, the volume of business reaching the District of Columbia Court of Appeals has become so great that three judges are simply unable to dispose of the appeals with reasonable promptness.

For this reason, the committee feels strongly that prompt enactment of this proposed legislation is imperative. The increase in the number of judges from three to six, and the authority to have appeals heard by three-judge divisions of the court will do much to enable the District of Columbia Court of Appeals to eliminate its present backlog and to keep its docket current. The U.S. Courts of Appeal now use the division system to keep up with their work, and the U.S. Court of Claims has recently been authorized also to sit in divisions.

#### HEARING

At a public hearing conducted on October 17, 1967, by the Subcommittee on the Judiciary, spokesmen for the Board of Commissioners of the District of Columbia, the



District of Columbia Court of Appeals, the District of Columbia Bar Association, and the District of Columbia Judicial Council testified in favor of this bill. No testimony was offered in opposition to its enactment. The added annual cost of the bill for judicial salaries and supporting clerical services is estimated to be \$117,792.

#### REPORT OF PRESIDENT'S COMMISSION ON CRIME IN THE DISTRICT OF COLUMBIA

The jurisdiction of the District of Columbia Court of Appeals and its increasing workload is extensively discussed in the Report of the President's Commission on Crime in the District of Columbia at pages 289 through 298. The discussion concludes with this sentence: "As recent developments have an accelerating effect on the cases filed, we suggest that the District of Columbia Court of Appeals document its increasing workload and begin planning for whatever additional judges or supporting staff may be needed."

#### CONCLUSION

The case for the proposed increase in the judicial strength of the District of Columbia Court of Appeals has been well documented, and is a compelling one. The court seriously needs three additional associates judges, and the committee commends H.R. 8582 to the Senate for prompt enactment.

#### WASHINGTON CHANNEL WATERFRONT

The bill (H.R. 2529) to amend the act of September 8, 1960, relating to the Washington Channel waterfront was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 803), explaining the purposes of the bill.

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

#### PURPOSE OF THE BILL

The purpose of this bill, H.R. 2529, is to amend the act of September 8, 1960 (74 Stat. 871, D.C. Code, title 5, sec. 720-726), relating to the Washington Channel waterfront, by providing supplementary directives to the Redevelopment Land Agency of the District of Columbia for the relocation of displaced businesses in conformity with the urban renewal development plans for the waterfront portion of area C, urban renewal project in Southwest Washington. A hearing was held before Subcommittee on Business and Commerce on August 17, 1967.

#### HISTORY OF THE LEGISLATION

The Washington Channel waterfront of the Potomac River, title to which area was in the United States, was included within the boundaries of the project area C of the urban renewal redevelopment plan for Southwest Washington. This area, owned by the Federal Government, had, for a long period of years, been under the jurisdiction and control of the government of the District of Columbia. In 1913, on part of the waterfront area, the District of Columbia erected a fish market building and leased the market stalls to the fish dealers and to restaurant operators.

As a part of the redevelopment program for Southwest Washington, the Southwest Freeway was to run through the project area, and one of the approaches to the freeway was to pass over Maine Avenue at 11th and 12th Streets and part of the supporting structures would have to be located on the land occupied by the market building.

To facilitate this redevelopment, legislation was introduced and passed in the 85th Congress (72 Stat. 983) to authorize the use

of the land and the removal of the market facilities.

Following the enactment of this legislation in 1958, the construction of the approaches to the Southwest Freeway began and the Redevelopment Land Agency thereafter undertook the demolition and removal of the facilities in the project area.

In order to exercise full authority over the Washington Channel waterfront and to redevelop it according to the urban renewal plan, it was necessary for the Redevelopment Land Agency to secure authority transferring title to the waterfront area from the Federal Government to the Agency before it could legally proceed with redevelopment.

Accordingly, legislation was passed by the 86th Congress authorizing the Commissioners of the District of Columbia, acting for the U.S. Government, to transfer and donate to the Redevelopment Land Agency all right, title, and interest to so much of the area as was necessary to carry out the urban renewal plan (74 Stat. 871).

That bill, S. 3648, as amended and enacted, provided that displaced businesses would receive priority of opportunity to lease land either individually or as a development company solely owned by the owner or owners of one or more of such business concerns. The displaced businesses were to be entitled to facilities at least substantially equal to the facilities from which they were displaced and to be in conformity with the urban renewal plan for the area. The Redevelopment Land Agency was to notify each of the displaced business concerns of an opportunity to lease a parcel of land within the waterfront area. Each business was to be allowed 180 days within which to indicate its intent to relocate in the area and to demonstrate its capability to establish facilities in accordance with the redevelopment plan.

The purpose of directing the Agency to provide such priorities was to make effective the previous pledges of the Redevelopment Land Agency, and the acceptance of those pledges by the Congress that those businesses displaced from the area would have a reasonable and first opportunity to reestablish their businesses. The priority right was provided to enable displaced businesses to return to the waterfront, and it was not the purpose of the act to create a salable right.

Development of urban renewal plans for the Washington Channel waterfront dates from the original commitment in 1954 of the waterfront area to a real estate developer, which later completely defaulted in its performance. In 1963, a plan for the waterfront was approved by the National Capital Planning Commission and the District of Columbia Commissioners. The execution of the plan then became the obligation of the Redevelopment Land Agency.

In February 1964, the District of Columbia Redevelopment Land Agency issued notice to business displacees having priority for relocation. This notice advised the holders of priorities that they would have a period of 180 days within which to indicate their purpose to exercise their priority and to demonstrate their capacity to reestablish their businesses and construct facilities in accordance with the waterfront redevelopment plan. Priority holders were also notified concerning the terms of leases and other performances to be required of them by the Agency.

On examining the terms of the leases offered, the priority holders found themselves presented with an economic impossibility. The leaseholds offered to displacees were essentially "air rights." They were required to construct parking facilities underneath the business area, and such parking facilities were to be available to the public. Thus, individual businesses, while providing parking space, could not reserve such space, limited as it was, for its own customers. The building, which must conform to the waterfront plan, had to be financed and built by the owner and was to be occupied for a limited period of

years, at the end of which time the property right in the building rested with the Redevelopment Land Agency. The nature of the use of any structure was strictly limited to the purposes of the displaced business. Substantial setbacks from the boundaries of each parcel were required. The height of the building was limited to two floors.

The land values established by the Agency, as a basis for determining the lease rental rates to priority holders, was set by the Agency at a level far exceeding that set for most other parcels in the Southwest urban renewal project area. When this land cost was added to other charges placed on a priority holder, it appeared conclusive that no displaced business, regardless of its financial strength, could hope to operate at a profit.

After a record on these matters had been established with the Agency, the Agency reduced the land costs to the displacees by approximately 10 percent. This action proved to be a gesture since most, if not all, the displacees found the Agency's proposal economically impossible, regardless of the financial abilities of the displaced businesses.

During the 180-day period beginning in February 1964, displacees who were interested in relocation on the waterfront so notified the Agency. Thereafter, conferences and discussions between priority holders and the Agency were held. At the expiration of the 180-day period, no lease contracts had been executed, and, in fact, the priority holders had not been offered any specific parcels for relocation.

Since the 180-day period provided by statute had run out and no contracts had been completed, some question appeared as to whether priority rights might be extinguished or otherwise lost in the event the Agency were to make a change in the waterfront plans or a change in the land price or conditions of lease. To avoid such possibility and to further supplement the already abundantly expressed intent of Congress as to the relocation of displaced waterfront businesses, H.R. 11428 was introduced in the 89th Congress. H.R. 11428 was approved by the House of Representatives.

Following hearings by your committee, the bill was amended to permit the Redevelopment Land Agency, at its option, to reappraise the value of the land and increase the lease rental rates to such levels as the Agency deemed appropriate. The bill, as amended by your committee, was reported favorably to the Senate, where it was approved and returned to the House. Amendments were made in the House and the amended bill was returned to the Senate. In the brief time remaining at the end of the 89th Congress, the Senate did not conclude action on the bill.

#### WHAT THE BILL PROVIDES

The bill provides for equal priority rights to all businesses displaced from the waterfront area, some of which were inadvertently not included in Public Law 86-736. Those previously not entitled to notice are to receive notice of an opportunity to exercise a priority right for the reestablishment of their businesses. The bill extends the priority of opportunity to all 43 businesses displaced from the Southwest waterfront between Fort McNair and 14th Street and south of Maine Avenue.

Further, in the event of any change in the waterfront plan or in the land price or other matters which affect the economic values of a lease, each priority holder must be notified and given at least 60 days within which to exercise his priority rights.

In section 4 of the bill, the Agency is directed to use specific procedures for the establishment of land values in the waterfront area, and it must take into account the limitations and make proper allowances for improvements and any public charges placed upon the land which must be assumed by the priority holder. Further, it is provided



that any valuation placed upon the land shall not exceed the maximum fair use value which is economically feasible and which will permit the reestablishment of the business. These elements are essentially those used by competent appraisers. The principles are found in standard appraisal reference publications under the heading of residual appraisals. (Real Estate Appraisal and Investment, Kahn, Case, and Schimmel, p. 146; McMichael's Appraising Manual, 4th edition, 11th printing, p. 42-43.)

Residual appraisals have been used elsewhere by the District of Columbia Redevelopment Land Agency in its disposition of urban renewal lands. It is felt that such appraisal methods, if not the only suitable methods, are certainly one of the best and fully justifiable in connection with relocation of small businesses on land on the Washington Channel waterfront.

The bill provides that the lessee shall be charged an annual rent not less than 6 percent of the fair reuse value of the land as established by the Agency. In the event the money cost or interest which the Agency must pay in order to finance the land and improvements exceeds 6 percent, the lease rental charged to the priority holder will be such amount above 6 percent as is necessary to finance the land and improvement costs incurred by the Agency. Further, if the gross income derived by the business exceeds the estimated income used as a basis in establishing the residual value of the land as a basis for the original lease, the bill provides that the priority holder and the Agency shall receive equal shares of any increased income resulting from increased gross sales.

In addition, the bill provides that at the end of the first 25 years of any lease, the land under lease may be reappraised and a new value set on the basis of which the lease rental may be redetermined. This appraisal may occur at the option of the Agency or must be made by the Agency if the lessee so requests. Either the Agency or the lessee may request a new appraisal at the end of each 10 year interval following the 25th year of lease.

#### HEARINGS

At a public hearing before the Subcommittee on Business and Commerce on August 17, 1967, representatives of the District Commissioners, District of Columbia Redevelopment Land Agency, and Waterfront Displacees appeared and endorsed enactment of this legislation. No one appeared in opposition.

#### CONCLUSION

Your committee believes that enactment of this legislation is necessary in order to carry out the expressed intent of Congress that the Washington Channel waterfront be redeveloped and that business establishments displaced from the area shall have an opportunity to return as part of any new development plan for the area.

#### SUPPLY AND SERVICE CONTRACTS ON BEHALF OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1629) 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 which had been reported from the Committee on the District of Columbia, with an amendment on page 2, after line 16, insert a new section, as follows:

SEC. 3. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the function vested in the

Commissioners of the District of Columbia by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

So as to make the bill read:

S. 1629

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized and empowered to include in contracts for the procurement of supplies and services for the government of the District of Columbia the requirements for like supplies and services of any political division or subdivision in the National Capital region, possessing legal authority to have its supplies and services procured in such manner, upon a request therefor from an official who is authorized to and does thereby obligate such political division or subdivision to perform all liabilities or obligations which may result from the granting of such request or from action taken pursuant thereto, and after such political division or subdivision shall have paid or agreed to pay its fair share of any increase in District of Columbia procurement costs which, in the judgment of the Commissioners, is attributable to the operation of the joint procurement program.

SEC. 2. As used in this Act, "National Capital region" means the District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities, municipalities, and other political divisions and subdivisions now or hereafter existing within the geographic area bounded by the outer boundaries of the combined area of said counties.

SEC. 3. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan Numbered 3 of 1967, whichever is later, the function vested in the Commissioners of the District of Columbia by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

The amendment was agreed to.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 804), explaining the purposes of the bill.

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

#### PURPOSE OF THE BILL

The purpose of this bill is to permit the Commissioner of the District of Columbia to enter into joint contracts with other jurisdictions of the National Capital region for the procurement of supplies and services for the use of the District, as well as for the use of those other jurisdictions.

Under the bill, participation in a joint contracting program would be voluntary. The participating members would include, besides the District of Columbia, the counties of Montgomery and Prince Georges in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities, and municipalities now or hereafter existing in the National Capital region.

Any jurisdiction electing to participate would place a request for the purchase of supplies or services with the District procurement officer, who would thereupon undertake a joint contract for the acquisition of the needed items.

Under the terms of this bill, before any jurisdiction would participate in this program it would have to possess legal authority to procure its supplies and services in such

a manner; likewise, it would have to be able to obligate itself to perform all the liabilities or obligations which might result from a joint procurement contract or any action taken pursuant thereto. Additionally, such political division or subdivision must be able and willing to pay or agree to pay its fair share of any increase in the District of Columbia's procurement costs which, in the judgment of the Commissioner, is attributable to the operation of the joint procurement program.

The preparation of specifications, contract terms, conditions, advertising, and awards would essentially be the responsibility of the contracting agent—the District of Columbia. Participants in the program would have to agree not to withdraw from participation after solicitation of bids and would further agree to meet all obligations arising under joint contracts.

The procurement officer for the District of Columbia would reserve the right to refuse a request for participation in a joint contract if, in his opinion, pooling resources would not be workable or advantageous in that situation.

#### HEARING

The Business and Commerce Subcommittee held hearings on this legislation on August 17, 1967, at which time the procurement officer for the District of Columbia government, and the assistant executive director of the Metropolitan Washington Council of Governments appeared in support of the measure.

According to the Council of Governments, a program of joint contracting for supplies and services would be of considerable benefit to all participants. Using the District of Columbia's Procurement Office as buying agent for the District of Columbia, as well as for the participating cities or counties, would result in savings to all parties by virtue of lower prices obtained through the purchase of larger quantities of goods. Additional savings would be effected through elimination of duplicate administrative and clerical costs and by participation in the District's supply cataloging and standardization programs.

The Commissioners informed the committee that they were unable to make an initial estimate as to the increased expenses to the District such a program might incur, but assured the committee that, as the program develops and the workload becomes measurable, they intend to call upon the participants to contribute toward meeting operating expenses (either through cash payments or the furnishing of clerical assistance and supplies). There was no opposition to the bill. An identical bill (S. 1316) passed the Senate on October 1, 1965.

#### AMENDMENT

The amendment approved by the committee will transfer functions vested in the Board of Commissioners of the District of Columbia in accordance with Reorganization Plan No. 3 of 1967.

#### PERFORMANCE BOND PROTECTION ON CERTAIN CONTRACTS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 1532) 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 which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 11, after the word "to", strike out "final execution and



judgment" and insert "final judgment and execution"; and on page 6, after line 12, insert a new section, as follows:

SEC. 9. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan No. 3 of 1967, whichever is later, the functions vested in the Board of Commissioners by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

So as to make the bill read:

S. 1532

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) before any contract, exceeding \$2,000 in amount, for the construction, alteration, or repair of any public building or public work of the District of Columbia is awarded to any person, such person shall furnish to the District of Columbia the following bonds, which shall become binding upon the award of the contract to such person, who is hereinafter designated as "contractor":

(1) A performance bond with a surety or sureties satisfactory to the Commissioners of the District of Columbia, and in such amount as they shall deem adequate, for the protection of the District of Columbia.

(2) A payment bond with a surety or sureties satisfactory to the Commissioners for the protection of all persons supplying labor and material in the prosecution of the work provided for in said contract for the use of each such person. Whenever the total amount payable by the terms of the contract shall be not more than \$1,000,000 the payment bond shall be in a sum equal to one-half the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than \$1,000,000 and not more than \$5,000,000, the said payment bond shall be in a sum equal to 40 per centum of the total amount payable by the terms of the contract. Whenever the total amount payable by the terms of the contract shall be more than \$5,000,000 the payment bond shall be in the sum of \$2,500,000.

(b) Nothing in this section shall be construed to limit the authority of the Commissioners to require a performance bond or other security in addition to those, or in cases other than the cases specified in subsection (a) of this section.

SEC. 2. (a) Every person who has furnished labor or material in the prosecution of the work provided for in such contract, in respect of which a payment bond is furnished under this Act and who has not been paid in full thereof before the expiration of a period of ninety days after the day on which the last of the labor was done or performed by him or material was furnished or supplied by him for which such claim is made, shall have the right to sue on such payment bond for the amount, or the balance thereof, unpaid at the time of institution of such suit and to prosecute said action to final judgment and execution for the sum or sums justly due him: *Provided*, That any person having direct contractual relationship with a subcontractor but no contractual relationship, express or implied, with the contractor furnishing the payment bond, shall have a right of action upon the payment bond upon giving written notice to the contractor within ninety days from the date on which such person did or performed the last of the labor, or furnished or supplied the last of the material for which such claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the material was furnished or supplied or for whom the labor was done or performed. Such notice shall be served by mailing the same by registered mail, postage prepaid, in an envelope addressed to the contractor at any place he maintains an office or con-

ducts his business, or his residence, or in any manner in which the United States marshal for the District of Columbia is authorized by law to serve summons.

(b) Every suit instituted under this section shall be brought in the name of the District of Columbia for the use of the person suing, in the United States District Court for the District of Columbia, irrespective of the amount in controversy in such suit, but no such suit shall be commenced after the expiration of one year after the day on which the last of the labor was performed or material was supplied by him. The District of Columbia shall not be liable for the payment of any costs or expenses of any such suit.

SEC. 3. The Commissioners are authorized and directed to furnish, to any person making application therefor who submits an affidavit that he has supplied labor or materials for such work and payment therefor has not been made or that he is being sued on any such bond, a certified copy of such bond and the contract for which it was given, which copy shall be prima facie evidence of the contents, execution, and delivery of the original. Applicants shall pay for such certified copies such fees as the Commissioners fix to cover the cost of preparation thereof.

SEC. 4. The Act entitled "An Act in relation to contracts with the District of Columbia", approved June 28, 1906 (34 Stat. 546), as amended by the Act approved June 26, 1912 (37 Stat. 168; D.C. Code, secs. 1-805 and 1-806) is amended by striking "\$1,000" therefrom, and inserting in lieu thereof "\$2,000".

SEC. 5. Section 1 of the Act entitled "An Act regulating the retent on contracts with the District of Columbia" approved March 31, 1906 (34 Stat. 94), as amended (D.C. Code, sec. 1-807), is amended by inserting immediately before the semicolon the following: ", and whenever the work is substantially complete, the Commissioners, if they consider the amount retained to be in excess of the amount adequate for the protection of the District of Columbia, at their discretion may release to the contractor all or a portion of such excess amount".

SEC. 6. As used in this Act, the term "person" and the masculine pronoun shall include all persons whether individuals, associations, copartnerships, or corporations, and the terms "Commissioners of the District of Columbia" and "Commissioners" mean the Board of Commissioners of the District of Columbia or their designated agents.

SEC. 7. The Act entitled "An Act to require a contractor to whom is awarded any contract for public buildings or other public works or for repairs or improvements thereon for the District of Columbia to give bond for the faithful performance of the contract, for the protection of persons furnished labor and materials, and for other purposes", approved July 7, 1932 (47 Stat. 608), as amended (D.C. Code, sec. 1-804), is repealed, except that such Act shall remain in force with respect to contracts for which invitations for bids have been issued on or before the effective date of this Act, and to persons or bonds in respect of such contracts.

SEC. 8. This Act shall take effect upon the expiration of sixty days after the date of its enactment, but shall not apply to any contract awarded pursuant to any invitation for bids issued on or before the date it takes effect, or to any person or bond in respect of any such contract.

SEC. 9. Effective on the effective date of this Act or on the effective date of part IV of Reorganization Plan No. 3 of 1967, whichever is later, the functions vested in the Board of Commissioners by this Act shall be deemed to be vested in the Commissioner appointed pursuant to part III of such plan.

The amendments were agreed to.

The bill was ordered to be engrossed

for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 805), explaining the purposes of the bill.

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

#### PURPOSE OF THE BILL

The purpose of S. 1532, which is requested by the District of Columbia government, is to modernize present legislation relating to District of Columbia government public works contracts to conform it more closely to statutes, regulations, and practices, relating to U.S. Government public works contracts. The bill provides that District of Columbia government contracts for the construction, alteration, or repair of public buildings or works exceeding \$2,000 in amount must be accompanied by both a performance bond to protect the District and a payment bond for the protection of subcontractors and others who supply labor or material for the contract work, and modifies present statutory requirements respecting the portion of contract payments that must be retained by the District pending completion and acceptance of work under construction contracts.

#### BACKGROUND

##### Bonding requirements

The present statute governing the bonding requirements of District of Columbia contracts exceeding \$1,000 in amount for construction, alteration, and repair of public buildings and works was enacted in 1932 (D.C. Code, sec. 1-804). Contractors are required to furnish one bond. The purpose of the bond is to protect the District from loss due to nonperformance by the contractor, and to obligate the contractor to make prompt payment for labor and materials supplied by third parties for prosecution of the contract work. To recover payment for services and materials subcontractors and others have the right to intervene and be made parties to any action instituted by the District government on the contractor's bond. The claim and judgment of the District in any such action take priority over such other claims. Payment is made first to the District government, and if the amount of liability under the bond is insufficient to cover all other adjudicated claims of intervenors, the balance is distributed pro rata among them. In the event no suit on the bond is brought by the District within 6 months following completion and final settlement of the contract, unpaid subcontractors and others who supplied labor or materials may bring a single action on the bond in the name of the District for their use and benefit. Such an action must include all known creditors of the contractor, may be instituted until 6 months following completion and final settlement of the contract, and must be initiated within 1 year after contract settlement.

The bonding requirements of Federal Government construction contracts exceeding \$2,000 in amount are governed by the so-called Miller Act of August 24, 1935 (40 U.S.C. 270 a-d). The Miller Act requires a contractor to furnish not only a performance bond to protect the Government, but a payment bond for the protection of persons supplying labor or material for the work. Persons supplying labor or materials need not await completion of the contract, but may bring suit on the payment bond 90 days after their labor or material was furnished.

##### Retention of payments

Existing District of Columbia law provides for retention by the District government of not less than 5 percent of the total amount



of payments under a construction contract until completion and acceptance of the work. Federal Procurement Regulations governing Federal Government construction contracts permit the contracting officer, if he considers the sum retained to be in excess of the amount deemed adequate for the protection of the Government, to release to the contractor all or a portion of such excess amount.

#### PROVISIONS OF THE BILL

Sections 1 to 3 of S. 1532 rewrite existing law to conform the bonding requirements for District of Columbia construction contracts with the requirements applicable to Federal construction contracts under the Miller Act of August 24, 1935 (40 U.S.C. 270a-c).

Section 1 provides that a contractor under any District of Columbia contract exceeding \$2,000 in amount for the construction, alteration, or repair of any public building or work must furnish both a performance bond for the protection of the District and a payment bond for the protection of persons supplying labor and materials for the contract work, with surety or sureties satisfactory to the District government. Performance bonds would be in amounts deemed adequate by the District. The amount of a payment bond would depend upon the total amount payable under the contract. Under contracts up to \$1 million a payment bond of 50 percent of the amount payable would be required. Contracts from \$1 to \$5 million would require a 40-percent payment bond, and those in excess of \$5 million would have to be accompanied by a \$2.5 million payment bond. Section 1(b) provides that section 1 shall not be construed to limit the authority of the District government to require additional security from a contractor if such is deemed necessary.

Section 2 provides that every person who furnished labor or material for contract work covered by a payment bond, and who has not been paid in full for 90 days after his labor or material was furnished may sue on the payment bond for the amount unpaid at the date of suit, and prosecute the action to final judgment and execution for the sum due. Persons having a contractual relationship with a subcontractor, but not with the contractor, are given a right of action on the payment bond upon giving written notice to the contractor within 90 days after the date such person furnished the last of the labor or material for which the claim is made. Such notice must describe the claim with substantial accuracy, and would be servable on the contractor by prepaid registered mail.

The bill requires that suits on the payment bond be brought in the name of the District of Columbia for the use of the party suing within 1 year after the date on which the last of the labor or material was furnished. The U.S. District Court for the District of Columbia is given jurisdiction over such actions irrespective of the amount in controversy. The District of Columbia shall not be liable for the costs or expenses of any such suit.

Section 3 directs the District government to furnish certified copies of the payment bond and contract involved to persons suing or being sued on such bond. The copy furnished is made prima facie evidence of the contents, execution, and delivery of the original. The District is authorized to fix and collect fees for copies designed to cover the cost of their preparation.

Section 4 amends existing law so as to make it unnecessary for the District government to require bonds and a formal written contract in cases where the District contracts for work, materials, or supplies involving a sum not exceeding \$2,000. Present law provides their formal written contracts with bond are not required in cases where the contract cost does not exceed \$1,000.

Section 5 amends the act regulating the retention on contracts with the District of Columbia to permit the District government,

when it considers the amount retained under a contract to be in excess of the amount deemed adequate to protect the interest of the District of Columbia, in its discretion to release all or a portion of such excess retainage to the contractor.

Section 6 defines the terms "person" and "Commissioners of the District of Columbia" and "Commissioners" as used in the bill.

Section 7 repeals the present statute governing the bonding requirements of District of Columbia government contracts for the construction, alteration, or repair of public buildings and works, but provides for the continued application of that statute to contracts for which invitations for bids have been issued on or before the effective date of this legislation, and to persons or bonds in respect of such contracts.

Section 8 provides that the legislation shall be effective upon the expiration of 60 days after the date of its enactment, and shall not apply to any contract awarded pursuant to any invitation for bids issued on or before such effective date, or to any person or bond in respect of any such contract.

#### HEARING

S. 1532 was the subject of a public hearing conducted by the Subcommittee on Business and Commerce on August 17, 1967. Representatives of the District of Columbia Commissioners testified that substitution of the bond provisions of the Miller Act for the bond requirements now applicable to District construction contracts and the proposed modification of the District's present contract payment retention statute to incorporate the Federal practice will be of substantial benefit to contractors with the District government and to their subcontractors. Under the proposed change, the parties to District contracts will have the benefit of a substantial body of interpretive case law that has developed under the Miller Act. The D.C. Metropolitan Subcontractors Association, Inc., and the Greater Washington Central Labor Council, AFL-CIO, support the bill.

#### AMENDMENTS

One amendment approved by the committee will transfer functions vested in the Board of Commissioners of the District of Columbia in accordance with Reorganization Plan No. 3 of 1967. The other is a technical amendment and substitutes "judgment and execution" for the expression "execution and judgment" at page 3, line 11, of the bill.

#### CONCLUSION

Many construction contractors do business with both the District and Federal Governments. S. 1532 will provide uniformity in the bonding requirements and payment retention practices under construction contracts let by the two governments. The committee deems such uniformity desirable, and recommends that S. 1532 be enacted.

#### WHEAT ACREAGE ALLOTMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 784.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1722) to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with an

amendment, on page 1, line 8, after the colon strike out "or (2) to increase the allotment for any county on the basis of its relative need for such increase if there is a substantial area in the county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is substantially less than such average ratio on old wheat farms in surrounding areas and counties due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which because of adverse weather conditions, plant disease, or loss of markets may no longer be produced at a fair profit, and there is no other alternative income-producing crop suitable for production in the area. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in surrounding areas and counties, as determined by the Secretary"; and insert "or (2) to increase the allotment for any county, in which wheat is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allotment to cropland on old wheat farms in such county is less by at least 20 percent than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 percent of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 percent than such average ratio on the remaining old wheat farms in such county, provided that such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in the adjoining areas or counties.";

So as to make the bill read:

S. 1722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 334(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1334(a)), be amended by inserting the language "(1)" between the words "used" and "to", and by striking out the period at the end of the sentence and inserting in lieu thereof a comma and the following language: "or (2) to increase the allotment for any county, in which wheat is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allot-



ment to cropland on old wheat farms in such county is less by at least 20 per centum than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 per centum of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 per centum than such average ratio on the remaining old wheat farms in such county, provided that such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (2) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in the adjoining areas or counties."

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

Without objection, the amendment is agreed to.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

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

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 800), explaining the purposes of the bill.

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

This bill, with the committee amendment, provides for adjustment of wheat allotments in counties where wheat is the principal grain crop and where allotments are low in relation to cropland because farmers shifted prior to 1951 from wheat to an alternative crop or crops which have proved unprofitable because of plant disease or sustained loss of markets.

At present section 334(a) of the Agricultural Adjustment Act of 1938 provides for reserving not to exceed 1 percent of the national wheat acreage allotment for apportionment to counties on the basis of relative need because of reclamation and other new areas coming into production of wheat. The bill, with the committee amendment, would provide an additional use for this reserve. The new use would be limited to counties in which—

- (1) Wheat is the principal grain crop;
- (2) The average ratio of wheat acreage allotment to cropland on old wheat farms is at least 20 percent below that in an adjoining county (or such average ratio for a contiguous area comprising at least 10 percent of the county's cropland is similarly below that for the remainder of the county's old wheat farms);
- (3) Such low ratio is due to a shift prior to 1951 from wheat to an alternative crop or crops which have become unprofitable because of plant disease or sustained loss of markets;
- (4) There is no alternative income-producing crop.

Apportionment from the reserve for this

new purpose would be based on relative need, and amounts apportioned to counties would be used to increase allotments of old wheat farms to make them comparable to those on similar farms in adjoining areas or counties. The average allotment to cropland ratio after such increase could not exceed that on old wheat farms in the adjoining areas and counties.

It is contemplated that only a small acreage, not exceeding 10,000 acres in any year, would be used to make the adjustments provided by the bill.

#### ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. MONTROYA. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

The Senator from New Mexico is recognized.

#### WHO IS PROTECTING NASSER'S INTERESTS IN THE UNITED STATES?

Mr. MONTROYA. Mr. President, a mystifying situation exists regarding trade between this country and Nasser's Egypt. It affects American workers, farmers and business. It is my understanding that Egypt is conducting a profitable trade with our country in extra-long staple cotton and cotton textiles.

For these products Nasser receives cold American cash, all at the expense of American wage earners of one kind or another. It is my belief, founded upon trade figures, that it is the actual policy of our State Department to allow the Nasser government access to our domestic markets with its cotton and textiles.

The long record of virulent hostility and vituperation on the part of Nasser toward our country is too well known to require further documentation. There is not a Senator here whose indignation has not been aroused by Egypt's epithets, mistreatment of American citizens and cavalier attitude toward American property.

Nasser's severing of diplomatic relations with us because of Israel's smashing defeat of his dictatorial ambitions was one of the most childish, gross and self-defeating international acts in recent memory.

His abuse of American nationals trapped in Egypt when the war took place was appalling. Most recently, he has defaulted on a \$2 million installment on a \$56.5 million loan. Yet somehow he has retained a powerful benefactor or benefactors within our foreign policy establishment.

In the 4 months since the break in official relations between Egypt and the United States, we have allowed importation of more than 12,000 bales of Egyptian extra-long staple cotton. This handed Nasser some \$3 million in desperately needed foreign exchange. None of this is disputed by our State Department.

Further, responsible people in the administration have allowed shipment of millions of square yards of Egyptian cotton textiles into this country. Nor is this

a subject for disagreement on the part of the State Department.

Detailed figures on these imports are as yet unavailable. But one can discern certain aspects of the transactions. Commerce Department records show that 1 million yards of Egyptian textiles entered the United States in July. This total mounted to 3.5 million yards in August. This is a gain of 350 percent in 1 month, enriching Nasser's bare coffers to the tune of another \$300,000. Our Department of State has not argued this fact, either.

Despite the breach between the two countries, our State Department late last month extended until January an expiring trade treaty under which Egypt can dump in our country up to 51 million square yards of cotton textiles annually.

The Government of India, which strongly backs any of Nasser's actions, no matter what they are, acted for Egypt in this backstage arrangement.

If this was done, why was it not made public knowledge? Why were the Senate and House not informed as they have a right to be? Why was this done in secret? Why were the representatives of and the people themselves not informed of what was being done in their name with the government of Egypt?

But there is still more to this, Mr. President. Several months ago, when Nasser had to buy wheat, he turned to, of all countries, France. There is a strong possibility that he paid the French with dollars earned from his undisturbed sales of extra-long-staple cotton and textiles in our Nation. The facts speak for themselves.

Mr. President, these dealings have all been held in what I choose to call kindly—concealment. No hint has emanated from our State Department regarding UAR cotton shipments and extension of the textile agreement. Even Members of Congress with a direct interest in these matters have been kept in the dark. For one, I vehemently resent this. Our Nation is wholly self-sufficient in extra-long-staple cotton. It grows this type of cotton equal in quality to any in the world. This crop is grown in four States—my own home State of New Mexico, Arizona, California, and Texas. Our Government has a stockpile of 232,000 bales of this cotton. Domestic consumption is approximately 150,000 bales annually.

Under this trade pact I have described, Nasser has been able to unload his cotton in our country at a few cents under the Government's support price.

Since 1959, he has exported more than \$200 million of this cotton to the United States. Last year, Egyptian shipments exceeded 44,000 bales, and indications are that they will be about the same this year. Already these imports exceed 30,000 bales.

Mr. President, the Agriculture Committee of the other body approved a bill to prohibit the importation of this cotton into our country by a vote of 22 to 2. The other body itself recently voted overwhelmingly in favor of this legislation. I am a cosponsor of a similar bill here in this body.

I simply do not see why American fiber producers must be penalized to help a



dictator who openly despises and obstructs America. Nor is he going to change. Are we to continue to aid a man who openly seeks to expand Russian influence in that part of the world? The possible use of American money to buy French grain is but salt in the open wound.

Extending the expired trade agreement with this avowed enemy passes beyond my poor comprehension. How could this have been done when there are no formal relations between the two countries? Without legal communications, how could the agreement have been formally extended? And again I ask, Why was the Senate not informed?

The recent Middle East crisis should have taught us a valuable lesson. Although our diplomatic establishment seems to have ignored the lesson to be learned, I am sure Members of this body are aware of it. For defense reasons alone we should not rely upon a nation so unstable and unfriendly as Egypt for supply of an important product. Especially when we can obtain it right here at home.

Mr. President, I wish to see this body act on S. 1975 exactly as the other body did on its version of the measure. I wish to see an end to imports of extra-long staple Egyptian cotton. I wish to see the money we are spending on it go to American fiber producers.

These fiber producers have seen their share of our market for this product shrink steadily. Were they to receive a fairer share at Nasser's expense, our balance of payments would immediately improve. Our gold supply would gain. These are simple economic facts.

Mr. President, there is legal ground for us to stand on in doing this. In specific cases, we have acted against countries that have shown hostility to us in overt or covert forms. Cuba is one such instance. There we acted on her imports under a specific provision of the Foreign Assistance Act of 1961, as reflected in title 22 of the United States Code—section 2370 (2 U.S.C. 2370 (1964 ed.)).

We have recently acted against Rhodesia under title 22, section 287C of the United States Code. By this act, we excluded certain articles imported from Rhodesia. If we moved against that nation, why in the name of Heaven have we not acted against Nasser?

Action has been taken in the past under the Trading With the Enemy Act of 1917. This act has been used for a variety of purposes. F. D. R. used it to declare a bank holiday in 1933. We have used it to enforce trade restrictions against North Korea and Communist China. It is interesting to note that we do not have to be engaged in hostilities to implement these restrictions under this law.

There is another provision of this act that has never been invoked. Under title 19 of section 1338 of the United States Code, the President may impose additional duties of up to 50 percent on imports of a nation placing any burden or disadvantage upon the commerce of this country. He may exclude their products if they do not desist from their negative actions. The citation here is 40 Stat. 411. It seems that our State Department, with their unique logic, has already con-

cluded that this cannot be made to apply in the case of Egypt.

Title 19, section 181 has never been used either. Under it, the President can satisfy himself whether or not unjust discriminations are made by or under the authority of any foreign state against importation to or sale in such foreign states, of any product of the United States. In such a case he may direct that such products of such a foreign state shall be excluded from importation into our country. In such a case, he shall make proclamation of this act.

No international agreement is absolutely enforceable. We could break any agreement on imports as easily as Nasser arbitrarily broke his relations with us. Our Government can simply denounce the agreement. This is the right of political power.

As far as the textile agreement is concerned, we have a similar right. The Department of Commerce administers it, seeking agreement with other nations on how much of a given cotton textile will be admitted to the United States. If an agreement is unreachable, we have the right to set the quota unilaterally. As a sovereign state we have the right to cut off that quota by administrative action.

Extra-long-staple cotton enters our country under section 22 of the Agricultural Adjustment Act. The Secretary of Agriculture determines the quota to protect our domestic programs.

It seems we have an autonomous right as a sovereign state to change any quota. The textile agreement is not a treaty, but simply an agreement. In a case of abnormal relations it would seem that we have the right and privilege to retaliate in our national interest.

Mr. President, I believe the Senate wants to act on this bill to cut off Egyptian extra-long-staple cotton imports to our country.

It is my feeling that the other body accurately reflected the mood of the overwhelming majority of the American people when it voted to cut off these imports.

Nor is this a passing mood on the part of our people. I believe the American public is absolutely, utterly and permanently disgusted with Nasser and what he stands for. No amount of rationalizing can change this mood and the fact that it exists.

If the State Department persists in opposing the expressed will of the American people, then we here in the Senate have to take action. We must also inform the public of what is being done in their name.

I am astounded by the almost slavish desire on the part of certain elements in our Government to lick Nasser's boots after he has been thoroughly trounced and shown up to be a papier mache Napoleon of the Nile.

I am disgusted to see us fawn upon him, when he so obviously hates us and shows it. What must he do to make us act? He loathes us all the more for our abject appeasement of his acts.

Better an honest enemy than a false friend. I do not believe that one American in 10,000 would give even a second thought, much less object, if this Cham-

ber acted to deprive him of his markets here.

I believe the country at large would cheer our actions, especially those American producers and workers who would gain directly from our action.

His recent intransigent stand is all the more reason for us to act to bring him to his senses.

Nor will I accept the argument sure to be advanced by Nasser's apologists that we must not be "protectionist." There is a difference between protectionism and proper retaliatory action against a sworn, obvious enemy of our country.

I shall further do my utmost to see to it that this body acts before this session of Congress comes to an end. Let us act and give this man the back of our hand he has asked for for so long.

#### REPRESENTATIVE HORACE R. KORNAGAY, OF THE SIXTH CONGRESSIONAL DISTRICT OF NORTH CAROLINA

Mr. ERVIN. Mr. President, while it is certainly understandable to those of us who know by personal experience that service in the Congress is more drudgery than glamour, I am nevertheless compelled to regret most deeply the decision of Representative HORACE R. KORNAGAY, of the Sixth Congressional District of North Carolina, to retire from the House of Representatives at the end of his present term.

HORACE KORNAGAY has exhibited on all occasions during his service in the Congress his abiding conviction that a public office is a public trust.

He has given to the performance of his official duties untiring industry, a strong and well-disciplined mind, unswerving integrity, and a complete devotion to fundamental principles. As a consequence, he has reached informed, intelligent, and sound conclusions in respect to the public issues confronting the Congress during his tenure in office. After reaching such informed, intelligent and sound conclusions in respect to the issues, he has had the courage to stand up and fight for them at all times. Of him, it can truly be said that he has never sold the truth to serve the political hour.

For these reasons, I deeply regret that his wisdom and courage will not be available to the Congress after the expiration of his present term. He will carry with him, however, into his retirement the deep affection and profound admiration of those of us who have been privileged to know him best.

#### VICE PRESIDENT HUMPHREY OUTLINES PROGRAM TO AID FARMERS

Mr. MCGOVERN. Mr. President, the Farmers Union Grain Terminal Association convention in St. Paul, Minn., is one of the biggest annual agricultural events in the Midwest and also is one of the most important, for it is regularly addressed by leading officials in the field of agriculture.

More than 10,000 persons were present at the St. Paul Auditorium on November 16 when Vice President HUBERT HUM-



PHREY addressed the convention this year, outlining ways in which we can help farmers to attain parity of income with other citizens of the land.

Briefly, the Vice President proposed to escalate the war against hunger and pay farmers fair prices for the food and fiber they produce for that war. He also proposed increased rural development efforts, protection and improvement of existing farm programs, and, finally, the establishment of farm bargaining power comparable with that of organized labor and industry.

I ask unanimous consent that the text of the Vice President's remarks be printed in the RECORD.

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

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT THE GRAIN TERMINAL ASSOCIATION CONVENTION, MINNEAPOLIS, MINN., NOVEMBER 16, 1967

My friend, Bill Thatcher, members of the Farmers' Union G.T.A., ladies and gentlemen, it has been my privilege to take part in the annual conventions of this great and respected American farm organization for the last 18 years—but I am especially pleased and relieved to be here this year. The farm belt polls being what they are, I was not sure my invitation was still good.

I was beginning to feel like the industrialist who suddenly became ill and went to the hospital. He lay there for weeks. No visitors came. No messages were delivered. And then one day he got a card—from the labor union that represented his employees.

The card read: The Central Executive Committee of Local 246 wishes you a speedy recovery . . . by a vote of 8 to 7.

Well, I'm not here to poll your convention. When I do, I'll do it "outside the gate" in the time-honored tradition of the Farmers' Union.

Nor am I here to ask for your support on the historic issues of our times—although that support has never been lacking.

I am here today to talk about the problem of greatest personal concern to you and your organization—the future of the American farmer.

American agriculture ranks among mankind's proudest achievements—and most Americans don't know it.

If you look at America from abroad, as I have recently, you see one thing above all others in your mind's eye—not only tall cities, not only broad highways, not just shiny appliances, not rockets, not laboratories . . . but broad, fertile fields, pouring forth their production through modern American agriculture.

You see farms which produce plenty in a world where most people do not have enough to eat.

You see space-age agriculture in a world where many cultivators still rely on the wooden plow.

You see an America that depends on agricultural exports for half of its favorable balance of trade.

You know that America, because of its agriculture, can foster world peace and relieve human suffering by providing sustenance to hundreds of millions of people around the world, while it exports the know-how that poorer nations need in order to better feed themselves.

Then you return home. The picture is different.

You hear that the average American farmer's income still lags behind the American norm.

You see Americans leaving our farms and rural areas at the rate of half-a-million or more a year—not because they want to live

in crowded and congested cities, but because they think they have to, in order to find economic opportunities that will provide a future for themselves and their children.

True, there has recently been some progress for the American farmer.

The mammoth surpluses of the fifties, which glutted the market and threatened to scuttle support for any constructive farm program, have been eliminated.

Gross farm income and net income per farm have risen to unprecedented heights. Net per farm income was 70 per cent higher in 1966 than in 1960 and total net income last year was second only to 1947.

And we have today some basic tools—the Food and Agriculture Act of 1965 and the Food for Freedom Act of 1966—that protect the farmer and enable us to meet our objectives at home and abroad. Those programs prevent the painful market fluctuations that have hurt so much this summer and fall from becoming an unmanageable cycle of boom and bust.

But that is not enough for me; and I know it is not enough for you.

The American farmer is still too often a second-class citizen amidst the abundance he has helped create. He is first-class in output, too often second-class in income; first-class in service to the nation and the world, too often second-class in the benefits modern America provides for its citizens.

The American farmer deserves equity.

May I suggest at least four ways in which we can help assure the American farmer first-class citizenship in every area of life? They add up to an Honest Deal for Rural America.

First, we must continue to escalate the War on Hunger.

Food is a powerful instrument for constructive foreign policy in this hungry world—and it is an instrument that is almost exclusively American.

Moreover, we no longer have to depend only on what is left over in the historic struggle to feed this world's exploding population. The Food for Freedom Act gives us a virtually open-ended authority to assist nations that are willing to help themselves.

We are now sending American food to more than a hundred nations under Food for Freedom. I am happy to say that food shipments to Indonesia, a brave and growing nation which I have just visited, will now receive a new, higher priority.

But the opportunities and the challenge of the War on Hunger are going to grow steadily in the foreseeable future, and this nation must be ready.

We are ready to make full use of our abundance and we must be ready to pay the American farmers—the soldiers of the soil Bill Thatcher refers to—a fair price for their contribution to world peace and stability.

This country has an effective Food for Freedom program and it can afford a bigger one in the future.

Food for Freedom is good politics. "A hungry people listens not to reason, nor cares for justice, nor is bent by prayers" says an ancient text.

There can be no peace, no stability, nor safety in this nuclear age until the ancient enemy of hunger has been banished from the earth.

Food for Freedom is good economics. It means substantially more income for the American farmer. It means that the American taxpayers will stop paying to keep valuable agricultural resources idle. It can mean prosperous nations abroad that will be an expanding market for American food and factory production in the future.

And Food for Freedom is good morals. When a child starves because the world's elders cannot figure out how to feed him, each of us bears the burden of guilt.

Here is point two in my Honest Deal for Rural America:

It is true—and as a small town boy I hate to say it—that rural America is still behind.

More than twice as many farm families as city families live below the poverty level. Less than half of our farm families have a decent house, a good car, hot and cold running water, and a telephone; in the city, three out of four have these advantages.

These deficiencies are especially important to rural youngsters who are about to choose a career and a place to live.

For every 175 rural youngsters who reach working age, there are fewer than 100 jobs.

About 200 thousand of the young Americans living in rural areas today will leave and go into the city this year.

Their departure will make rural America a poorer place. Their leaving will not only separate them from their families but weaken our rural communities—weakens them culturally as well as economically.

And for what? . . . What is waiting for them? Some will find fame and fortune. Many more of them will find themselves confined to slums . . . doomed to low-paying jobs . . . isolated, lonesome and hopeless.

America is caught in the Urbanization Trap in the last third of the twentieth century.

Seventy per cent of us already live on one per cent of the land.

We are going to have another 100 million Americans by the end of this century, and all of them will live in the cities if present trends continue.

Our cities are starved for space, fresh air, recreation; our rural areas are starved for jobs and opportunity.

This society is rich enough and creative enough to achieve a balance of growth and opportunity between rural and urban areas.

In the 1930's, modernization meant rural electrification and movie theatres in every town.

In the 1940's it meant many well-paved roads.

Now, it means airports capable of handling short-hop jets, community colleges, modern hospitals and good doctors. The very best in elementary and secondary education. It means golf courses and ballparks. It means drama groups and art classes in addition to church socials.

And it means economic viability—new investment, new job opportunities, a growing tax base. It means modern America in your town—your country.

That kind of modernization is occurring in many parts of rural America today.

Where it happens, it is the result of aggressive local initiative, cooperation from private industries, and better use of federal programs that are already available.

It happens because rural people and city people alike are discovering that the good life can be found in the countryside.

I saw a poll taken right here in Minnesota just the other day. Eighty-eight per cent of those questioned favored special measures to encourage farm families to stay on the farm. Eighty-four per cent supported programs to encourage industry to move out to the small towns.

A majority said they would prefer to live on a farm rather than in the city.

I say, let's all do our part to give them a choice!

But the countryside cannot grow without prosperous farms.

So point three is this: Protect and improve our existing commodity program. It is the best we have ever had.

As we gain experience in the sophisticated supply-management techniques required by elimination of surpluses, the program will prove its value over and over again.

Government payments are already providing the thin margin between profit and loss for many producers.

This year the program is paying the producer an additional 48 cents a bushel on



wheat, 12 cents a bushel on corn, and 15 cents for each pound of cotton.

Until we develop a weather-proof acreage allotment system we are going to experience crops that exceed our expectations and we are going to need protection. I think we have it.

It is true that prices are down this year. After steady progress since 1960, we are in a "lag" year, largely because of phenomenal growing weather that brought unprecedented harvests in almost every nation. Here in the United States grain harvests were 94 percent higher this year than the average for the past five years.

I know that some interpret this as proof of a fatal flaw in the system.

Let me only say this to you: Progress is seldom smooth. It usually comes in a series of forward thrusts followed by temporary lapses. Today, while the farmer is being short-changed, he still has something to protect.

And protect he must. For the programs that have given us progress in the past and promise more in the future are under attack. No fewer than 21 bills have been introduced in Congress which would, for all practical purposes, terminate existing farm programs.

Don't think those calls for retreat will be still by the time this program we all fought so hard for back in 1965 runs out in 1969.

We got a taste of what can happen two weeks ago when legislation to establish a strategic grain reserve was killed in subcommittee.

That bill would have let us withdraw overabundant grain stocks from the commercial market when prices were low. It would have protected the consumer in times of scarcity. It would have helped the producer by substantially increasing wheat, corn and soybean prices.

I can tell you that it was not killed by people who had the farmers' interest at heart.

This country needs reserves of key agricultural commodities. It needs a program that will keep those reserves at common-sense, clearly defined levels . . . that specifies how and when they can be released so that they do not interfere with the normal market.

It needs a program that will depend on private sector inventories for normal business operations, but at the same time protect both consumer and producer.

The harsh truth is, my friends, that there are people in this country today who want the kind of totally unrestrained production that could destroy the farm economy. The experts tell us that without our present programs, prices would fall by a third.

I don't have to spell out the likely consequence—not only for individual farm families, but for the prospects of rural America and for America's agricultural leadership in the world.

It would be tempting to say that extension and better management of our existing programs will solve all the farmer's problems. But it won't.

That brings me to point four—bargaining power.

Even the general public understands that farmers are not now in a position to decide the prices they get for their products.

Look at the language of commerce: We say the hardware store *charges* 39 cents for a pound of nails, General Motors *charges* 3 thousand dollars for a car.

But the farmer, who also produces and sells things, *gets* five dollars and sixty-one cents, blend, for his milk, or *gets* 29 dollars for his fat cattle.

The farmer deserves the right to *charge* for his products instead of *getting* what the buyer decides he should have.

Moreover, most economic power in America is organized. Labor is organized, business

is organized, and farmers pay more because industry's bargaining power is organized.

Industrial workers deserve the gains that they have won with concentrated economic power—but the farmer deserves parallel gains. He deserves more. He deserves to catch up.

The farmer is tired of being whipsawed by the organized elements in the rest of the economy.

The plain facts are that farmers need bargaining power. They have the desire—and they should have the right—to get firm control of their own economic destiny.

Competition is a great American tradition—but so is equity. If American farmers are going to get equity, they are going to have to bargain.

President Johnson, Secretary Freeman and I are going to do our best to see that you have the right to bargain. President Johnson has asked Bill Thatcher to come to Washington to discuss his bargaining proposals with him in detail, including a National Agricultural Relations Act.

It will not be easy for thousands of independent producers to bargain effectively, but organized labor had its own catalogue of so-called impossibilities, most of which have been realized.

And you will have one important asset working for you—the experience and accomplishments of the great American cooperative movement. The Farmers' Union, G.T.A., the Central Exchange, and the other farm cooperatives of this country have long been a powerful force for economic justice in America—justice for the farmer, justice for the country.

Your achievements have been an example to cooperative movements in the developing countries of Asia and Latin America which are now bringing political freedom and economic justice to millions for the first time.

I am confident that successful bargaining will be your next great victory.

Today I have given you the plain facts as I see them.

Our debt to the American farmer is great—and it has not been repaid.

Our progress in recent years has been substantial—but much remains to be done.

Our government and its programs now provide the farmer with an essential margin of protection—although it does not guarantee him prosperity.

The farmer is entitled to the bargaining power enjoyed by others in our economy no more and no less.

The problems of our cities and those of rural America are in reality a single national problem that demands the attention of us all.

Food power used in the War on Hunger is America's special weapon in the quest for peace.

Let's raise the banner here and now: An honest deal for rural America.

Let's close the Prosperity Gap once and for all.

Let this be one America, under God, with liberty, justice, and a fair share for all.

Thomas Jefferson wrote, "Those who labor in the earth are chosen people of God, if ever He had a chosen people."

If ever there were a chosen farmer, it is the American farmer. May this nation honor him accordingly.

#### NEW YORK TIMES SUGGESTIONS FOR DEFENSE OF THE DOLLAR

Mr. PROXMIER, Mr. President, I invite attention to a wise, moderate, and effective proposal for meeting the challenge to the dollar that develops from the British devaluation. The proposal appears in an editorial published in the New York Times of Sunday, November 26, 1967. The Times suggests:

Moderate curbs on credit and on nonessential, non-poverty Government spending . . . (and) direct and effective action to replace the present hodgepodge of makeshifts that are intended to defend the dollar.

The Times also suggests mandatory controls over corporate investment and bank loans abroad as well as increased incentives to repatriate foreign profits and possibly a tax on tourism.

I ask unanimous consent that the editorial be printed in the RECORD.

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

#### THE DEFENSE OF THE DOLLAR

The gold rush that has developed since sterling's devaluation represents a dangerous new challenge to the dollar and to the existing monetary system that is based on cooperation between the United States and other industrial powers.

Heightened demand for gold was to be expected in the wake of devaluation in Britain. But it has assumed feverish proportions with the news that France was unwilling to come to sterling's rescue and had opted out of the gold pool that was designed to share the costs of moderating speculative fever. Now that the pound has fallen, the speculators are declaring that the dollar is next.

However, the fall of the pound and the weakness of the dollar cannot be blamed entirely on French skepticism or on the actions of the gnomes of Zurich, or on weaknesses in international cooperation, although all these factors have played an important part. It is Washington and London that have the chief responsibility for maintaining confidence in the two key currencies by seeing to it that there are not excessive amounts of dollars and pounds in the hands of foreigners.

The British failed to take this fundamental precaution. They had bought more abroad than they sold abroad, continuing to live beyond their means through the straggle in international borrowings. Their creditors bailed out the British over and over again. That was the most that international cooperation could do. It could not—and cannot—effect a cure.

The United States has also allowed too many dollars to flow abroad. Unlike Britain, this country has been able to compete effectively in trade. But it has a staggering deficit in its tourist account, in foreign plant investment and in spending for the war in Vietnam. There is a good deal of truth in the French view that Europe is underwriting American industry's invasion of Europe and the United States war in Vietnam by helping to finance the chronic deficit in the nation's balance of payments.

Washington can no longer go on applying inadequate tourniquets to its hemorrhages of dollars. It was justifiable to move slowly and moderately when the nation had ample reserves of gold and when foreign confidence in the dollar was strong. But there is a limit to the resources of even the richest and most powerful economy.

The Administration can overcome complacency and uncertainty with a comprehensive and coherent program to regain control over the domestic economy and to put an end to the drains on the dollar. To meet the first objective, moderate curbs on credit and on nonessential, non-poverty Government spending are required. To meet the second, what is needed is direct and effective action to replace the present hodgepodge of makeshifts that are intended to defend the dollar. Mandatory controls over corporate investment and bank loans abroad are called for, as well as increased incentives to repatriate foreign profits and possibly a tax on tourism.

Such a course will make plain that the



Administration is determined to fulfill its repeated pledges. It may involve some drying up of international liquidity, which the devaluation of sterling has already reduced by the stroke of a pen. But if the world is to avoid the kind of fiscal chaos that prevailed in the late 1920's and early 1930's, the United States must put its accounts in order while it still has time.

#### OIL SHALE

Mr. METCALF. Mr. President, the Frederick, Colo., Farmer and Miner for Thursday, November 16, 1967, contained an article announcing the formation of an oil shale watchdog committee to give the public greater information about this great national resource. The co-chairmen are ex-Senator Paul Douglas, whose concern about our oil shale was demonstrated by the introduction of legislation to preserve it for the American people; and Dr. John Kenneth Galbraith, a member of Secretary Udall's Oil Shale Advisory Board. Under the leadership of these eminent men and a group of distinguished citizens of Colorado the new organization will attempt to achieve the objectives outlined below.

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:

#### OIL SHALE WATCHDOG COMMITTEE FORMING

The formation of an oil shale watchdog and study committee, to be known as the Public Resources Association, was announced this week to study the economic and political aspects of the vast multi-trillion-dollar public domain oil shale reserves located in Colorado, Wyoming and Utah.

Former Illinois Senator Paul Douglas and Dr. John Kenneth Galbraith of Harvard University, a member of Secretary of Interior Stewart Udall's Oil Shale Advisory Board, will head the new organization as honorary co-chairmen, both men announced today in a prepared statement.

All of the information developed by the association will become public information, they stressed.

In a prepared list of objectives to result from its study, the association included the extent and value of oil shale reserves which are publicly owned; how Federal agencies determine the future of the reserves; attention to mistakes of the past and how recurrences can be avoided; protection of the public interest; and the orderly planning for needs of the U.S. for oil from all sources.

In a letter made public today to the FRA, Dr. Galbraith said that he much applauded the initiative of the distinguished and public-spirited group of citizens on the committee. "From my services on the Oil Shale Advisory Board I can testify that the people who would like to alienate these resources for private purposes are both numerous and well supplied with funds. We must all join to see that the public, as opposed to the selfish and speculative interest is protected."

Sen. Douglas emphasized that now is the time to make plans to preserve and develop the oil shale lands of the U.S. in the best interest of everyone.

"Every man, woman and child of our country owns a share of the vast resources of recoverable oil, and the value to each in terms of total sales value is at least \$25,000," Douglas said.

"Millions of acres of public lands contain deposits of oil shale, and many millions of these acres have been claimed by private parties under placer mining procedures, and their titles are thus necessarily clouded and

the public may lose them unless their rights are adequately defended. The issue is one of the most important in the nation," Douglas continued. "The Public Resources Association has been incorporated as a non-profit organization to thoroughly study public domain oil shale lands in respect to their development or disposition, and make this information available to everybody," the former Illinois Democrat who introduced a bill in the 89th Congress to pay off the National debt from oil shale royalties, said.

The basic Colorado organization, which filed incorporation papers last Sept. 15, has elected as its president Colorado University Regent and Denver attorney Daniel F. Lynch.

The success of the organization will be determined by the amount of funds raised for the comprehensive and detailed study, its members said. The organization is now in the process of raising \$115,000, which it said would be needed for the first year's research.

The board of directors of the new organization includes besides Lynch, James P. Johnson, a Fort Collins, Colo. attorney; Dr. Conrad McBride, a professor of political science at Colo. University; Thomas Croak, a Denver attorney; Fred M. Betz, Sr., a CU Regent, and publisher of the Lamar, Colo., Daily News; Dr. Morris Garnsey, a CU economics professor and mineral resource authority; the Rev. John Graham, pastor of the First Universalist Church of Denver; and Dr. Byron Johnson, an economics professor at CU, and a former members of Congress.

In the prepared statement, Sen. Douglas strongly urged public support of the association. "This (oil shale) is the most submerged issue in American domestic politics, involving the greatest scandal in the history of our Republic."

#### DE GAULLE TAKES AIM AT THE DOLLAR

Mr. PROXMIER. Mr. President, once again France has worked behind the scenes to bring on a crisis in the international monetary system. An article published in the London Economist of November 25, 1967, outlines the French activities leading to the devaluation of the British pound.

Although the French Government vehemently denies that it is now attempting to cause a run on the dollar, all of its actions indicate that this is exactly what France is attempting to bring about. The more France denies it is attempting to force a devaluation of the dollar, the more encouragement it gives to international speculators who would hope to profit from a devaluation of the dollar.

Fortunately, our gold reserves are more than adequate to withstand any French onslaught. France has less than \$500 million in U.S. dollars, whereas U.S. gold reserves are nearly \$13 billion. Thus, the United States is more than equipped to defend the dollar and to maintain the historic price of gold at \$35 an ounce.

If France persists in its efforts to undermine the stability of the dollar, I suggest that the U.S. Government forcefully press its claims against France for war debts which were never repaid. At the present time, France owes the United States approximately \$6 billion in unpaid World War I loans. Of this amount, principal matured and due accounts for approximately \$2 billion and interest due accounts for approximately \$2.5 billion. If France seriously questions the ability of the United States to discharge its international obligations, I suggest that

the unpaid debts of France be called to the attention of Mr. de Gaulle.

Mr. President, I also suggest the administration once again review the advisability of maintaining in Western Europe six infantry divisions whose primary mission is to defend France and other European countries against a Communist attack.

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:

#### FRANCE: REJOICING IN THE RUINS

The official French version of the past fortnight's events is distinctly different from London's. The government here is making only the most perfunctory attempt to conceal its glee, and it intends to exploit devaluation to the full, in line with known Gaullist monetary and foreign policy. Officials here therefore take the view that devaluation is not the end of a downhill road for Britain's balance of payments, but the beginning of an acute crisis in the international monetary system, of which the pound is doubtless the weakest pillar but in which the other pillar—the dollar—is now in for a rough time.

It may seem surprising that the French government should hold this view after the agreement at Rio this autumn to create a new international money. The French, however, believe they scored a decisive point over the Americans in the liquidity negotiations when they prevented any decision being taken on the implementation of the famous contingency plan once the new scheme has been ratified. The feeling in Paris (or perhaps one should say, the hope) is that this uncertainty could now be fatal for the gold exchange standard.

This view determined France's behaviour in the weeks before the devaluation. According to official sources here, the Governor of the Bank of England went to Basle on November 12th to ask, not for the \$250 million which he got that day through the BIS, but for at least \$1,000 million. This sum was refused to him, and even the \$250 million had a gold guarantee and was not lent directly by the central banks themselves.

All during the following week Britain tried to get the \$1,000 million it had asked for at Basle. But the central banks hesitated because according to official sources in Paris, the loan previously granted at Basle in May 1966 was given on condition that Britain keeps an equal amount of its credit with the IMF intact. As everyone knew Britain was likely to re-draw from the Fund after repayment on December 2nd, everyone wondered what would become of the guarantee which was supposed to cover between \$800 million and \$1,000 million of credit which was already outstanding.

Just before the weekend, it is said here, the Bank of England asked M. Schweitzer, the managing director of the IMF, if the Fund could lend Britain, in addition to the \$1.4 billion already requested, a further \$600 million in accordance with an emergency procedure foreseen in the articles of the Fund but which has never yet been used. It is said that M. Schweitzer refused point blank—an attitude which was appreciated in Paris, but which was not enough to wipe out the resentment which the French government feels against him. Immediately, the Bank of England raised its request to the central banks to \$1,600 million instead of the \$1,000 million for which it originally asked. But by Saturday only the Bundesbank had agreed to grant an unconditional loan.

The Bank of France had let it be known during the week that if it was asked to participate in a loan operation it would require, as a guarantee, that a corresponding part of



Britain's drawing rights in the IMF should be frozen. Knowing this, the Bank of England did not approach the Bank of France, which was presumably what the French wanted: as with Britain's application to join the common market, they wanted to oppose without having to say no.

Since, according to sources in Paris, the Bank of England has had to spend at least \$3,000 million supporting the pound in the foreign exchange market since June, the fact that it was unable in a few days to borrow \$3,000 million to fund its short-term obligations made the position untenable. By Thursday, November 16th, if not sooner, the French authorities were more or less sure that the Bank of England would resign itself to devaluation: the alternative was much too expensive to contemplate.

Even those French officials who are most sympathetic to Britain (and there are a few) now think that the devaluation has not much chance of success, because—

1. they doubt if the British, after more than two years of austerity, are ready to put up with a new dose of deflation without striking for higher wages; and

2. they doubt even more whether the Bank of England will be able to maintain Bank rate at 8 per cent for more than a few weeks, or perhaps two or three months at the outside. Without this rate of interest, they ask, is it not likely that holders of sterling will try to convert it into other currencies, or even in some cases into gold? Already in the last few weeks the sterling balances have probably been run down heavily. It would be astonishing if the money were to return to London. Indeed, in two or three months a new outflow could begin.

It looks as if the French government may have laid plans some time ago to profit from the pound's embarrassment. The Middle East crisis gave it its first opening. Since there was no firm agreement in the Group of Ten actually to create new liquidity, and since the Arabs were likely to pull capital out of London, gold seemed bound to be in demand as the one sure value—to use President de Gaulle's words of two years ago—and as the refuge of nervous speculators. It appears it was only a few days before the Israeli attack that France decided to exercise its right of opting out of the gold pool: it told its partners that it would not share in any further extensions of the pool's endowment. According to sources in Paris, the pool has had to ask since then for 14 separate \$50 million injections of gold so as to meet its commitments. It appears from this that the demand for gold rose sharply on the day the Middle East crisis broke out, and has been strong ever since. (But the French figures are hotly disputed by other central bankers—see page 867.)

Needless to say, these facts only strengthened the determination of the French government to fight the British application to join the common market. The calculation in Paris seems to be that Europe would lose the whole benefit of its strong financial position (common market gold reserves total \$15,000 million) if Britain succeeded in opening negotiations, since the outcome might well be that the common market would have to take up the burden of the sterling balances in one way or another. It would be too much to suggest that the French government is opposed for all time to the idea of a European backing for the sterling balances. But the authorities appear to believe that the longer they delay, the more power the Six will have to impose their conditions on Britain, and that eventually they will be able to make agreements directly with the holders of sterling balances, by-passing the Bank of England.

Meanwhile the French government is watching closely the effects of the devaluation on the French balance of payments and on particular industries. The government did not hesitate a few days ago to ask the

European Commission once again for permission to put quotas on imports of domestic appliances from Italy. This decision shows that the government is not prepared to sacrifice any important sector of industry to foreign competition in the present circumstances, when the economy is still sluggish and there are 400,000 unemployed. And there is no reason to think that France would treat British exports better than Italian.

Mr. Michel Debré, the finance minister, presided over a meeting of the common market finance ministers in Paris on the evening of Sunday, November 19th. Officials here attach great importance to a paragraph of the communiqué published after the meeting which speaks of the need to keep a close eye on the development of the economic situation. This, as it is seen in Paris, means that France will, if necessary, call on its partners to take measures to prevent any excessively strong foreign competition from making things worse in the community. And M. Debré told the council of ministers on Wednesday this week that he saw little immediate prospects of faster expansion.

France therefore intends to raise the problem of Britain's export rebate when the Group of Ten meets on Monday to discuss Britain's new drawing from the International Monetary Fund. The French will maintain that these rebates must be abolished immediately and not next April, as Mr. Wilson proposes. France will also probably insist that the IMF should finance \$400 million of Britain's new drawing by selling gold. The Fund's gold reserves are deposited with the United States Treasury against gold certificates, a procedure which has always been criticised in Paris. Another point now being considered in Paris is whether France should demand immediate repayment of the \$40 million which it lent Britain through the BIS 12 days ago as soon as Britain has made its new drawing on the Fund. All in all, Paris is showing no reluctance to fish in troubled waters.

#### NO REAL ALTERNATIVE TO PRESENT U.S. POLICY IN VIETNAM

Mr. McGEE, Mr. President, the Star-Tribune, of Casper, Wyo., has observed editorially that no real alternative is offered in Vietnam. Its lead editorial on November 15, 1967, states:

To pull out of Vietnam would be to adopt an isolationist policy which would be contrary to American history in this century. To retire to Australia or even farther perimeters, would be an invitation to China or its satellite governments to swallow those countries which depend on U.S. support.

These are simple facts, the editor wrote, and cannot be ignored. The only tenable suggestions to come from the critics of present policy are variations which they believe may offer some hope. In short, they are not true alternatives, says the Star-Tribune, adding that some credit must be given those who propose abandoning the battle because "they at least have a definite, solid idea."

I ask unanimous consent that the Star-Tribune editorial, entitled "No Real Alternative," be printed in the RECORD.

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

#### NO REAL ALTERNATIVE

Discussion of the war in Vietnam becomes an exercise in redundancy.

This is unfortunate because of the implications of American policy and the debate on the domestic front. One need not be an advocate of Lyndon B. Johnson—we could have preferred other men—to recognize that he

is following a course which is as logical as the alternatives which have been suggested.

We shall disagree with the President on those issues where we find his policies and views open to challenge. We shall, in the meantime, assume that he is doing a fair job in a very difficult military situation.

There is only one real choice—either press forward with the war or pull out of Vietnam. Some credit must be given to the pacifists, because they at least have a definite, solid idea. While we do not care to buy it, we find it as palatable as many in-between suggestions regarding strategy and tactics.

There is a great deal of debate at the moment on whether the United States should discontinue bombings in North Vietnam. That becomes a humanitarian as well as a military question, but war is not very humanitarian, and the issue is a kind of Hobson's choice.

The weakness of the opposition to U.S. policy lies in the fact that none of the spokesmen have come forward with specific courses of action for which they can offer any kind of guarantee. The best they can do is suggest variations which may offer some hope.

This was particularly evident last Sunday when Lt. General James M. Gavin answered questions on a Meet the Press panel. General Gavin has received public attention because of his enclave theory and later because of his statement that, although a Democrat, he could no longer support President Johnson. He is talked of, perhaps not too seriously, as a Republican presidential candidate. He disavows any such ambitions.

General Gavin made a trip to Vietnam. He appears to believe we are doing reasonably well under the circumstances but that it may take many years, perhaps five or ten, to get the situation in order. He talks much of the hopeful benefits of a bombing pause, but in the same breath he voices doubt that Ho Chi Minh will be willing to talk peace until after the 1968 elections. This is the general tenor of most of the statements which question the war strategy—that some other course might be "hopeful."

There is no need here to argue for or against a cessation in the bombing. There is reason to question, however whether we have not known all along, at least in a general way, what we are fighting for in Southeast Asia. The domino theory is not newly introduced to the international scene.

American participation in Far East affairs is not new. Including Vietnam, this country has fought five wars in that part of the globe in less than 70 years. Starting with the Spanish-American War of 1898, these have cost more than 158,000 American lives.

To pull out of Vietnam would be to adopt an isolationist policy which would be contrary to American history in this century. To retire to Australia or even farther perimeters, would be an invitation to China or its satellite governments to swallow those countries which depend on U.S. support.

Although it has seemed fairly evident, the Administration may have been remiss in not making this clear. Sen. Gale McGee, who has long supported the war effort despite some differences with his Democratic colleagues, quotes in a recent newsletter a statement by President Marcos of the Philippines to the effect that, "If America is tired of war and pulls out, every country in Southeast Asia would have to give in to China."

This is the fateful decision that America must face today. We may find the stakes higher than we bargained for, but we cannot much longer ignore the simple facts.

#### THE FEDERAL RESERVE SYSTEM: A MONUMENT TO WOODROW WILSON

Mr. WILLIAMS of New Jersey. Mr. President, the rise in the Federal Reserve rate comes, by chance, on the heels of a



ceremony last Friday honoring the birth of the Federal Reserve Act. The ceremony, which took place at the Woodrow Wilson Birthplace Foundation in Staunton, Va., was the occasion of a speech by former Senator A. Willis Robertson, on the merits of both the Federal Reserve System and its founder, President Woodrow Wilson.

In his inaugural address, Mr. Wilson proposed a cautious study of the Nation's economic system and promised "step by step we shall make it what it should be." This promise was later realized, becoming a revolutionary concept in economic planning: a concept which to this date has required no basic modification.

The Federal Reserve System has since developed into one of the great strengths of our Nation's economic organization. President Wilson's dedicated commitment to a goal of fiscal and monetary security is one which will long be held as a plus in the historical scrutiny of his administration.

I, for one, have long had a profound admiration for Mr. Wilson, not only as a dynamic President and Governor, but also as a brilliant educator. New Jersey will always boast its pride in his achievements.

I believe Senator Robertson's remarks at Staunton pay great tribute to both President Wilson and the Federal Reserve Act; therefore, I ask unanimous consent that the speech be printed in the RECORD.

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

#### THE FEDERAL RESERVE ACT

(Remarks by Former U.S. Senator A. Willis Robertson at Woodrow Wilson Birthplace Foundation, Staunton, Va., November 17, 1967)

In accepting on behalf of the Foundation a painting which depicts the signing of the Federal Reserve Act, I wish to express to the heirs of Senator Glass our deep appreciation of their generosity. This painting features two of the greatest statesmen I have ever known—President Woodrow Wilson and Senator Carter Glass.

In college I studied Wilson's book on State Government and my first entry into politics was as a Wilson delegate to our State Democratic Convention in Norfolk in 1912. A letter which I prize more highly than any I have ever received contained only this one line: "When I retire from the Senate I hope that you will succeed me." It was signed Carter Glass.

In the main entrance to the Federal Reserve Building there are inscribed, below the handsome bronze plaque of Woodrow Wilson, these words from his first inaugural address, the delivery of which I was privileged to hear:

"We shall deal with our economic system as it is and as it may be modified, not as it might be if we had a clean sheet of paper to write upon. And step by step we shall make it what it should be."

The keystone of the arch of an economic system that would be controlled by government of the people, by the people and for the people, and not the private bankers of Wall Street, was the Federal Reserve System. It was proposed by a President whose scholarship and devotion to the people equaled that of Thomas Jefferson and it was sponsored in the House by a member destined to become one of Virginia's all-time great Senators. The Congress of the United States, with the whole hearted endorsement of

Woodrow Wilson, created a unique organization in which there was participation by the government, by the banking system, and by the public—the Federal Reserve System. The Congress delegated to this system the power to manage our money—the power to carry out our monetary policy—and gave the system a large degree of independence—independence from the Executive Branch and from the Congress, and from financial interests—to free it from short-run business and political pressures.

The progress of our economy over the years attests to the fact that the Federal Reserve has served the country well. During the last 54 years our gross national product has expanded 20-fold, from \$40 billion in 1913 to \$790 billion today, and our money supply has expanded from \$11 billion in 1913 to \$180 billion today. We have gone through two world wars and a world-wide depression, and our economy and our dollar have over this time become the strongest in the world.

The genius of the framers of the Federal Reserve System is evidenced by the fact that the system was so soundly conceived that it has needed no basic change since its creation. What it has needed most in the past, and what it will need most in the future, is defense of its independence.

Based upon 34 years of service in Congress, in which I devoted much study to the fiscal and monetary affairs of our government, I am convinced that the Federal Reserve System will be a monument to Wilson and to Glass which will "teach men to remember not where they died but where they lived." May generations yet unborn visit Wilson's birthplace and draw added insight and inspiration from this picture of the birth of our Central Banking System.

#### NEEDED: A SPOKESMAN FOR MANKIND

Mr. PROXMIER. Mr. President, an intriguing and constructive suggestion with great potential was recently made by a vice president of the Center for the study of democratic institutions, Frank K. Kelly, in a guest editorial published in the November 18 edition of the Saturday Review.

Mr. Kelly proposed in the editorial that the United Nations take upon itself the obligation to give humanity a full report each year on the state of mankind. He suggested that the Secretary General be designated to deliver such a report annually to the U.N. General Assembly.

An annual state of mankind address by the Secretary General could rivet the attention of hundreds of millions of human beings, as Mr. Kelly points out, upon "the great issues that confront all men and women."

The achievements of the U.N. in the social and economic fields, now largely unknown, would be brought home to people on a new scale. The issues would be analyzed calmly and reviewed comprehensively by a man with enormous resources of information and wisdom from advisers of many nations.

The Secretary General could stand before the world, Mr. Kelly suggests, as a "Citizen of Humanity," seeing the planet as a whole just as the astronauts see the unity of the globe when they fly around it.

The state of mankind address would deal with universal social problems that saddle all mankind.

An annual statement of this kind could be an enormous force for good in the world for it could serve to mobilize wide-

spread support for identified solutions to problems that continue to plague men simply because it has been impossible to galvanize sufficient numbers to take action.

I urge other Senators to read Mr. Kelly's imaginative essay. I think his proposal is worthy of congressional endorsement. I ask unanimous consent that Mr. Kelly's article be printed at this point in the RECORD.

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

#### A SPOKESMAN FOR MANKIND

(EDITOR'S NOTE.—The author of the following guest editorial is a vice president of the Center for the Study of Democratic Institutions.)

Ours is the first age in which men everywhere can see one another and hear one another. The faces and voices of Africa, Asia, Europe, and America are known now. Men can learn together, grow together—or die together.

We are moving toward the moon and the stars. We can build one world or set the earth on fire. But who speaks for mankind directly, person-to-person?

The United Nations Charter begins: "We, the peoples. . . ." That statement does not mention governments or delegates. It implies that the ultimate authority of the U.N. comes from humanity as a whole.

I propose that it should be an obligation of the United Nations to give humanity a full report each year on the state of mankind. The person who could give such a report is the Secretary General, U Thant. The Secretary General now submits an annual report to the General Assembly. But this is largely a summary of the activities of U.N. agencies and a review of questions examined by delegates and experts. It does not contain a general statement addressed to the people of the world.

My proposal is this:

Once a year—perhaps on the last Sunday in January—the Secretary General would be given one hour of prime time on all the broadcasting networks. His State of Mankind Address would be carried by communications satellites to all nations. It would be translated into every language. It would be illustrated by films and photographs produced by the U.N. information service.

Every country would be asked to provide several hours of prime-time broadcasts, for three or four weeks after the report, for commentaries, criticisms, and suggestions for revisions. Newspapers and leading magazines in all nations would be asked to carry the text or extensive summaries of the State of Mankind Address, perhaps with comments from educators, political leaders, appointed and elected officials, heads of women's organizations, church groups and noted citizens.

The report would be published as a paperback book, with illustrations, and would be distributed to schools and libraries in all the member-nations. Copies would also be offered to countries not belonging to the United Nations. The people of the world would be invited to write to the Secretary General, in care of broadcasting stations, newspapers, magazines, schools, and libraries, giving their views on his report and their ideas for speeding the development of a world civilization.

With the aid of the new communications devices and the use of all the old methods of communication, the Secretary General could reach across the national and cultural barriers that now divide humanity. He would bring to the attention of hundreds of millions of human beings the great issues that confront all men and women. The achievements of the U.N. in the social and economic



fields, now largely unknown, would be brought home to people on a new scale. The issues would be analyzed calmly and reviewed comprehensively by a man with enormous resources of information and wisdom from advisers of many nations. But the Secretary General would speak primarily as a person—as a human being chosen by his fellows to stand before the world as a Citizen of Humanity, seeing the planet as a whole, just as the astronauts see the unity of the globe when they fly around it.

The late Pope John spoke to all men of goodwill as a person—and the message went far beyond the walls of the Roman Catholic church. He reached the people of the world. As a spokesman for mankind, the Secretary General could gain a universal hearing, perhaps larger than the attention given to Pope John.

In the annual Report on the State of Mankind, the Secretary General would describe what he had learned from others in the world community and would present the problems of mankind from many points of view. But he could go on to voice his own views as a person concerned about mankind as a whole.

Last June, the first global television program, *Our World*, was presented to a potential audience of 600 million persons. Five Communist countries—the Soviet Union, East Germany, Hungary, Poland, and Czechoslovakia—withdrawed from the project shortly before the program went on the air. The three major American commercial networks did not participate. But the program was carried to millions of Americans by the National Educational Television network.

Although the deficiencies of this program were pointed out by critics, the fact that such a broadcast did reach many parts of the earth indicated that the facilities could be assembled and coordinated. Technically, this experience showed that a State of Mankind broadcast on an annual basis could certainly be carried out.

Whether such a report can become a reality depends upon the willingness of people in many nations to work together on such a project. The United World Federalists and other groups with chapters in many countries might make it possible to provide the support which the Secretary General would need. The potential benefits for humanity are clear.

Mankind needs a spokesman. U Thant could be the first one to speak for the Community of Man.

#### JOHN DAVIS LODGE CRITICIZES L. B. J. FOR TRADING WITH RUSSIA

Mr. MUNDT. Mr. President, for the information of Congress and the country, I ask unanimous consent to have printed at this point in the body of the RECORD some interesting and informative news-stories recently published in newspapers in the State of Montana. They comment upon addresses delivered a week ago in Great Falls and Missoula, Mont., and an accompanying press conference by former Ambassador John Davis Lodge. They allude to some of the more discouraging and disillusioning aspects of our war in Vietnam.

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

[From the Great Falls (Mont.) Tribune,  
Nov. 18, 1967]

#### ADMINISTRATION CRITICIZED FOR TRADING WITH RUSSIA

John Davis Lodge said here Friday night the national administration is attempting to build bridges with the Soviet Union while

we are engaged in a war in which Russia is supplying our enemies in North Vietnam and the Viet Cong with 80 per cent of their arms and equipment.

Lodge, former ambassador to Spain, former member of Congress and former governor of Connecticut, spoke at Hotel Rainbow at the inaugural dinner of the new Metropolitan Dinner Club of Great Falls.

"All the petroleum, all the MIGs, all the SAM missiles, all the other aircraft artillery, and the sophisticated weapons systems" being used against United States forces in Vietnam are coming from Russia, Lodge charged.

#### TRADE GROWS

On the other hand, he continued, U.S. trade with Russia and the Soviet block of nations in Eastern Europe amounted to \$376.7 million in 1966, an increase of 40 per cent over 1965.

"This trade has been interpreted as 'aid' by the State Department. It seems to me intolerable that the United States should be granting this kind of aid to the Soviet Union while they are killing our fighting men by proxy," Lodge declared.

"I support the essential purpose of the war in Vietnam, but I think that we should bring all elements of our foreign policy in line with this commitment," the former diplomat explained.

Earlier, in an interview, Lodge was asked if his views might appear somewhat at variance with the position of his brother, Henry Cabot Lodge, as former ambassador to Vietnam and a member of the Johnson administration's State Department.

"I never speak for my brother," he replied. He added, however, he thought his brother had done "a splendid job," and that he supports what his brother did.

#### VIEWS ON RUSSIA

Elaborating on his views about Russia, Lodge continued:

"If peaceful co-existence were not a tactic for the Russians, rather than an objective, they could achieve it by calling off their aid to our enemies in Vietnam, and also by stopping fomenting trouble all over the world, as for instance in the Middle East where they granted massive support to the Arabs."

Noting he is a former national president of Junior Achievement, which seeks to ground young persons in the principles of free enterprise, Lodge said:

"Our young people should be taught the most important freedom is the freedom to choose. In recent years there has been a kind of attempt to substitute freedom from necessity of choice for freedom to choose."

"Since free enterprise built this country, I think we should want to see our young people, and older people, too, receive adequate education in the advantages of the private property, profit-and-loss, free enterprise system."

#### CAMPAIGN COMMENT

Asked for comment about the 1968 election campaign outlook, Lodge said "I'm for Richard Nixon," and added: "The safest thing for us Republicans is to assume there is going to be a tough struggle, and we'd better behave like the underdog."

"I think we have a good opportunity," he said, "and we should unite behind whomever is nominated."

"I am a firm believer in the eleventh commandment—'Thou shalt not speak ill of any other Republican,'" he grinned.

Since this would be President Johnson's last campaign, "I don't think they could prevent" his nomination again, Lodge commented.

"Lyndon Johnson is highly competitive by nature" he observed adding "We can't avoid a struggle."

Turning for a moment to discuss internal affairs Lodge referred to lawlessness as perhaps the most serious problem confronting the nation.

"The great question is how much lawlessness a society can withstand without being destroyed" he said.

W. E. Wendt presided at the dinner which was attended by 391 persons. Robert A. Schuster introduced the speaker and Robert D. Warden presented the newly elected board of governors to the club.

[From the Missoula (Mont.) Missoulian,  
Nov. 20, 1967]

#### TAKE OFF THE WRAPS IN VIETNAM, LODGE URGES IN INTERVIEW HERE

(By Gary Langley)

John Davis Lodge, former U.S. ambassador to Spain and brother of 1960 Republican vice presidential nominee Henry Cabot Lodge, told the Missoulian Sunday night that he basically favors President Johnson's policy in Vietnam, but the United States should "take the wraps off" possible military targets.

The former Connecticut governor, who is here to speak before the Metropolitan Dinner Club of Greater Missoula tonight at 7:30, said that instead of putting pilots in the air to destroy MIGs, "we should be destroying them on the docks of Haiphong Harbor."

Lodge, who was twice elected to Congress from Connecticut, said that the present position of the United States in Vietnam is "more dangerous than to escalate."

Lodge warned that the United States should stop trading with the Soviet Union, a country that is furnishing the Viet Cong with 80 per cent of their arms and equipment, until "they stop causing trouble for us" throughout the world. He pointed to the Middle East and Cuba.

"Russians are killing Americans by proxy," Lodge said.

He said America should not ask men to risk their lives when we "help our enemies."

He cited that United States trade with Russia amounted to \$376.7 billion in 1966, a 40 per cent increase over the previous year.

Anticipating next year's presidential election, Lodge described former Vice President Richard Nixon as the most likely Republican to defeat President Johnson.

He described Nixon as having the most experience in foreign affairs of any of the Republican contenders.

Lodge said he thinks Nixon also could unite the Republican party better than the other potential candidates.

"I am for Nixon, strongly and actively," said Lodge, a charter member of the Nixon for President committee.

He described California Gov. Ronald Reagan as a natural heir to Sen. Barry Goldwater, but "liberal elements have reservations about him."

Lodge predicted that Michigan Gov. George Romney probably will lose the support of the GOP conservative element because of his refusal to support Goldwater in the 1964 election. Romney officially announced his candidacy for the GOP presidential nomination Saturday.

Lodge has been connected with motion pictures in Hollywood, Rome, Paris and London. He said he once played Shirley Temple's father in a movie.

He was elected to the House of Representatives in 1946 from Connecticut's 4th district, and was re-elected in 1948. He was elected Connecticut's chief executive in 1950.

He was Pres. Eisenhower's special ambassador on presidential missions to Panama, Costa Rica and Puerto Rico, and was appointed ambassador to Spain in 1955. He served in that post six years, the longest term of any U.S. ambassador to that country.

Mr. MUNDT. Mr. President, these press reports speak for themselves. We are all aware, of course, of the great public record of former Ambassador Lodge. He served for several years in our National Congress as a Member of the



House of Representatives; he is a former Governor of the State of Connecticut; and in addition to being a former American Ambassador to Spain he has performed a number of other diplomatic missions for the American Government. A noted speaker and writer, Mr. Lodge spends a great deal of time communicating with our fellow American citizens about the trends of our times.

Additionally, of course, it is well known that John Davis Lodge is the national chairman of CEASE—the Committee To End Aid to the Soviet Enemy. From its national headquarters at suite 1061, National Press Building, Washington, D.C., CEASE is making steady and important progress toward its goal of gathering 10 million signatures to petitions demanding that President Lyndon B. Johnson rescind his Executive orders providing for the unrestricted sale to Russia of some 450 American products—many of them highly strategic in military importance—at the very time Russia and her Communist satellites in Europe are supplying all of the petroleum, all of the sophisticated weapons, and 90 percent of all supplies and military equipment required by the Communists of Hanoi to keep their armies in the field, to prolong this bloody war, to maintain their stubborn refusal to come to the negotiating table, and to expand steadily and startlingly our American casualties in far-off Asia.

Many Americans are now sending contributions to CEASE to help finance newspaper advertisements opposing the Johnson formula of feeding and fighting our enemy at the same time and asking for petitions to circulate to mobilize American public opinion against this inconsistent and self-defeating wartime policy. As CEASE gathers new members and new funds, more and more Americans are wiring or writing their Representatives in Congress, their Senators, and the President and Vice President that they bitterly resent having their Armed Forces in Vietnam shot and killed by weapons which our wartime trade policies with Communist Russia help put into the hands of her Communist allies in North Vietnam.

As Ambassador Lodge so succinctly puts it, "Russians are killing Americans by proxy."

Even worse, it could fairly be said that Americans selling and shipping supplies to Russia now that she and her Communist allies have become the sole military support of Hanoi are in fact, "shooting their own fellow citizens and the flower of American youth by proxy."

It is indeed high time that President Johnson admits the futility and the failure of his "kiss and kill trade policy" with the Communists and puts an end to this wartime trade with the enemy. How else, indeed, can we ever end or win this cruel war short of undergoing a humiliating defeat?

#### ASIAN NATIONS IDENTIFY WITH UNITED STATES IN VIETNAM

Mr. McGEE. Mr. President, the recent visit to Washington by Japanese Prime Minister Eisaku Sato underscored again the important fact that the leaders of

the independent Asian states understand and support America's action in Vietnam. Columnist Richard Wilson observed in the Washington Star, November 20:

Sato blasted the myth that no major nation identifies with the United States in Vietnam.

Indeed, it was a myth, Mr. President, for the record clearly shows that Asian nations are with us. Mr. Wilson's column, one by Carl Rowan in the Washington Star of November 22, and an excellent editorial entitled "Vietnam and Asia Alignment," published in the Los Angeles Times of November 19, 1967, make this point very clear. I ask unanimous consent that they be printed in the RECORD.

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

[From the Washington (D.C.) Star,  
Nov. 20, 1967]

#### SATO VISIT TO UNITED STATES ENHANCES VISION OF PACIFIC ERA

It is no exaggeration to say that President Johnson and Japanese Prime Minister Eisaku Sato got along well. This marks a maturity of Japanese-American postwar relations which unquestionably will prove to be of great significance in what some people at the White House call the Pacific era.

Our relations with Japan are probably better than with England. We are becoming closer associated in Asia with a nation which will soon become the world's third greatest industrial power, exceeded only by the United States and the Soviet Union.

Sato blasted the myth that no major nation identifies with the United States in Vietnam. Japan's material aid to Vietnam will be increased. Japan will take greater risks in the operations of the Asian bank. Sato could act with confidence in these matters because the government's measure of opinion in Japan shows 70 percent back America's actions in Vietnam.

Japan has a noisy, headline-grabbing minority just like the United States, and just as prone to violence. But the underlying support for what Sato represents is strong. Japan has a way to go yet in raising its standard of living to the American and Western European level, but it is on its way.

Japan also will have to mature more in the ways of the real world before Okinawa and the Ryukyus can be returned to her. This involves recognizing the necessity of U.S.-controlled nuclear weapons on Japanese bases, as is the case in West Germany.

The atomic-powered aircraft carrier, Enterprise, will soon make a journey to Japan to illustrate that nuclear energy has other purposes than to obliterate Hiroshima and Nagasaki. But it will be some years before the constitutional changes can be made and the public attitude altered to fit the realities of modern Japan confronted by Chinese nuclear rockets.

Few people in America yet have Johnson's vision of the Pacific era. The country as a whole was not responsive to his Asian trip last year. Korea's spurt forward arouses little interest in this country. Japan's steady climb to industrial eminence is more visible here in the form of the Sony electronic products and the new Japanese automobiles.

Japan is interested not only in America but in cooperation with the Soviet Union in the industrial development of Siberia.

All these matters are more real at the White House than with the American public at large. Australia's political reorientation toward America, rather than England, as illustrated by Prime Minister Holt's frequent intimate visits with Johnson, is another factor in the White House vision of the Pacific

era. Australia for the first time considers herself a part of Asia. Her trade with Japan is now greater than with England.

The alignment with Johnson's aims of the scrappy prime minister of Singapore, the new found compatibility with Indonesia, the modification in the attitude of Prince Sihanouk in Cambodia—all these things, too, are part of the vision of the Pacific era.

In that vision the war in Vietnam appears crucial. Without the protection of a freely chosen government in South Vietnam the Pacific vision fades into rhetoric. Johnson's critics would like to have it remain there. They do not believe in the Pacific vision. They consider it quixotic and unreal.

The rest of the country does not even understand it. The fighting in Vietnam is far off and limited in scope, and supported as stopping the advance of communism. The war is not seen in its true frame as guaranteeing eventual Asian regional cooperation, with the United States playing a leading, fraternal and profitable part.

Johnson's vision races some years into the future and beyond the final settlement of the Vietnam war to the time when a more tractable China can play its part in regional Asian cooperation along with North Vietnam.

The Sato visit did nothing to destroy the Pacific vision but enhanced it greatly. The Japanese have much to gain from the Pacific vision and so does South Vietnam and North Vietnam as well.

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

#### MANY ASIAN CHIEFS NOW SUPPORTING JOHNSON

"President Johnson is a political genius on domestic matters, but when it comes to foreign policy he's at a total loss."

That has come to be accepted as a truism by Americans of all political and economic circles. How Johnson must wish, these days, that it was somewhat closer to the truth!

The truth is that the President has been doing remarkably well with his foreign clients. It is only with the homefolk that he now seems unable to do anything right.

Never was this more obvious than when Prime Minister Eisaku Sato came here and gave a surprisingly strong endorsement of Johnson's policies in Vietnam and Southeast Asia.

The newspapers were full of stories and photographs of bearded, brazen American protesters acting like fascists around a New York hotel where Secretary of State Dean Rusk spoke. But this politically sensitive Japanese leader, who must be delicately sure of his ground before speaking on issues like the Vietnam War, was telling newsmen:

—That the Japanese and other Asians support Johnson's policies and the American military presence in Southeast Asia.

—That the Japanese do not want a U.S. withdrawal until a lasting peace can be negotiated.

A fair observer would have to say that Johnson was a pretty good foreign policy operator to get this kind of support from Sato, and to handle the touchy issue of the Bonin and Ryukyu islands in such a way as to permit the Japanese leader to return home reasonably happy.

On Vietnam, Johnson has convinced Sato of what he has been unable to convince Americans: that LBJ is a man of peace—but a man who knows that peace is never found at the end of a flight from responsibility and commitments.

As much as we all hate to let facts interfere with our prejudices, it is hard to ignore the fact that Sato is only one of a string of Asians who give solid backing to Johnson's Vietnam and other Asian policies.

A half dozen Asian chiefs have come here recently making statements that sound as though they either think Johnson is a great



and gutty American, or they are living evidence that he is the greatest persuader ever to dabble in foreign policy.

Lee Kuan Yew of Singapore, Souvanna Phouma of Laos, Tunku Abdul Rahman of Malaysia and even Ne Win of Burma have pleaded with Johnson privately to see the struggle through.

It is significant that South Vietnam's neighbors—whether neutralist like Burma or hawkish like Thailand, hostile toward America like Cambodia or almost an extension of America like the Philippines—all express genuine fear of Communist China. And most of these neighbors believe the U.S. military is the shield that permits them to retain their independence.

A major Communist goal has been to isolate the United States in terms of world opinion on Vietnam. They have had some success in Europe, mostly through the simple tactic of quoting American critics of Johnson's Asian policies.

But the Communists have not been able to isolate the United States from the people most directly involved—the Asians who have the most to lose in the Vietnam conflict.

One reason is that, contrary to popular notions, Johnson has been a lot more effective in talks with foreigners like Sato and Ne Win than in discussions with U.S. congressional leaders, or with some of the powers in his own Democratic party.

It would seem that the cliché ought to be: "If Johnson could only deal with Americans the way he talks turkey with those foreigners."

[From the Los Angeles (Calif.) Times, Nov. 19, 1967]

#### Vietnam and Asian Alignment

In Washington last week Japan's Premier Eisaku Sato praised President Johnson for his efforts "to bring peace and stability to the world, particularly in Asia at this moment." Lest anyone question the point of this statement, the Japanese Embassy made it clear that Sato's remarks were to be understood as an "expression of direct support" for U.S. policy in Vietnam.

Like other East Asian leaders Sato knows that American interests and responsibilities in Asia extend far beyond Vietnam, and that Asian interests are intimately connected with the U.S. effort. For the inescapable and ever clearer fact is that what happens in Vietnam—and what has already happened—is of vital relevance to the stability, development and order of all the nations of the region.

Wars are either the direct cause or the catalyst for political change. The Vietnam war is no different. Far from being an end in itself, the conflict has had and promises to continue having a profound effect on the course of events in Asia.

Singapore's Premier Lee Kuan Yew, who just a few years ago was outspokenly anti-American, gave perhaps the most succinct explanation of the benefit to Asians of the U.S. presence in Vietnam. What the United States has done, said Lee, is give the rest of Asia time to prevent other Vietnams. And that is no little accomplishment.

Any doubters need only recall the situation in Asia as it existed in January, 1965, before the United States entered Vietnam in strength.

The Viet Cong was in clear sight of victory. Coup was following coup in Saigon, and the South Vietnamese army was losing a battalion of men a week. Peking and Hanoi were saying loudly that Thailand would be facing "guerrilla operations within the year."

Farther south, as Southeast Asian specialist Arnold Brackman recently recalled, Sukarno's Indonesia was stepping up its "confrontation" with Malaysia, and exerting pressure on northern Borneo and Singapore—with Ho Chi Minh's expressed "unreserved support." A Jakarta-Peking

axis—a "hammer and anvil"—was emerging.

The object was to drive all American and British military power from the area, leaving no protection for the weak new states.

It would be overstating the case to say that what has happened in East Asia over the last three years was due solely to the American effort in Vietnam. But the influence of this effort—in the testimony of some Asian leaders themselves—is plain.

The tangible presence of American power, the demonstrated willingness to pursue a difficult cause, have answered what many were saying and believing just a few years ago, that China was invariably the dominant power in Asia, and that Chinese and North Vietnamese-supported insurrections were inevitable throughout the area.

Most East Asian countries are militarily weak. Nearly all in Southeast Asia have social and economic problems which are potentially exploitable by Communist-led insurrection movements. All, for valid historical reasons, fear Chinese domination.

It is hardly unreasonable, then, that the leaders of these countries should welcome the American effort in Vietnam, and respond to it with a confidence that was lacking in early 1965. Their declarations of support for the American effort are perhaps less important than the political and economic transformations that have taken place, in good part as a result of this effort, ranging from serious moves toward internal improvement to the creation of a number of important regional organizations aimed at greater mutual social and economic development.

This is not to say that these countries desire a permanent American military presence in Asia, or a dependence on the United States. Most of the lands in question achieved and have maintained their independence by nationalism. They do not want either internal Communist takeovers, or subservience to China, or reliance on the United States.

What we are fighting in Vietnam—and the other Asians know this—is the idea that a minority movement can take advantage of weaknesses in the underdeveloped lands and bring itself to power by armed force, terrorism and subversion. Just as there is an exemplary dynamism to aggression, with one success encouraging further efforts, so too, quite probably, would the thwarting of the Communists' effort in Vietnam discourage similar efforts elsewhere in Asia.

At the same time we must realize that the support we are getting from other Asian states is not necessarily irrevocable.

For one thing other leaders could attain power, by the ballot box or by force, and change national policies. The time may also come—we all hope—when Communist militancy in Asia will subside, lessening the need and the welcome for the American military presence.

We are talking now, however, about the present. And the record of the present shows that the leaders of the independent East Asian states understand and support what we are doing.

#### ALLIGATOR VERGING ON EXTINCTION AS FASHION DEMAND GROWS

Mr. YARBOROUGH. Mr. President, this month has turned up some promising signs that the American public is becoming aware that the alligator hide, long a luxury item in shoes, pocketbooks, belts, and luggage, is a luxury because the animal that gives the hide is fast becoming rare and is threatened with extinction. Recently, the Dallas Times Herald and the Washington Post published articles expressing concern about the fast-disappearing species, quoting an

old poacher of the animals, that "they'll kill until they get the last of them."

Although the Dallas editorial noted that nobody will "hold the unlovable reptile in nostalgic affection," he is obviously winning friends among the concerned news media of our country. I commend writer Ben Funk, of the Associated Press; the Washington Post; and the Dallas Times Herald for this concern over the possible disappearance of a distinctive American species.

The plight of the 'gator is becoming worse every day, and there is a distinct possibility—a probability if such legislation as the bill (S. 785) introduced by the Senator from Florida [Mr. SMATHERS] is not soon passed to prevent this destruction—that the alligator will be killed out in this country. I urge favorable action before the tragedy occurs.

It is to prevent such wiping out of species, as is now happening in the case of the alligator, that I submitted in August of this year Senate Concurrent Resolution 41, to convene an International Conference on the Conservation of Wildlife. It is necessary for all the nations of the world to join in concerted action against the unchecked exploitation of wildlife that has caused the extirpation of an average of one species a year since 1900. Such international study must be brought to bear on this problem, which has worldwide dimensions and worldwide repercussions. Man's progress must not be marred by the decimation of the animal species of the world.

Mr. President, I ask unanimous consent that the article entitled "Alligator Goes Way of Buffalo," published in the Washington Post of November 5, and the editorial entitled "Getting the 'Gator,'" published in the Dallas Times Herald of November 2, be printed in the RECORD.

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

[From the Washington Post, Nov. 5, 1967]

#### ALLIGATOR GOES WAY OF BUFFALO

(By Ben Funk)

MIAMI, Fla.—In the swamplands of the southeastern states, an army of illegal hunters is adding another chapter to the old story of wanton destruction of American wildlife.

The alligator is rapidly going the way of the buffalo.

"I wouldn't give the 'gator more than three or four years," says a retired poacher who once played a role in the slaughter.

"There are 1000 professional hunters in Florida alone and the laws are so weak they laugh at them."

The alligator is a victim of the world of fashion.

"So long as it's stylish for a woman to pay \$200 for an alligator bag and a man \$70 for alligator shoes, the hunters will go on killing," the old poacher said. "They'll kill until they get the last of them."

"With today's laws, why should a man stop poaching? I used to make up to \$400 a week, working three or four nights in the swamp. I've known of hunters working together killing 100 in a night and making \$1500. That's how the money is racked up."

In the Miami market, alone, the trade in hides is estimated at \$1 million a year. In less than 10 years, the alligator population has been reduced by three-fourths in some areas.

Alarmed by the rapid decline of a treas-



ured tourist attraction, Florida outlawed all alligator hunting in 1961. Georgia, Louisiana and Alabama also have taken protective measures, including closed seasons.

But the Florida poacher says state game laws are not strong enough and penalties are not stiff enough to stem the massacre.

"A warden has got to cover hundreds of square miles of wilderness," he said. "No man could do that."

"Even when a poacher is caught, the fine is so small a night's kill will cover it. The judge fines him \$200 and makes him promise to stay out of the swamp. That same night, he goes out again."

Twenty-one wardens patrol the 5000-square miles of the Everglades. Asked how many poachers work the glades, Dr. O. E. Frye, director of the Game and Fresh Water Fish Commission, says, "I couldn't guess. How many motorists run red lights?"

Alligators once numbered in the millions in the Southeastern states.

Gradually, development projects and land drainage crowded them back deeper and deeper into the wilderness. In their few remaining refuges, the hunters have them backed to the wall.

Sen. George Smathers (D. Fla.) has introduced a bill making it a felony to transport alligator hides across state lines and prohibiting interstate transportation of articles made from the hides.

Such a law, combined with stronger state enforcement, could turn the tide of extinction, the poacher said.

"If they pass this law and the Game Commission gets more wardens to get in with the poachers as undercover men, they can stop it," he said.

Everglades National Park, a vast sub-tropical wilderness in south Florida, is one of the last big refuges of the alligator—and a favorite hunting ground for the poachers. Sneaking across the park boundaries at night, poachers kill hundreds each week.

If the alligator is wiped out in the park, the balance of nature will be badly upset. He devours predators such as rattlesnakes and garfish, and alligator pools provide a water source for marine and animal life during severe droughts.

"A poacher never uses a gun at night," the poacher said. "I put a gig like a spear on a cord attached to the end of a pole and work from a boat."

"When you run up to a gator, he usually just lays there. You stick the gig in his neck, let him run out to the end of the cord, then pull him in and smack him over the head with a hatchet. There's no noise, whatever."

Young alligators about four feet long are the most prized catches. Bootleg buyers pay an average of \$4 a foot for their hides.

"I've taken a few big ones," the poacher said, "but gators nine feet or longer only bring about half price. Their hides are caloused from sliding over rocks and the bulls are battle-scarred."

"But when a poacher kills a young female, he is cutting his own throat. A five foot gator is at the breeding age. The gators will be gone that much quicker."

How are the illegal hides disposed of? The poacher said wholesalers buy them.

"Some of the hides are flown up north in private planes," he said. "Others are shipped in refrigerated trucks right along with fish and beef. Once the hides reach New York, there are no rules or regulations, so it becomes a legitimate business up there."

[From the Dallas (Tex.) Times Herald,  
Nov. 2, 1967]

#### GETTING THE 'GATOR

While nobody is likely to form a "Society to Save the Alligator," or hold the unlovable reptile in nostalgic affection as the public has done with, for example, the graceful whooping crane, nevertheless the 'gator is

going the way of the whooper and needs help.

The story of the wanton destruction of the alligator in southern swamps, especially in Florida, at the hands of illegal hunters is one of the sadder recent examples of the triumph of human greed over nature. The simple fact is that the alligator is being slaughtered because his armor-coated hide, coveted in the world of fashion, has become too valuable. Alligator bags for ladies and alligator shoes for men have become not only handsome items of attire but status symbols bringing fancy prices. Sheer greed has brought such an influx of poachers flaunting weak protective laws that the mass hunt for highly saleable hides has become, or is fast becoming, a mass extermination. "They'll kill," one old poacher told The Associated Press, "until they get the last of them." The evidence supports his pessimism. In less than 10 years the 'gator population has been reduced by an estimated three-fourths in some areas.

It is ironic for the alligator to have survived all the formidable enemies of his natural environment for centuries only to appear doomed to extinction now by the economic vagaries of a "civilized" society. States with 'gator populations should act quickly to put more teeth in the protective laws to stop the slaughter which is upsetting the balance of nature in the swamps and robbing our remaining wilderness of its most distinctive survivor of the prehistoric past.

#### ARMS SUPPLIERS USE GOVERNMENT PROPERTY FOR COMMERCIAL GAIN

Mr. PROXMIRE. Mr. President, a well-researched article in this morning's Wall Street Journal by Noel Epstein focuses attention on the shocking misuse of Government-owned property by private contractors for their own commercial gain.

One example documented by Epstein concerns the use of a \$1.4 million forge press owned by the Defense Department. The press was to be used to turn out jet-engine parts for the military. It was installed at the contractor's plant because a smaller Government-owned press at the same plant was considered inefficient for the production of the military jet-engine midspan blades that the Pentagon wanted. But over a 3-year period, from late 1961 through 1965, 78 percent of the time the contractor used the larger press for its own commercial production work rather than Government work. And it relegated the military contract work to the older and smaller press whose inefficiency was the reason for putting in the bigger press in the first place. Thus, the contractor was brazenly awarding itself an enormous, though unintended Federal subsidy.

Mr. Epstein's article was an excellent summary of findings that have been made and reported by the General Accounting Office.

At a hearing this morning conducted by the Subcommittee on Economy in Government of the Joint Economic Committee, we spent much of our time on the subject dealt with in Mr. Epstein's article and in the GAO reports.

The Comptroller General of the United States, Mr. Elmer B. Staats, who was our witness on this opening day of a planned 4-day inquiry into Defense Department buying practices and property

management, went into this area in some detail in his testimony.

The shocking mismanagement of Government-owned equipment reported by Mr. Epstein was confirmed by Mr. Staats. Equipment is being used by private contractors in their commercial operations, he said, without appropriate Government approval and without equitable compensation to the Government. He also reported that some of the equipment lies totally idle at some plants when there is an urgent need for that same equipment elsewhere. Utilization data is not adequately maintained by some contractors, Mr. Staats reported. The Defense Industrial Plant Equipment Center, which is responsible for managing idle industrial plant equipment, has permitted the purchase of equipment without screening to determine whether similar equipment was idle at other locations. Mr. Staats reported a lack of uniformity in rentals charged for use of Government equipment.

A number of methods for correcting these abuses were suggested by Mr. Staats in his testimony which would require changes in Pentagon regulations. I asked the Comptroller General to supply me with alternative recommendations for dealing with these abuses legislatively.

One suggested remedy is a requirement that contractors furnish machine by machine utilization data and obtain prior Office of Emergency Planning approval on an item-by-item basis for the commercial use of industrial plant equipment.

Another remedy suggested is the strengthening of controls over special tooling and special test equipment through the use of financial accounting controls, quarterly reports, and so forth.

Mr. President, this is an area of great concern now for the Congress for it involves the inefficient and therefore costly use of the taxpayers' resources. I ask unanimous consent that Mr. Epstein's illuminating and very helpful report be printed in the RECORD.

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

ARMS SUPPLIERS' WINDFALL: GAO STUDY CHARGES FIRMS MISUSE U.S. PROPERTY FOR COMMERCIAL GAIN

(By Noel Epstein)

WASHINGTON.—The Defense Department supplies a \$1.4 million forge press to a contractor to turn out jet-engine parts for the military. But over three years the company runs the press 78% of the time for its own commercial production.

Another concern gets \$6.1 million of various Pentagon equipment to do Air Force work. In a six-month period, however, it uses the equipment 58.5% of the time to fill its non-Government orders.

A nice windfall if you can get it? It certainly is, says the General Accounting Office, and because of the way the Defense Department manages—the GAO would say mismanages—its property stockpile, such unintended Federal subsidies are precisely what some businesses are getting.

There are more than \$11 billion of Defense Department-owned buildings, machine tools, dies, electronic gear, test devices and other equipment in contractors' possession, so this inadvertent handout to industry potentially is vast. Under some circumstances, companies have long received Government permission to lease Federal property to grind out



their commercial wares. But the GAO, Congress' watchdog agency, found during a 1½-year investigation that "generally prior approval hadn't been obtained" and that "Government property was improperly being used in a significant number of such cases" without equitable payment to the Government.

The Pentagon says it already is starting some actions and considering others to outflank abusers, but the GAO contends the generals' strategy doesn't go far enough to win the battle.

#### HAVEN'T FULLY REPLIED TO CHARGES

The list of 21 companies and two universities investigated by the GAO is being closely guarded by top GAO officials, who remember well some past Congressional and industry howls when the agency named names in certain reports. In preparing the current report, which will be made available today, GAO officials say they kept the identities secret because the contractors haven't yet fully replied to the charges.

There's a chance, though, that Comptroller General Elmer B. Staats will have to disclose the list today anyway. He is scheduled to testify this morning at the start of hearings by a Joint Economic subcommittee looking into Pentagon buying practices, and would almost surely turn the list over if the subcommittee asks for it.

While the 91-page report doesn't identify offenders, it does say that those investigated included both "large and small prime contractors and subcontractors" doing military work on airframes, aircraft engines, electronic apparatus and ordnance. Together, they had in their hands Pentagon equipment costing about \$1 billion.

#### MAJORITY PROCESSED ON OLDER PRESS

For a look at how some contractors reap unusual dividends from this Government-supplied treasure, consider the operator of the double-duty forge press. The GAO tells the tale as follows:

In late 1961, the 8,000-ton mechanical press was installed at the contractor's plant because a less-efficient, 4,000-ton press, also Government owned, supposedly couldn't handle all of the Pentagon's orders for jet-engine midspan blades. In the three years through Dec. 31, 1965, though, the larger press was used mostly to turn out midspan blades for non-Government customers without Government approval.

What about the Pentagon blades? The majority of them were processed on the older and smaller press whose inefficiency was the reason for installing the bigger model in the first place.

The contractor didn't stop there, though. He also used 10 more Government-owned machines, costing \$29,000 to \$141,000 each, "100% of the time for commercial work without advance . . . approval."

Contractors aren't taking much risk in such cases. If the misdeed is discovered, Pentagon regulations provide that the company must pay full rent for the equipment even if it wasn't used improperly all the time. But this penalty can be assessed only if the concern fails to "exercise reasonable care to prevent such unauthorized use."

In practice, the GAO found that full monthly rent wasn't charged "because it couldn't be shown that contractors didn't use reasonable care to prevent such use." So abusers only paid the rent they normally would have been charged by the Government to use the equipment commercially.

#### UNAUTHORIZED COMMERCIAL USE ROSE

Offenders don't seem to be discouraged very much by this system. In one instance, a contractor was "advised" in March 1965 that it had used Pentagon equipment improperly 7.5% of the time in the preceding six months. Although corrective action was promised, the GAO says, the contractor's unauthorized commercial use of the appa-

ratus increased to 10% in all 1965 and to 13.5% in the first nine months of 1966.

The Pentagon has told the GAO that, among other things, it "will consider the need for stronger language" in its regulations to help eliminate such abuses.

But the larger target in this battle is just to find the abusers in the first place. Their elusiveness results from the fact that the contractors themselves are required to maintain the official records of how Government property in their hands is used. And, says the GAO, "utilization data maintained by some contractors aren't adequate to indicate the extent and manner of use."

The GAO's supporting evidence indicates this may well be an understatement. Early in its report, for example, the agency explains that it was "unable to determine the manner of use of many items of equipment at a number of contractor plants we visited because such utilization records weren't maintained."

The Pentagon's main force for finding abusers is its troop of 450 property administrators, who must approve company record-keeping systems. But the GAO found their work doesn't always put the desired information in Government hands.

The agency cites, for example, a case where a contractor's system was first disapproved in July 1962, and then found still to be "sadly lacking detail" in January 1965. "Since approval . . . had already been withheld," though, no further action was taken.

Its investigation, the GAO says, had to be conducted mainly by checking records kept by contractors to compute rentals on equipment they were using, with permission, for commercial work. Authority to use Government equipment as much as 25% for private output is given in some contracts when the apparatus otherwise would be idle and isn't needed for defense work elsewhere.

For more than 25% commercial usage, contractors are supposed to get further approval from the Office of Emergency Planning. But the GAO found that since last December, only five such requests had been submitted. "Generally," the agency says, "contracting officers weren't requiring contractors to request and contractors weren't requesting advance approval for commercial work in excess of the 25% restriction."

Partly to blame here, the GAO states, is that it's unclear whether the 25% criterion applies to "total planned use" or "to a certain number of days a week," and whether it means 25% of all equipment in a contractor's hands or 25% of each item.

A major help in finding offenders, the GAO says, would be for the Pentagon to require that contractors keep machine-by-machine records and get approval from the Office of Emergency Planning on the same basis.

#### REVISION IN REGULATIONS

The Defense Department, however, isn't contemplating going this far. It is revising its regulations so that companies will be required "contractually" to "establish and maintain a written system for controlling" use of Government property, the GAO says. The department also has "indicated" to the GAO that there will be surveys of contractor bookkeeping "to ensure the effectiveness of such a system."

The department further says it intends to meet with officials of the Office of Emergency Planning to more clearly define "25% non-Government use."

While the Pentagon plans to study further the machine-by-machine recommendation, it argues that to maintain such records for "commingled Government and contractor-owned plant equipment on a contract-by-contract basis is impractical because it would be very time consuming, disrupt the contractor's production planning process and result in the addition of costly administrative burden for both Government and industry."

The GAO, however, disagrees. Some contractors, it says, already keep such records, and others are installing electronic data-collection equipment that can do the job. While the Government would share the expense of these company investments in final prices to the Pentagon, the GAO says, it "doesn't seem unreasonable" to require contractors to keep books distinguishing between Government and commercial use.

The GAO says one contractor that already breaks down its usage figures by machine told the agency that it cost the company \$7,400 a year to do this on 880 pieces of equipment. With the help of this company's figures, the GAO estimates that a similar machine-by-machine computing of "the rent at this contractor would increase the contractor's annual rent payment by about \$582,600."

It "seems reasonable to expect that, if the Government provides (equipment) to contractors, the contractors should furnish the Government data as to how they are using it," the agency contends.

Such data, it suggests, wouldn't only help the military reduce unauthorized commercial use of its equipment, but also would aid in curbing other cases it found where companies had received permission to use Government property for commercial work while the same equipment was needed for defense jobs elsewhere.

#### L. B. J.'S RECORD

Mr. BREWSTER. Mr. President, last week marked the end of the first 4 years of Lyndon B. Johnson's service as President of the United States. That service is a matter of public record.

An examination of that record was contained in the Washington Post on Sunday, November 26, in an article by Adolfe Berle, one of the country's foremost professors of law.

I found Mr. Berle's observations too distinguished by their clarity and forthrightness. The article is an honest appraisal of President Johnson's record that deserves to receive serious attention. I ask unanimous consent that it be inserted in the RECORD.

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

L. B. J.'S RECORD WILL SHOW HE DID HIS DAMNEDEST

(By Adolfe Berle)

(NOTE.—A retired Columbia University law professor, Berle was an adviser to Franklin D. Roosevelt in the 1932 campaign and an Assistant Secretary of State under Roosevelt. He also served President Kennedy as head of his inter-American task force.)

When John F. Kennedy was assassinated Nov. 22, 1963, Lyndon B. Johnson was catapulted into the White House and thereby into world power. After four years as a historical figure, his record will be passed on and his position determined by next year's election.

Owing him nothing and being beyond the age of political ambition, I think I can offer an objective view. Overcoming my rage at the abuse leveled at him by propaganda and his enemies, and forgetting personal friendship for some of his Republican opponents, here it is.

#### BOTH FLANKS EXPOSED

The 1968 race will be President Johnson's first real campaign; the real issues were not presented in 1964. He goes into it with both flanks exposed. The left wing hates his foreign policy and blames him (as it blamed Franklin D. Roosevelt) for not reforming overnight. The right wing opposes the whole



social program. Votes of the American center will make the decision.

Mr. Johnson's 1964 majority represented not consensus but his heirship to the tragic drama of his brilliant predecessor, to a deep American feeling that a man so placed should have a chance to speak his piece and to temporary seizure of the Republican Party by a reactionary wing whose program and attitudes had been obsolete for 30 years.

A more normal balance appeared in 1966 as Southern Democrats and Northern conservatives combined against him in Congress. But in the two intervening years, he had carried through two unrealized Kennedy programs: civil rights for Negroes and stimulation of the economy by tax reduction.

More importantly, he had also added a powerful new conception to American politics, giving it a new dimension and direction. This was the Great Society. He had pushed through some bills giving it a measure of reality. In domestic affairs, his 1968 campaign will seek a solid mandate to carry this conception forward.

In foreign affairs, Mr. Johnson inherited and for four years has traversed as dangerous and difficult a period as America has ever encountered. As public opinion is running, the liberals support his domestic policy and oppose his foreign policy; the conservatives support his foreign policy and oppose the Great Society. On this combination he must make his campaign.

#### SUBSTANCE FOR A DECADE

The current low level of American political debate cannot obscure the historical significance of the positions President Johnson has taken or the fact that his forward policies will be the grist of American campaigns for a decade to come.

Civil rights became statutory law in 1964. But law alone cannot bring the American Negro population into economic and social equality. President Johnson tackled the rest of the problem by proposing all-out war on poverty, black and white alike.

One factor in poverty is the city, where poverty is most concentrated. Reorganization of urban life was seen to be essential—not merely for "the poor" but for all city dwellers. If in process of reconstruction the sheer ugliness of its towns could be conquered, American civilization might be put on the road to a great expression.

So remodeling of cities was thrown into the political arena, bringing direct Federal aid to endless projects for urban reconstruction. The beginnings of these programs are in effect and no city in the country will tolerate their discontinuance. Controversy there will be, but the odds against abandonment are enormous.

#### A STATE OF MOTION

Foreign affairs have presented a vaster issue. In 1963, the United States was in the throes of a virulent cold war. President Kennedy had checked it in the Western Hemisphere by going to the verge of nuclear war in the Cuban missile crisis of 1962. He had maneuvered with it in the Far East, relinquishing Laos and Cambodia but resolving to resist in Vietnam, where he sent 25,000 American troops. In the unresolved Arab-Israeli conflict, Mr. Kennedy's answer had been to work with NATO and keep the Sixth Fleet near Suez.

President Johnson in 1963 found the whole scene in a state of motion. Mr. Johnson's basic problem was whether the United States should attempt to maintain a world balance or should withdraw from difficult areas, leaving the Communists to guide the course of events.

His decision was to attempt to maintain the balance. He met the threat to Vietnam by escalation to the scale of North Vietnamese attack. He responded to the threat to the Dominican Republic when that country fell into chaos by swift action, establishment of a popularly based Dominican government

and prompt withdrawal of the inter-American force.

#### CONFRONTATION AVERTED

His least recognized exploit was in the Arab-Israeli war last June. Soviet arms and diplomacy had engineered a shaky Arab unity and a Soviet flotilla moved through the Dardanelles to the fighting front. At that point, Mr. Johnson used the "hot line" to Moscow to reach agreement with the Soviet leaders that neither the Russians nor the Americans would participate in the conflict. A confrontation carrying the possibility of a world war was avoided.

Mr. Johnson's political troubles stem more from his foreign policy than from any other part of his program. Most Americans are inherently pacifist and many are latently isolationist. Many advocates and beneficiaries of his social programs joined in reviling him for his actions in Santo Domingo, in Vietnam, in the Congo and, though in less measure, in the Mediterranean.

#### AN HONORABLE RESULT

Nevertheless, the possibility of bringing the world disarray under at least temporary control has been preserved. Power-political probes to determine the steadfastness of the American President seem to have ceased. Despite all the shouting against him, this is an honorable result.

Mr. Johnson's limitations are obvious. He is not the young, appealing, liberal-aristocratic, dramatic youth ideal that President Kennedy was. He has not the golden gift of laughter of FDR. He is not the darling of the press. Especially in foreign affairs, his case has been badly stated and worse pleaded.

He has not constructed in his government a close-knit team of personal friends. He is not a faithful supporter of his political allies outside Washington. He has thought in the simplest terms, a dogged, roughhewn Texas politician who nevertheless apprehended the problems of America at home and abroad. He simply did his damndest to see her through on all fronts.

The man may have been wrong in some of his decisions. One may dislike him, or like someone else better. But it would be nonsense not to assign him historical status of the first importance.

#### WAR EAGLE AND THE PEACE CORPS

Mr. WILLIAMS of New Jersey. Mr. President, as the Peace Corps enters its 7th year, and more than 30,000 Americans are numbered among those who have served or are serving overseas, it seems fitting to recognize the men in charge of steering programs within this agency.

Peace Corps staff members are drawn from all walks of life. Motivated by the same ideals as those who volunteer, they come to this noncareer agency for a few years only to contribute their talents in administration and planning.

Ross Pritchard, a native of Paterson, N.J., for example, heads the Peace Corps East Asia and Pacific Region. Dr. Pritchard is a political scientist who was a member of the faculty at Southwestern College in Memphis and served on special faculties at the U.S. Military Academy, the Air Force, and Texas A. & M.

During the administrations of both President Eisenhower and President Kennedy he served as cochairman of the Regional Export Expansion Committee. He was also a member of President Kennedy's Committee on Foreign Aid.

His pre-Peace Corps career also included the management of two success-

ful campaigns—one for the mayor of Memphis and one for the late Senator Estes Kefauver.

Since 1963 he has served the Peace Corps, both overseas as the country director in Turkey and in Washington headquarters as the director of expanding programs in East Asia and in the Pacific.

Dr. Pritchard's qualifications uniquely qualify him to reflect upon the significance of the Peace Corps in the context of our global society. Recently, speaking to the Foreign Relations Association in New Orleans, he stressed that in terms of function and spirit the Peace Corps is the most constructive and relevant presence that the United States can provide overseas and at home and that it offers American society a vehicle for preventing the disengagement of our young people today.

I ask unanimous consent that Dr. Pritchard's speech be printed in the RECORD.

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

#### WAR EAGLE AND THE PEACE CORPS

(Remarks by Ross Pritchard, Peace Corps regional director for East Asia and Pacific, before the Foreign Relations Association, New Orleans, Louisiana, September 28, 1967)

Of course, I have come to talk about the Peace Corps.

In search of a theme, this assignment usually involves a review and selection of some appropriate phase of our growth and development during the past six years. Appropriate to the group, you then add a proper proportion of statistics and anecdotes. Mixed well with the exuberance and enthusiasm most of us still possess for the Peace Corps, a speech comes to be.

Tonight, I would like to depart from this time-honored approach. It is not that statistics are unimportant. It is useful to know that since March 1961 more than 30,000 Americans have served. It is helpful to know that today 15,000 Volunteers are hard at work or on their way to projects in 55 countries. There is some significance in knowing that the Volunteers average 24 years of age, that more than 85% are college graduates, and that 36% are women.

Nor are the anecdotes insignificant. In a hundred different and warm and human ways we can tell you that the girl next door, who always seemed a little thoughtful and concerned, is making a significant contribution to the people of Malaysia. Or that your nephew, who majored in history at Oberlin and had a restless curiosity for faraway places, has found *his place* in the Marshall Islands of the Pacific. Nor are the anecdotes inconsequential, for no matter how large the Peace Corps becomes, its magic will always be the story of the individual Volunteer bringing help and hope where it can be best applied and absorbed.

Yet as important and interesting as trends of growth, statistics and anecdotes may be, I would like to move into a new direction tonight and talk more abstractly about the Peace Corps. Instead of discussing where we are and have been, I would like to comment on where we might possibly go.

For the first time in more than five years, I have just spent a month away from the Peace Corps. Removed from the traffic of day to day operations, I have come to see it in something of a new light. Free from the demands for immediate action, I have lingered a while over some old thoughts and experiences, and have come to sense what I believe to be the deeper meaning of the



Peace Corps and the more central significance of the Volunteers to our time.

I would like to share these with you and in arranging my thoughts I have given them the improbable title, "War Eagle and the Peace Corps."

War Eagle is a small mountain river in the Ozarks of northwest Arkansas. The stream springs up near Hindsville and runs its course for six or seven miles through mountain meadows and between rugged bluffs until it joins the White River near Rogers.

At this time of year it is just right. For the most part it runs clear and not too swift, here and there riffing into white-water rapids; now and again settling down between the bluffs to form deep pools and swimming holes. With tennis shoes and old khakis a fisherman can wade most of the river working the banks and overhanging trees for black bass and blue gills. Less energetically, particularly in the full sun of the afternoon, you fish "deep water" and let the catfish catch themselves, of course insisting that they do as little as possible to disturb the after-lunch tranquility. There is always a place for a cold swim and a warm gravel bar for a doze in the sun. War Eagle is one of those faraway places where one comes closest to understanding more clearly the things that are important to him. War Eagle is a place where you are secure enough to lay aside the protection and armor of easy answers and stereotypes and dare to look at new and bolder thoughts.

I have discovered two or three which I would like to summarize and defend.

War Eagle thought Number One—given the problems and needs in the developing world, the Peace Corps Volunteer, in terms of function and spirit, is the most constructive and relevant presence the United States can provide overseas.

War Eagle thought Number Two—given the problems and need in the urban ghettos of America, the returned Volunteer, in terms of function and spirit, is the most constructive and relevant presence the United States Government can provide at home.

And finally, War Eagle thought Number Three—given the problems and needs among our young people today, who perhaps for good reason find in American society something corrosive and disaffiliating, Volunteer service, and the meaningful responsibility that results, is the most constructive and relevant response we can make to prevent their disengagement.

The defense of my first contention that the Volunteers are the most appropriate U.S. presence in the developing world today, involves two things—first, an analysis of the principal needs for foreign assistance in the developing world, and second, an appraisal of the competence of the Volunteer to respond to these needs.

Foreign assistance has commanded our attention, not to mention our pocketbooks, for almost twenty-five years, and, of course, has taken many forms. As a general proposition of United States foreign policy, it seems to me that aid to other nations is compatible both with the high ideals and principles of this country as well as with practical requirements of national security. In my view, it has always made sense to support foreign aid at least in principle. But on the other hand, it seems to me that the twenty-five year history of foreign assistance is a mixed record of success and failure. More especially, it seems to me in the last decade our foreign aid has become increasingly more irrelevant. With a fixed eye upon the past, we have lost our ability to shift our emphasis and innovate. To some extent, a certain irony is involved in the fact that we have become the captive of our past successes.

Perhaps I can illustrate. From 1947 to 1951, via the Marshall Plan, we allocated and spent in the neighborhood of \$20 billion to sup-

port the economic recovery and development of Western Europe. By most every standard of measurement the Marshall Plan was a success, so much so that for twenty years or more in the face of almost any problem requiring assistance it is still in vogue to use Marshall Plan litany and incantation. Lost sight of, however, is the fundamental fact that the Marshall Plan was a specific response to a specific problem. In the devastated postwar world of Western Europe the need essentially was for capital and the infrastructure of roads, rolling stock and heavy equipment. The important but now forgotten fact was that Western Europe had a manpower and institutional base that could readily assimilate large doses of capital. In short, our response was relevant to the principal need.

However, in the developing world today the situation is much different, and much of the Marshall Plan experience is irrelevant. While a certain amount of capital is important, it is important to note that the ability of these countries to assimilate capital is limited. Yet for a quarter of a century we have continued to focus on capital intensive programs often placing heavy emphasis on the development of infrastructure which has little relevance to the most basic needs of the people. Often ignored is the important consideration that in an underdeveloped country the important task is to provide technical assistance at the grass and rice roots level where it can benefit the people. For unless aggravated and persistent social ills are dealt with, there can be no political stability, no unity of purpose and, subsequently, no development.

Despair, hunger and poverty, stoke the fires of insurrection and revolt. Viet Nam is a nagging daily reminder of what can happen when the people are neglected. In this context, the principal requirement for foreign assistance is to provide adequately trained manpower in sufficient numbers to promulgate programs and distribute the full impact of capital assistance at the local level. We have been a very long time in recognizing this fact of life. Time and again, one sees throughout the world elaborate projects that bear little relationship to the basic needs of the people. Time and again, one hears discouraging reports of dollar glut in the capital, enriching the status quo elite, deepening the rift between the people at the grass roots and their government. Time and again, one finds in the capital city carefully worked out plans, a tribute to someone's hard work and concern, that lay dormant because there is no manpower available to activate programs at the local level. Dollars as we have provided them are not the answers to the most persistent problems in the underdeveloped world.

We are the captives of history in another sense. In 1949, the pressures of the Cold War generated a need for military assistance. NATO was constructed. Here again, the rather apparent success of a specific response to a specific need led to a worldwide adaptation of regional alliances. The rather modest burgeoning programs of technical assistance, such as Point IV, were soon lost in the shuffle and our assistance dollars were channelled mainly into military support. Whatever the rationale for military alliances may have been and however appropriate, military assistance did not respond to the critical and growing needs for technical assistance that would benefit the people of these countries. In terms of improving health, education, and employment among the masses of people, these programs had only a marginal effect.

Thus, at a time when the forces of social change engulf the developing world, when the most compelling order of business is to lift the burdens of disease, illiteracy and apathy from the backs of the people and to provide them with the self help incentive and technical skills necessary to raise their

productivity beyond the subsistence level, we have responded with out of focus and out of date programs.

As one analyzes this dilemma more closely, it becomes apparent that the fundamental requirement for assistance programs is to raise the functioning level of the people in these countries and to set loose within them the dynamic of self help. The key to wide-scale successful programming of this sort among the people of a country is large numbers of people who have the time and competence to transmit needed skills, and the motivation and understanding to convey a sense of hope and belief in the future.

The developing countries themselves do not have adequate numbers of trained manpower for this purpose. It must be supplied. In the past six years, the Peace Corps has thus emerged as the primary supplier of this kind of manpower. Volunteers competent enough to learn and carry the skills into the countryside, committed enough to live and work at local levels have come forward by the thousands. They serve in a wide variety of programs, and as time goes by, through trial and error, but mainly as a result of their energy, intelligence, and ability to innovate the Peace Corps is able to analyze overseas opportunities more clearly and respond more effectively. As a case in point, I'd like to outline some recent Peace Corps developments in the field of rural public health.

While there are always local variations in health problems among individual countries, there also exists from country to country a basic similarity. In terms of health and physical well-being, the people of most underdeveloped countries are on a hopeless treadmill with disease and debilitation rendering them unproductive, afflicted, and hopeless. Invariably, these people run the cycle of high birth rates, widespread mother and infant mortality, runaway childhood diseases which destroy and deenergize the children. Those who survive and live to school age are afflicted with poor hearing, impaired eyesight, and low energy. These afflictions are compounded by poor nutrition. Those who complete school have a life expectancy of less than four decades, a cut-off that falls far short of full human productivity. Cognizant of this hopeless arithmetic of death, disease and debilitation, and knowing that it takes many births to achieve a fully productive human being, the rural person places a high emphasis on fertility. This premium on reproduction thus elevates the birth rate, and the treadmill trip begins again for a new generation. Against these most persistent and aggravated problems, Western technology is essentially irrelevant.

Western medical technology is basically doctor-intensive, and drug-intensive, and institution-intensive medicine with heavy emphasis on curative treatment and care. Given the magnitude of the problem and the vast dispersion of the people, techniques which require doctors, drugs and institutional care are beyond the means and even the expectations of these countries. On the other hand, widespread preventive techniques and educational programs which require little in terms of doctors, drugs and equipment are most appropriate to the task.

I must say this concept of preventive care and health education which seeks to change both the health environment and the daily practices of the people is not either a recent phenomena nor one exclusive to the foreign setting. If one were to investigate improvements in health in New York City for a twenty-year period at the turn of the 20th Century, one would see dramatic improvements in life expectancy, disease curtailment, as well as in other indications of general well-being. These improvements did not result from a sudden increase in the number of doctors nor from the introduction of drugs, nor in spectacular increases in institutional



care. The improvements resulted from increased emphasis on social services, better control of water and milk, improved environmental sanitation. Most of these programs were implemented through extensive health education, and most of them relied on middle-skilled manpower.

The key, therefore, to extensive programming and significant improvements in public health is adequately trained middle-level manpower, supported by rather modest amounts of capital and a small number of skilled technicians.

Over the past two or three years we have seen in the Peace Corps situations where properly trained Volunteers can intervene and rupture this traditional cycle of disease and debilitation. Where there is high infant mortality, female Volunteers working in rural maternal and child care clinics can provide both prenatal and postnatal care. Where there is a high incidence of disease, much of it due to intestinal disorders arising from impure water and unsanitary waste disposal, male Volunteers can implement village water and environmental sanitation programs. Volunteers working at the local level, speaking the language of the people can introduce improvements in nutrition. At another point in the cycle, responding to the request of the host country, Volunteers can assist in population control and family planning.

In this way, the girl next door or your nephew from Oberlin, properly trained, becomes an integral part of the solution to some of the most difficult problems in the underdeveloped world.

But beyond this function, there is another important Volunteer contribution. Living and working with the people, the Volunteer by his presence sets the first example of individual self-help. Accepted by the people, and attacking problems jointly with them, the Volunteer activates the first experiments in community action which often sponsors first awareness among the people that, cooperatively, they themselves can deal consequentially with their problems. An awakened sense of community action soon seeks out or attracts support from higher levels of Government. People who first grow aware of their own potential, who then identify with the community, and then as a community seek identity with their nation have taken the first step forward toward meaningful national development. It is with this broader contribution of example and principle that the Peace Corps Volunteer provides a unique and exclusive service.

What can be said specifically of the Volunteer's functional contribution in the field of health can be said of other problem areas as well. For example, in the field of education there is a prevailing need among the underdeveloped nations to find classroom teachers who can provide skills in areas which will assist these countries in moving toward the technological development of the future. Specifically, Volunteers are especially well-qualified to teach English as a second language, science and math, particularly new math, and industrial arts. In the broader sense, Peace Corps Volunteer teachers, coming in direct day-to-day contact with the young people of a country, also are a potent example stimulating the trend away from mechanical rote learning into the more productive areas of deductive thought and reasoning. If these countries are to fully utilize their human resources, these resources must be geared to imaginative and innovative thinking and action rather than to the rote rituals of the more traditional systems.

In the fields of economic development, Volunteers are able to promulgate very basic skills in agricultural production, credit unions and cooperatives, and a whole host of other specific activities related to productivity. Here again in the broader sense, the Volunteer, invoking his own example of initiative, demonstrates in effective and tangible terms the benefits of individual initiative

and productivity. His day to day living example is much more relevant than sterile lectures on capitalism.

Thus in many significant areas the Volunteer provides a useful skill and a tangible illustration that man can be the master of his environment. I, therefore, say again, given the needs of the underdeveloped world, the Volunteer is the most relevant presence America can provide.

I have lingered a little too long on War Eagle thought Number One. But much of what I have said supports the other two points as well, and I can cover them more briefly.

War Eagle thought Number Two—the returned Volunteer is the most relevant and constructive presence in the urban ghettos.

At first glance it appears that the urban ghettos of America are a world removed from the rural villages of the developing world. A closer, harder look, however, reveals otherwise. Overseas, say in Thailand, the people speak a different language but so is the language of Harlem different from the language of New York City and the rest of the nation. In Tonga, people are committed to a different culture; but the culture of 12th Street in Detroit is different from the culture of Grosse Pointe. In the rural barrios of the Philippines, the peasant in terms of skill and employment is out of step with his time; but it is no different on 41st Street in Chicago. Where the rural worker in the developing world needs grassroots assistance and training, where he requires empathy and understanding, where there is a need for him to sense his own individual integrity, to become aware of a community identity and to sense his oneness with a nation, the needs of Chicago, Detroit, New York, and San Francisco are the same.

More precisely, where there are needs in education, health, and economic development, the urban areas require the same sort of manpower component to implement plans that have been generated and to activate capital that is being provided. Where there is a need to decentralize activity away from the capital cities in the underdeveloped world to benefit the people, so is there a need to decentralize programs away from Washington and make program responses more relevant to the communities and the people they serve.

The Volunteer trained in speaking another language, sensitive to the needs of the community in which he lives, functionally skilled, and deeply committed is the central component here at home for community improvement just as he is overseas. Without the manpower component, programs proliferate ineffectively; without the manpower component, capital can never be fully utilized. The returned Volunteer who has learned to speak another language will quickly learn to "speak the language" of the slums. The Volunteer who has gained experience in organizing a community will quickly find the levers of community organization in the ghettos.

The Volunteer will find that his skill, his experience, and his commitment are transferable. For these reasons, the experienced returned Volunteer is, therefore, the most relevant and constructive presence this Government can offer. But on the whole, however, the returned Volunteer is a neglected resource which we cannot in good sense continue to ignore.

War Eagle thought Number Three.

Concurrent with the problems we face overseas and those we face at home, we find disquieting evidence that too many of our young people are being alienated from life in America—at least life in America as we know and cherish it. In my view, present criticism is a little bit out of focus. First of all, we see singled out, both in the press and on television, a very narrow sector of American youth. By far, it is the minority. I share

the views of Clark Kerr, the ex-Chancellor of the University of California, who recently pointed out that for every hippie in Haight-Ashbury, there are a hundred undergraduates at the University of California who volunteer their efforts in slum work, tutoring among the deprived, and working in a wide range of other programs. Beyond that, I am not especially alarmed for another reason. However disaffiliated and dissatisfied the young may be, I do think they have some very sound bases for their disenchantment.

Among the growing affluent middle class, where Depression induced insecurity no longer holds sway, less premium is placed on material goods. As the beneficiaries of readily available education and, more especially, having the time to take advantage of it, they have turned for attention to probing the quality of American life. Since, for the most part, they are serious, honest, and intelligent, they ask difficult questions. Since they are direct, energetic, and independent, they are sometimes hard to handle.

There can be no doubt, however, that our future depends on our ability to fully use their power and potency and our willingness to help channel their intelligence and commitment toward responsible, meaningful tasks. I must say if you have been around the Peace Corps for any period of time, neither the prospect nor the problem of doing this alarms you.

In fact, quite the contrary. The secret of the success of the Peace Corps has been a fundamental belief that young people under thirty could handle the toughest challenges we face abroad. The willingness of the Peace Corps to give maximum range to their freedom, both of work and expression, has stood the test of time. Against the phony folklore of experts and amid the skeptical, if not outraged, speculations of the professional diplomat, we took the faith John Kennedy had in these young people and organized it into an innovative and exciting overseas experiment. Our strength has been our willingness to turn the Volunteer loose. Our failures, and I hope they are few, have usually resulted from situations where we did not fully grasp what the Volunteer was talking about or trying to do. In other words, it seems to me that in a very complicated world abroad we have been able to fuse freedom and responsibility and release them through the Volunteer. For the curious and committed young people of today who are looking for the same opportunity the Peace Corps beckons. It seems to me that either the Peace Corps or similar opportunities for volunteer service provide the answer to many of the questions young America is asking itself today. So much for War Eagle thought Number Three.

I have one final point. If you are an activist, even an aging activist such as I, it is hard to think these things without moving to action oriented questions.

For example:

If the things I have said are true, has not the time come to take fuller advantage of the Peace Corps' experience by expanding our understanding and grasp and utilization of National Service? In times past, confronted by certain problems, we have been farsighted and competent enough to initiate programs that have long since become an established pattern of our way of life. Examples of this are universal education, labor unions, and Land-Grant Colleges, to mention a few. Could not National Service become a regular, accepted, and admired part of American life as well?

If these things are true and if the problems at home and abroad are as grave as we say they are, is it not important enough for us to advocate and make available to more young people opportunities for four years of National Service, two of which would be spent overseas and two at home in the slums and ghettos?



Would not this four-year service be significant enough in terms of human and national interest that it might be considered as an alternate to military service?

Has the time not come for businessman and teacher, for journalist and lawyer, and especially for your group to get into the mainstream of considering this important question and invoking others to do the same?

To sum up, has the time not come to recognize that the Peace Corps has come of age and that National Service, whether it be focused at home or abroad, is an integral part of our way of life?

These are the questions that flow from the summer days at War Eagle. The excitement of those days and all that they involved is not only that you come away thinking the thoughts I have talked about and asking the questions I have asked, but also in believing that in some small way, as an individual, you can be part of the answer.

#### BAN ON AT-LARGE ELECTIONS SHOULD HAVE NO EXCEPTIONS

Mr. BAKER. Mr. President, the Senate, on November 8, passed a measure which would permanently and immediately ban at-large elections for Members of the House of Representatives from States with more than one Congressman.

Tomorrow the House is scheduled to consider an amendment to that measure which would exempt New Mexico and Hawaii from the ban on at-large elections for the 1968 election.

The Washington Post, in an editorial last Wednesday, November 22, urged the House to defeat the proposed amendment and urged the Senate to "stick to its guns" in the event the House adopts the proposed amendment which would exempt New Mexico and Hawaii.

I have not changed my position on this matter. And I would submit that it would be wrong for House Members who are concerned about the possibility of running at large in 1968 to think that the full Senate will lightly alter a position which it affirmed by a vote of 55 to 28 in June and by a voice vote on November 8.

I think it is fair to say that most Members of both the House and the Senate want to see an immediate and effective prohibition of at-large elections for Congressmen. But as long as the Senate has responsibility in this important area, and it does, I submit that it should stand firm for a general application of the ban and not permit any unjustifiable exemption for one or two States.

I ask unanimous consent that the excellent editorial in the Post be printed in the RECORD.

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

#### THE NEW GERRYMANDER

The House has left itself in a curious predicament by failing to pass the Senate-approved bill to forbid at-large elections. It is the Congressmen themselves who most fear running with statewide constituencies, because many of the incumbents would be defeated by votes outside their present districts. Yet some are insisting on amendment of the Senate bill passed for their special benefit, so as to exempt Hawaii and New Mexico.

The proposed exemption of the two states

is merely a political gimmick. The Democratic majority in the House hopes to keep all four of these seats in the Democratic column if the elections are at large. Division of Hawaii and New Mexico into districts might enable the Republicans to pick up one seat in each state. The tail of partisan advantage is thus seeking to wag the dog of principle.

In our view, the election of Representatives from districts is sound in both principle and practice. They are supposed to represent the people—not the states. The Supreme Court has ruled that when a state has no valid districts, or when it is entitled to more seats in the House than the number of its districts, it may elect Representatives at large. But this is a means of meeting an emergency. Routine elections at large for the sake of partisan advantage are something very different.

The only excuse for the bill before the House is to lay down sound principles for the states in choosing their Congressmen. Unfortunately, the comprehensive bill for this purpose was scuttled, and the at-large prohibition is all that is left to take its place. But even a limited declaration of policy in this area ought to be sound in principle, which the version being cooked up in the House is not.

The Senate should stick to its guns. If the House wants a rule forbidding at-large elections, let it be general in its application. The elimination of congressional district lines or failure to create districts out of partisan motives is a particularly offensive form of gerrymandering which should not be tolerated, much less written into law.

#### GUN CONTROL LEGISLATION

Mr. BREWSTER. Mr. President, an editorial in the Baltimore Sun last Wednesday, makes a good point. The Congress should act, and act now, on gun control legislation.

Four years ago President John F. Kennedy was assassinated with a bullet from a mail-order rifle. The Nation was shocked and saddened. At the same time, people were outraged at the apparent ease with which firearms could be purchased.

Despite that deep tragedy and the mountains of favorable evidence presented by law enforcement officials and others, the Congress has failed to act.

Last February, I urged the Senate to act on legislation recommended by the National Crime Commission. The Commission proposed the registration of all handguns, rifles, and shotguns; banning the sale of weapons to potentially dangerous persons; regulation of mail-order gun sales; and barring the sale of handguns to a person residing in another State.

I recognize that gun control legislation by itself will not reduce crime in America. But it is an indispensable first step. Available statistics clearly indicate that a gun control law would prevent many violent crimes, thus saving many lives.

Mr. President, I ask unanimous consent to place this timely reminder from the Sun in the RECORD.

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

#### GUN LAW

Four years ago today an assassin with a mail-order rifle killed President John F. Kennedy. Attempts since then to write Fed-

eral law designed to make it less easy for people like Lee Harvey Oswald to get such weapons have all come to nought. Despite efforts by such men as Senator Dodd and Senator Edward Kennedy, Congress continues to be held at bay by the National Rifle Association lobby. Every national poll of repute shows great public support for such a law. Yet because the citizens who do support such a law are less demonstrative than those who oppose it, and because many members of Congress are ultra-sensitive to special interests, there has been no law. Last year's auto safety law and this year's meat inspection bills prove special interests can be overcome. Congress and the people ought to overcome the N.R.A.

#### RIISING ATTACKS FROM THE EXTREME RIGHTWING

Mr. McGEE. Mr. President, for 7 or 8 years, some of us have been deeply disturbed by the rising attacks from the extreme rightwing. As one who has sought to keep the extremist elements above ground and out in the open, I believe that recent events reflect the wisdom of the policy of publicizing the activities of the John Birch Society and its splinter groups.

People who at first could not believe that the extremes advocated by some of these organizations were serious, or would dare to be advocated in our modern, enlightened world, have since learned that the rightwing extremists are serious, organized, and well financed.

From the very beginning, I have argued that the rightwing does not discredit the liberals; rather, it tends to silence the voices of the respectable and constructive conservatives.

I have also contended that the conservatives of our country must unite in destroying the united front and the misleading panaceas represented by the extremist groups.

One of those conservative voices has consistently spoken out against the "Birchers." Mr. William Buckley, Jr., a most articulate conservative, has recently taken them on again. I believe that Senators who may not have seen Mr. Buckley's column will derive new insights from it.

I ask unanimous consent that a column entitled "Birchers a Drag on Conservatism," written by William F. Buckley, Jr., and published in the Washington Evening Star of November 15, 1967, be printed in the RECORD.

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

#### BIRCHERS A DRAG ON CONSERVATISM

(By William F. Buckley, Jr.)

It has been two years since I have alluded to the John Birch Society, which has been slipping gradually from the sight of observers, liberal and conservative—it is only the Communists who continue to dwell on it, for the most obvious reason, to discredit the anti-Communist right. But two recent episodes demand comment, one of them Robert Welch's official abandonment of his original and most distinctive campaign, namely the campaign to impeach Earl Warren. The other, the matter of The Wall Street Journal story.

Welch has called off a campaign which once he considered absolutely crucial to the success of his general enterprise. It remains for a lot of conservatives the bitterest pill of recent years that the prestige of Warren in-



creased in direct ratio to the intensity of Welch's campaign against him. Not so many years ago just before Welch decided to impeach the Chief Justice, the reputation of the Warren Court had sunk so low as to have provoked the explicit censure of the majority of the justices of the supreme courts of individual states, and of such learned scholars as Edward Corwin and Learned Hand.

But the proposal that Warren be impeached struck so many people as so patently inappropriate that his critics found themselves muting their criticism lest by association they be linked with the fanatic from Belmont who believed that poor old Eisenhower was of all things a Communist agent ("Eisenhower isn't a Communist,"—Russell Kirk's rejoinder is still the classic—"he is a golfer").

When one thinks of all that energy spent, all those dollars squandered on speeches, and prizes, and literature, and billboards, it is a special irony that the situation contributed not to the weakening of the influence of Earl Warren, but to the consolidation of his power and prestige! If one were to proceed to analyze the whole episode by Birchite logic, one would conclude that the movement to impeach Earl Warren, which after nine years' effort was unable to enlist the support of a single Congressman, was a Communist plot intended to discredit the opposition to Warren.

And then the story of The Wall Street Journal, which appeared a few weeks ago and spoke about the decline of the John Birch Society, the spectacular apostrophes of some of the most conspicuous adherents, the lapsed members—most of all the general indifference of the public. Robert Welch countered The Wall Street Journal story by a routine denunciation . . . "the current monstrosity is . . . no worse (in) its errors, half truths, omissions of important facts, biased innuendoes, misinterpretations and misunderstandings than hundreds of articles which have appeared about us in dozens of major periodicals during the last five or six years."

Characteristically, Welch does not explain what might have been the motives of the conservative Wall Street Journal in misinterpreting him and his society; the only explanation is that The Wall Street Journal, like so many others has been taken over by the Communists, in which case it is indeed truly lost.

Welch reacted further to the general drift of public opinion that the society has been pretty well immobilized by sending out an urgent appeal for funds, in a circular entitled "This Is IT!" The response, to judge from Welch's most recent communication, has been gratifying. "Fortunately," he quotes from one letter, "my bank balance is unusually high just now and I am able to help myself out by forwarding the enclosed check for \$1,000. For I realize as well as anyone that you are doing us the favor." Others who responded do not have bank balances so unusually high, but they have contributed sacrificially.

It is testimony to many things, among them the charismatic nature of Welch's leadership, which his detractors must not underrate. And testimony, too, to the talent for self-sacrifice of so many of Welch's followers who, apparently undeterred by the fiasco involving Earl Warren, are prepared to put their savings into yet another billboard demanding, say, the withdrawal of the United States from the United Nations, an achievement as unlikely as the impeachment of Earl Warren.

The John Birch Society, judged objectively, above all things is a drag on the conservative movement in America, which it continues, though decreasingly, to embarrass. But it is a significant measure of the failure of other conservative organizations to provide emo-

tionally satisfactory means of serving many Americans concerned for their country's future.

#### **SOUTH SLOPE COOPERATIVE TELEPHONE CO., NORWAY, IOWA, TO BEGIN ALL ONE-PARTY TELEPHONE SERVICE**

Mr. MILLER. Mr. President, on December 7, 1967, the North Liberty Exchange of the South Slope Cooperative Telephone Co. in Norway, Iowa, will begin all one-party telephone service for its rural subscribers.

For many people, particularly urbanites, who have enjoyed such service for some years, the significance of this occasion might not be apparent. But for those rural families who still have from four to 25 other families on their lines, and for the 3½ million rural people with no telephone service at all, one-party service is a particular milestone.

The South Slope Cooperative began serving rural subscribers in 1959 with the help of a \$654,000 loan from the Rural Electrification Administration of the U.S. Department of Agriculture. It has grown now to the point where its three exchanges serve almost 1,500 subscribers in Johnson, Benton, Iowa, and Linn Counties. South Slope has applied for a new REA loan to serve a hospital, a new trailer court, and other developments in this active rural area.

There really is no need to dwell on the importance of the telephone in modern living. Anyone with an emergency on his hands and no telephone to call a doctor or policeman or someone else to assist knows how necessary a telephone can be. And for rural people, living in isolated areas, a telephone, even with multiparty service conditions, is even more necessary.

This is why I view with much pleasure the tremendous strides which REA and its borrower cooperatives are taking to provide rural people with modern telephone service.

The North Liberty Exchange is a good example of the joint efforts being made by REA and local cooperative phone companies to assist the rural residents of our Nation.

#### **YOUNG DEMOCRATS ENDORSE BILINGUAL EDUCATION BILL AT 1967 NATIONAL CONVENTION**

Mr. YARBOROUGH. Mr. President, at their national convention held this month in Miami, Fla., the Young Democratic Clubs of America passed a resolution which unanimously endorsed the bilingual education bill, S. 428, which I introduced in the Senate.

The resolution takes notice of the inequitable achievement of the Mexican-American citizen of this Nation in both educational levels and income. Because language is a main impediment to progress in either education or ability to increase income, the resolution urges Congress to enact this legislation.

The bilingual education bill which is referred to in the resolution has been incorporated into the Elementary and

Secondary Education Act Amendments of 1967, which has been favorably reported from the Committee on Labor and Public Welfare. The bill will be considered in the near future, hopefully this week. To illustrate the importance of the bilingual education portion of that bill, I ask unanimous consent that the resolution passed by the Young Democratic Clubs of America be printed in the RECORD.

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

#### **BILINGUAL EDUCATIONAL BILL**

The Young Democratic Clubs of America notes that those persons of Mexican-American origin who reside in the five Southwestern states have a median educational level of 8.1 years as compared to 9.5 years for Negroes and 12.0 years for other Caucasian. Income per person in these Mexican-American families is \$896 per year according to the 1960 census.

Since there is a direct relationship between education and economic status, it is clear that the usual methods of education have not benefited these Mexican-Americans. Their language has been an obstacle to their education in English-speaking schools.

Therefore, the YDCA supports the Bilingual Educational Bill introduced by Sen. Ralph Yarborough of Texas in order to insure equal opportunity for these Mexican-Americans, and urges Congress to enact that bill.

Adopted by the Young Democratic Clubs of America in Convention assembled November 18, 1967.

#### **ADDRESS BY DR. ALVIN M. WEINBERG AT SEVENTH ATOMS FOR PEACE AWARDS CEREMONIES**

Mr. BAKER. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Dr. Alvin M. Weinberg, on November 14, 1967, at the Seventh Atoms for Peace Awards Ceremonies at Rockefeller University, New York.

Dr. Weinberg affords a brilliant insight into the sociopolitical impact of the accelerating pace of our incipient new industrial revolution which is heralded by the rapid development of peaceful uses of atomic energy. He also provides a startling reevaluation of the anatomy and functions of the existing balance of terror between superpowers of the world, each holding the entire population of the other hostage against the threat of thermonuclear destruction. Dr. Weinberg's conclusion about the value of antiballistic-missile systems and civil defense and the attendant implications for disarmament are both startling and vital to our examination of the next 50 years.

That Dr. Weinberg should draw together the promises of the peaceful use of the atom and the prospect of de-stressing the belligerent posture of the world powers, and relate both to the vision of an orderly future development of our cities, is a concept and a vision of such extraordinary value that I commend his remarks to everyone who feels that the future holds something more than incineration.

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



LET US PREPARE FOR PEACE<sup>1</sup>

(By Alvin M. Weinberg)

The distinguished English economist Barbara Ward, in her book *Spaceship Earth*, suggests that the material abundance made possible by the new technologies will change qualitatively the relations between nations. "May not the scientific and technological revolutions of our day produce a yet unguessed mutation in human attitudes? We have lived through the millennia on the basis of shortage. How will mankind react if relative plenty becomes the norm? In the past, conquest and imperialism, war and violence have had their roots deep in the fact of absolute shortage. The desire to take your neighbor's land, to lay hold of his resources, to overcome your inadequacies by making his life more inadequate still—have not these been, again and again, the bitter causes of aggression? And insofar as nations recognize the dearth and feel beset by the need for 'living space', they almost instinctively choose for leaders men who articulate these violent needs and envies. Prosperous people very rarely choose lunatics for rulers."<sup>2</sup>

Most nuclear scientists, by and large, believe in Professor Ward's optimism; they are sustained in their endeavors by her vision of an abundant, and hopefully a peaceful, world. The developments in nuclear energy, notably those of the past few years, seem to be fulfilling Professor Ward's vision. Nuclear power, in 1952, was written off by a distinguished scientist with the prediction that in the 1960's the effort toward developing nuclear power would be abandoned.<sup>3</sup> Today in Canada, in France, in the United States, in the United Kingdom nuclear power is a competitive source of energy. For example, in the United States we now have on order, in operation, or under construction close to 60 million kilowatts of nuclear power. This represents almost a quarter of all central electric power capacity in the United States, and this conversion to the atom shows no sign of abating.

But we are only at the beginning; we have still not fully exploited either the ubiquity or the intrinsic cheapness of nuclear energy. Because nuclear energy is not tied to cheap indigenous fossil fuels or to swiftly flowing rivers, it can be placed wherever energy is needed. Thus, for example, we can visualize large nuclear plants springing up in arid coastal deserts to energize large desalting plants. The technology for large-scale desalting is here, and the costs are reasonable even when the evaporators are energized by conventional reactors. The by-product electricity can be used to manufacture fertilizer and reduce metal ores and to light cities. Altogether we see this ubiquity and mobility of nuclear energy making possible a kind of nuclear powered agro-industrial complex that could give practical embodiment to Barbara Ward's notion of materials autarky throughout the world. This general line of thinking underlies the proposal now before the United States Senate to deploy such nuclear complexes in the Middle East, and, in effect, provide a new framework of physical resources in which to seek a resolution for that region's desperate animosities.

This is not all. When highly advanced breeders are developed, then we can expect the cost of nuclear energy to fall significantly—perhaps to 1.5 mills/kwh, to 1 mill/kwh, and, with reactors of extremely large

size, possibly to even less. At these prices we shall begin to substitute electrical energy for other raw materials. At 2 mills/kwh electrolytic magnesium from sea water will compete with aluminum from bauxite. At 1.5 mills/kwh iron ore will be reduced with electrolytic hydrogen, rather than with coke. Below 1 mill/kwh we shall perform massive heavy chemical processes electrically—such as converting coal to gasoline.

Thus, eventually, when the advanced breeders are developed, many, if not most, of our material wants will be satisfied by energy from fission. And, insofar as low-grade thorium and uranium ores are available everywhere, each region of the globe and each country will have its sources of very cheap, abundant energy. This energy will be converted into the water and the fertilizer and the food and the metals on which civilization depends. The world should become immeasurably richer than it is today. Neighbors would no longer scramble for each other's green pastures, and there would be a general easing of tension once want is eliminated.

## THE PRECONDITIONS FOR PEACE

This vision of a Pax Atomica, of a world in which tensions have relaxed because scarcities of raw materials are no longer rational bases for conflict, is a golden vision, one to which all of us in the nuclear business are dedicated. And yet it is an incomplete picture of the peaceful world of the future. It neglects those sources of strife that are not rooted in geographic inequities or disparities in natural endowments. There remains the strife that comes from ideological conflict and conflicts of interest, the strife that comes from the all but universal human ambition for influence or power. Our atomic powered utopia needs more than material well being, important as that may be, to stabilize the Pax Atomica and to prevent war.

But, even more, this vision ignores the present incredible nuclear confrontation between the super-powers. It has been customary to look to the hydrogen bomb and mutual deterrence as the means for prevention of war, for curbing the largely emotional drives that impel men in power to seek to maintain their positions or to extend their influence. And, a little surprisingly, the balance of terror has worked—not perfectly but still tolerably well. We have had wars since the atomic bomb was used in Hiroshima; but we have avoided all-out world war and we have avoided the thermonuclear holocaust.

Yet most of us are acutely uncomfortable with this balance of terror wherein the two super-powers hold as hostages 100,000,000 of each other's citizens. It is unprecedented in world history that the citizens of the strongest powers in the world can no longer be guaranteed by their state some measure of personal security, except insofar as the balance of terror dissuades the other side from striking. Somehow, one is appalled by the possible fragility of this metastable balance.

It is largely on this account, this nervousness about the stability of the balance of terror, that the world has wrestled mightily with arms control and disarmament. Moreover, the nuclear world of plenty is inconsistent with a world in which ever increasing pieces of the gross national product might go into maintaining the deterrent. It seems apparent that we must ultimately disarm; but how can we both disarm and maintain the deterrent; how can we get from here—a world filled with mutual apprehension, with ICBM's, with megaton warheads—to a world based on energy self-sufficiency, mutual respect, and peace? How can we, as Amrom Katz of the RAND Corporation says, make the world safe for disarmament?<sup>4</sup>

I believe, paradoxically, that a way may have been opened by the failure of the negotiations over deployment of anti-ballistic missiles. The deployment of ABM's on both sides has been deplored as the first step in the unending arms spiral that eventually will consume everything, including our vision of abundance. But suppose ABM's and other defensive measures turn out to be effective, and at the same time there is no escalation of offense in unending spirals. The knife-edge of delicately balanced terror would then be blunted. Perhaps then, as D. G. Brennan of the Hudson Institute has stressed so persuasively, we should not be so disturbed if the threat of ultimate, absolute, and total mutual destruction is not forever to be the basis for our world order.<sup>5</sup>

If there is even a remote possibility of achieving effective defense and at the same time limiting offense, should we not examine very much more carefully than we have the possibilities of an essentially defensive posture? Granted that active defense systems today are not perfect, they nevertheless seem to be much more effective than they were thought to be five years ago. And, by virtue of the development of the admittedly imperfect and light anti-ballistic missile system, we have already achieved a kind of de facto disarmament. Because space and weight in offensive rockets must be allocated to penetration aids, the total number of megatons each side can throw at the other ought to be reduced by the anti-ballistic missile. In this sense, the ABM has caused a kind of arms limitation, one of the few real arms limitations that we have achieved.

Moreover, passive defense, a subject about which we hear very little, may be much less impractical than is commonly believed to be the case. We at the Oak Ridge National Laboratory have been studying the question of civil defense for the past three years under the guidance of Dr. J. C. Breese and Professor E. P. Wigner, a former winner of the Atoms for Peace Award. The result of our studies suggests that underground, interconnected tunnels if used as shelters could significantly reduce the casualties caused by thermonuclear weapons. In this connection, I remind you that at least one distinguished city planner—Constantinos A. Doxiadis—holds that the mega-city of the future can survive only if it puts its transportation (including automobiles) and utilities underground. The mega-city will therefore, according to Doxiadis, be honeycombed with tunnels. Such tunnels would be the main elements of a passive defense system: that they might come rather as a matter of course as the city develops should not make them less useful for dual use as shelters.

But we are told all this is transitory: anti-ballistic missiles and civil defense will be followed by more ICBM's which will be followed by more ABM's and more civil defense in unending spiral. We shall go from 3000 megatons to 30,000 megatons to 3,000,000 megatons—where does the crazy spiral stop? It is here that Dr. Brennan has injected a beautiful fully new and elegant idea into the discussion: Should not the world, in negotiating the next perilous stage of arms control, focus primarily on limiting offensive weapons, and at the same time encourage defensive systems? All the predictions about deployment of anti-ballistic missiles and civil defense leading to unending escalation assume that offense will escalate indefinitely. But if the world agreed to, and enforced, a limit on the number of ICBM's we would stop the spiral of escalation. Such limitation on primary instruments of offense are not unprecedented. In the post World War I era capital ships of the three great naval powers were limited. Moreover, if defensive systems

<sup>1</sup> For presentation at the Seventh Atoms for Peace Award Ceremony, Rockefeller University, New York (November 14, 1967).

<sup>2</sup> *Spaceship Earth*, pp. 50-51, Columbia University Press, New York (1966).

<sup>3</sup> As stated in a report by the Joint Committee on Atomic Energy, "Atomic Power and Private Enterprise", p. 330, U.S. Government Printing Office, Washington, D.C. (December 1952).

<sup>4</sup> "Make the World Safe for Disarmament", *War/Peace Report* (September 1962).

<sup>5</sup> "New Thoughts on Missile Defense", *Bulletin of the Atomic Scientists XXIII*, 10-15 (June 1967).



continue to improve, the capacity of the world to destroy its people and its lands will gradually deteriorate; and the number of hostages held on each side will be reduced—though certainly never to zero—so that nuclear war, even in a defensively oriented world, could never be regarded as a rational instrument of policy.

The difficulties of such a posture and such an agreement—to limit offense but leave defense unlimited—are formidable. Can one police a freeze on offense unless secrecy is relaxed? Will such an arrangement withstand pressure for abrogation by those who underestimate their own offense and overestimate the opposition's defense? Will strong defense tend to make each side more aggressive in the conduct of its foreign policy? But one must remember that the present balance of terror is not a lovely thing to contemplate nor is it a perfect antidote against thermonuclear war. As L. B. Sohn of Harvard told me, an existent posture need be only 50% foolproof; a newly proposed posture must be 98% effective. If we addressed as much time and energy to developing the details of a defensive posture in arms control as we have devoted either to developing offensive armaments, or even toward present arms control doctrines, is it not at least possible that we would be able to work out credible answers to many of the difficulties we now see in limiting offensive weapons?

There are two overriding reasons why we must eventually come to some such position. The first is that, much as some deplore it, both of the super-powers have decided to deploy anti-ballistic missiles. We are in grave danger of entering an unending arms spiral unless we enter into agreements to chop off the arms of the spiral at the top. This implies some limitation, possibly tacit, but preferably explicit, on, say, the total number of offensive missiles or on the total expenditure for offensive missiles.

There is another reason that seems to me even more compelling. Can we ever hope to achieve real arms control or disarmament from the present position of overwhelming offensive power and almost non-existent defense? Does anyone really believe, in the kind of hard untrusting world we live in, and that we shall have to live in during the next several decades, that either side will agree to a disarmed world unless it feels secure in its defensive systems? Can we realistically contemplate disarmament, with the possibility of clandestine sequestering of a few missiles without being reasonably certain that our defenses can handle sporadic and secret attacks.

But, in the main, our military technology has emphasized offense rather than defense, and our arms limitation technology has emphasized defense rather than offense, especially in the most recent discussions of the anti-ballistic missile. I submit that both postures may have been in error, and that the cause of peace will be better served by developing ways to strengthen defense and to limit offense.

I would therefore urge that the military communities of the world Prepare for Peace by developing defensive systems, rather than continuing to exert themselves primarily to improving offensive systems.

And I would urge that the arms limitation communities of the world Prepare for Peace by developing doctrines for limiting offense and techniques for enforcing such limitations rather than continuing to exert themselves primarily to limiting defensive systems.

It seems that herein we may find the missing elements in the world described by Barbara Ward. We shall have our cheap nuclear power and our agro-industrial complexes and our energy autarkies. But we shall need something other than the balance of terror to keep the peace in the long run. World government, or general and complete

disarmament—these are mere words unless we see credible ways to go there from here. The energy-rich world, even with most of its material wants provided for it, will still be a world of nation-states, each with its own imperatives and traditions and glorious history—and its habits of violence. And this world will for a long time have its military establishment. Does not common sense dictate that a world whose military is preoccupied with defense rather than with offense is more rational than the bizarre and precarious world we now have, and that we would be contemplating with horror if we were not so tired of its grim countenance?

So it may be time for us, in the tradition established by the creators of the Atoms for Peace Awards, to rethink our fundamental premises concerning the way to permanent peace. The men we honor today have served notably in establishing both the technology of nuclear abundance and the international climate for its exploitation. We pray that the kind of wisdom and ingenuity they and their colleagues have displayed will be equal to the task of devising the substitute for our present balance of terror that can carry man safely into his nuclear utopia before nuclear catastrophe demolishes his hopes and aspirations.

#### THE PLIGHT OF JEWS IN RUSSIA

Mr. BREWSTER. Mr. President, the Baltimore Jewish Times of November 10, 1967, contains a "Capital Spotlight" column by its Washington correspondent, Milton Friedman, about a Baltimore couple, Mr. and Mrs. Fabian Kolker.

Mr. and Mrs. Kolker recently returned from a trip to Israel and the Soviet Union. I believe that their experiences and observations, as reported in Mr. Friedman's column, are of widespread interest. I, therefore, ask unanimous consent that Mr. Friedman's column be inserted in the RECORD.

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

[From the Baltimore Jewish Times, Nov. 10, 1967]

#### THE JEWISH PEOPLE LIVES

(By Milton Friedman)

WASHINGTON.—Despite 50 years of Soviet Communism, climaxed by an intense anti-Israel and anti-Jewish campaign, the message of "Am Yisroel Chai" (The Jewish People Lives) has reached America from the Jews of Moscow.

This communication was conveyed by an American Jewish couple who were so moved by the Six-Day War that they flew to Jerusalem to spend Rosh Hashanah at the Western (Wailing) Wall, Yom Kippur in Moscow, and Simchat Torah in Riga.

Mr. and Mrs. Fabian Kolker, of Baltimore, Md., have returned to report that a Yom Kippur crowd, estimated at 10,000, surged around them at the Moscow Synagogue, thrilled by the contact—however tenuous and symbolic—with free Jewry.

Moscow's Jews had listened nervously since last May to their radios. They eagerly tuned to BBC, Kol Yisroel, and the Voice of America. They wanted reassurance from the Kolkers on one topic alone—the survival and safety of Israel.

The Jews knew of their government's Goebbels-like slanders against Israel and world Jewry. They approached the USSR's 50th Anniversary with sadness. The 1917 Bolshevik promise of freedom for Jews had lost all meaning. The Kremlin was now arming those who would liquidate the Jewish survivors of what the Russians call "the great

fatherland war" of the early 1940's. Jewish soldiers lay maimed by Soviet shrapnel.

Kolker, a businessman, speaks both Hebrew and Yiddish. When it was learned that they came to Moscow directly from Israel, excited questions erupted. Was Israel safe? Would Israel survive? Had peace really come?

The Kolkers, typical of attractive young Americans who cherish their Jewish heritage, became for an historic moment a link with the saving remnant. Their presence in Moscow came at a time when exit visas had been cancelled, anti-Semitic propaganda intensified, and Russian Jewry sealed off from the world. "It's hard to be a Jew," they were told time and again.

Tension and tears marked the Kol Nidre. The aged rabbi and the cantor somehow managed to convey the spirit of their people. No word was spoken to justify reprisals by the authorities. Nevertheless, the spirit of Klal Yisroel—the Jewish people and the continuity of Judaism—emanated from that synagogue.

Thousands packed the streets outside. They wanted merely to assert their identity as Jews. The crowd included whole families—children, university youths, the middle-aged, and the elderly. It was their answer to their government's brutal attacks on Israel and the biased Soviet policies.

A few miserable police informers, themselves of Jewish origin, sneaked through the crowd. In spite of the pall of fear, the Americans who came from Israel were warmly embraced by total strangers. It was "Sholom Aleichem" and "Baruch Haba".

People listened with moistened eyes to the Kolkers' account of Rosh Hashanah at the Wall in Jerusalem.

Of Moscow's 500,000 Jews about 10,000 came to the largest synagogue on Yom Kippur. There is another, smaller synagogue in Moscow.

On Simchat Torah 25,000 Jews, mainly teen-agers, danced joyously and defiantly clapped hands in unison, shouted whatever Hebrew words they knew. They proudly asserted their Jewishness. With the fervor of sincere peace demonstrators, the brave youth of Moscow sought the right of Jews and all peoples to live with human dignity and personal freedom.

Moscow authorities permit no Jewish institutions other than the two synagogues (one a showcase for Western tourists). Jewish cultural organizations, newspapers, institutions, or even contacts with outside Jews are prohibited.

But after four months' of intensive anti-Jewish propaganda, a defiant remnant was ready to proudly demonstrate as Jews. This said much for the Jewish will to survive as a people. Many cringed and concealed their identities. Others, however, stood up to the totalitarian state and insisted on being individuals.

In Riga, the Kolkers found only one pathetic synagogue remaining from the 50 that existed before World War Two. Although the building was shabby, it housed a rich spirit. No rabbi was available to officiate because of Soviet government restrictions. A cantor conducted services.

Grown men wept without shame upon learning that the Kolkers had prayed at the Western Wall. Kolker was called to the Torah.

In Riga, once a dynamic center of Judaism, the Russians were finishing the Nazis "final solution of the Jewish problem." The Communists were not liquidating peoples' bodies—just their individuality, their culture, and their religion. No child in Riga could celebrate his Bar Mitzvah. Circumcisions are against the law. Other pressures are exerted to destroy the Jews as a people.

Reneging on promises, the Kremlin arbitrarily cancelled exit visas for all Jews on June 5, the day the Mideast War started.



Russia's Jews were held hostage, apparently, for the behavior of the Israelis. People had relinquished jobs, gave away possessions, surrendered apartments. They had valid exit visas. At the last moment, the visas were arbitrarily cancelled.

The Kolkers plan to return to Russia next year for the Holy Days. They are haunted by the plight of their fellow Jews. They cannot understand why a nation so mighty that its space rockets can reach distant planets and its missiles can blow up ships, is terrified lest the survivors of Hitler go on being Jewish.

#### THE F-111, A REVOLUTIONARY NEW AIRCRAFT

Mr. CANNON. Mr. President, there have been many reports about the F-111, some praising this revolutionary new aircraft, others saying that it will never work.

Recently, deliveries have begun of the Air Force version of Tactical Air Command units at Nellis Air Force Base. Since this is in my own backyard, I recently had the opportunity to fly it. I can personally confirm the enthusiastic reports by the Tactical Air Command crews.

In the F-111, a tactical pilot has a weapon system with the firepower and flexibility of a truly multipurpose aircraft. He can deploy overseas without external tanks or air refueling. He has combat ranges and payload capabilities several times those of current tactical aircraft. He has advanced avionics carried internally for all-weather navigation, bombing, and electronic countering of enemy defenses. He has an integral rapid-firing cannon and missiles for attack and defense. He has a speed advantage at all altitudes.

For the first time in my flying experience, which goes back to pre-World War II days, I have had the experience of flying "hands-off" on automatic pilot at tree-top level over rough terrain. The F-111's on-the-deck capabilities represent a significant military breakthrough, particularly in penetrating sophisticated enemy defenses at night and in bad weather.

The mission I flew together with Lt. Col. James Randall, operations officer for the F-111 project, included a practice bombing run, and I am pleased to report that we were right on the target. I understand that my experience is typical and that the F-111 consistently out-scores other tactical aircraft in bombing accuracy tests.

Its flying qualities are such that when we swept the wings, the effect was virtually imperceptible. No pilot could fail to be impressed.

As we entered the approach pattern and touched down, it was hard to believe that I was in the same aircraft that had earlier been dashing at speeds on the order of 1,000 miles an hour. The F-111 with its movable wing makes normal landings at conventional speeds possible.

It is an outstanding aircraft with no more than the normal teething problems. I believe that once the political flareup centering on development of the F-111 subsides, the aircraft will be recognized as the matchless weapons system it is, one which I am confident will soon be proving its worthiness in Vietnam.

#### HUMAN RIGHTS CONVENTION ON POLITICAL RIGHTS OF WOMEN PRESENTS UNITED STATES WITH GREAT OPPORTUNITY FOR LEADERSHIP

Mr. PROXMIER. Mr. President, the very fact that our Constitution and Federal statutes guarantee the political rights of American women does not entitle us to stand aloof from international treaties which reflect our own national heritage.

The political rights of women are not by any criterion universally secure. Women everywhere do not have the right to vote, to hold office, and to seek office.

The Human Rights Convention on Political Rights of Women represents a conscientious attempt to eradicate an ancient practice of discrimination: the systematic exclusion of women from any nation's political process solely on the basis of sex.

Already 54 nations have ratified the Convention on Political Rights of Women. But the Senate has held up the United States from becoming a party to this Convention for almost 4½ years. I brand the Senate's failure to act affirmatively on this convention a disgrace.

As I promised a little over 3 weeks ago when the Senate voted on the Slavery Convention, the Senate will have the chance to go on record on this human rights convention. The Senate will have the chance to put the United States squarely on record, once and for all, on the vital question of political rights of women. I am confident that the Senate will overwhelmingly grant its advice and consent to the Convention on Political Rights of Women and ultimately will do the same to all the human rights conventions before us.

#### SOCIAL SECURITY AMENDMENTS

Mr. CANNON. Mr. President, having been away from Washington on official business for the Committee on Armed Services, I missed the opportunity to vote for the passage of the social security amendments last week. I would therefore at this time like to commend the Committee on Finance for its excellent work on an extremely complex bill. I also want to applaud Senators for their support of landmark legislation that will relieve the poverty of more than 2 million older Americans and lift some 200,000 from the welfare rolls. Raising the monthly minimum benefit and liberalizing the earnings exemption will enable those who have contributed much to our economy as wage earners to achieve a dignified retirement previously beyond their grasp.

Improving benefits for needy and dependent children, the blind, and the disabled will similarly ameliorate the deprivation suffered by many unfortunate Americans.

It is my hope that the Senate will prevail on a substantial number of its provisions during the conference on this important measure. I anticipate early consideration of the conference report, which I hope to support as a means of improving the quality of the lives of more than 23 million social security beneficiaries.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

#### FEDERAL MEAT INSPECTION ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 785, Senate bill 2147, which is the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The 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.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MONTOYA. Mr. President, 60 years ago America thought she had laid to rest the specter of unwholesome meat and meat products. Recent evidence has taught us that this is not yet true. Intra-state plants dealing in dead, dying, diseased, and disabled animals have endangered the American consumer.

It is obvious that this situation must be dealt with summarily and forthwith. The Congress must act now, and without further delay. Consumers all over the Nation await our next action. They do not expect vacillation or hesitation.

We must extend first-class inspection procedures in such a manner as to close every loophole through which now seeps unwholesome meat and meat products. My bill, S. 2147, as amended, does this.

Mr. President, we are all well aware of the controversy that has been raging throughout the Nation on the question of updating meat inspection procedures all over our country.

The Subcommittee on Agricultural Research and General Legislation of the Senate Committee on Agriculture and Forestry, under the excellent leadership of its acting chairman, Senator HARRY F. BYRD, of Virginia, has concluded 4 days of full, complete hearings into problems plaguing our meat inspection programs, both Federal and State. These hearings were held amidst wide press coverage, arousing and informing the public, with revelations on inadequacy of some State meat inspection programs in protecting the public from unwholesome meat. The Committee on Agriculture, therefore, had under advisement a subject of primary national concern.

Our hearings were most constructive, and the committee has thus informed itself on the major, urgent need to modernize our meat inspection programs on



behalf of our consumers. During the course of our hearings, the Agriculture Committee determined that about 15 percent of commercially slaughtered animals are not prepared for distribution in interstate or foreign commerce. Therefore, under present law, these are subject to State, but not to Federal inspection at time of slaughter.

Approximately 25 percent of commercially processed meat food products are prepared without Federal inspection, and to a significant degree are not subject to adequate State or local inspection. The U.S. Department of Agriculture testified that only 29 States have statutes imposing mandatory ante and post mortem inspection. Twelve States have voluntary meat inspection statutes. Two States have limited laws regulating meatpacking. Seven States have no meat inspection statutes at all.

The Department of Agriculture further testified that, in their opinion, no State has an adequate enforcement program. The need for modernizing our meat inspection and enforcement procedures is a foregone conclusion. How best to accomplish this consumer protection was the question on which your committee labored longest.

The committee had before it three bills, each differing in their approach, but each with the same objective in mind. H.R. 12144, S. 2147, which I introduced and which is before you for consideration today, and S. 2218 introduced by my distinguished colleague on the committee, Senator MONDALE.

Senator MONDALE's bill, S. 2218, would have provided for immediate Federal inspection of all intrastate operations. States would have been provided with the option of excepting themselves from Federal inspection upon their instituting meat inspection programs at least equal to Federal standards. Like the other two bills before the committee, S. 2218 would have updated and combined present statutes relating to meat inspection, and would have given the Secretary of Agriculture additional needed authority in various related areas.

During the course of our hearings, much testimony was heard on desirability of immediate Federal inspection to provide our consumers with the protection from unwholesome meat which they certainly deserve. Your committee, however, has not chosen outright Federal inspection, and instead has unanimously reported out S. 2147, as amended, which retains the Federal-State relationship of the House-passed measure. As reported out, S. 2147 will, in your committee's opinion, provide our Nation's consumers with the best possible protection. It does so without destroying State initiative, and without infringing on essential State prerogatives.

Mr. AIKEN. Mr. President, will the Senator yield at that point?

Mr. MONTROYA. I yield to the Senator from Vermont.

Mr. AIKEN. I just heard the Senator from New Mexico say that this bill does not destroy State initiative.

I received a complaint this morning from one of the more conscientious States on the grounds that the measure

does penalize the States that try to do a good job, in that if they have a good law—and my own State does—and they undertake to enforce that law, the Federal Government will pay half the cost of the program, whereas if they do not have a good law, or if they have a law and do not undertake to enforce it through proper inspection, then the Federal Government will pay all the costs.

Is my informant correct?

Mr. MONTROYA. Well, that is correct; but I might state to the Senator that the chances for that kind of situation happening are very remote, because if a particular State has mandatory inspection, it stands to reason that that State is vitally interested in providing upgraded enforcement. I do not think that that State could be said to be penalized. It would receive Federal assistance.

Mr. AIKEN. Then is it the Senator's position that if a State has an adequate inspection law, the assumption is that it is already enforcing that law? Is that correct? The Department, I believe, told the committee that no State was enforcing such laws adequately—which seemed to me to be a rather far-reaching statement.

Mr. MONTROYA. The Department has stated, if the Senator did not hear it in the committee, that while 29 States have mandatory inspection laws, not all of those States have enforcement standards or procedures equivalent to the Federal standards; and it was also stated by the Government witnesses that once there is a focus placed upon whether or not the States are adhering to proper enforcement procedures, those States, whether or not their inspection procedures fall within the Federal orbit, will be able to provide means and methods whereby to improve their enforcement. The Federal participation in the picture will enable them to obtain proper training for their employees from the Federal level, so that proper enforcement of the State law may ensue.

Mr. AIKEN. Let us get this clarified a little bit more. If a State has a plant which is engaged in interstate business, that State already has Federal inspection; is that correct?

Mr. MONTROYA. That is correct.

Mr. AIKEN. And the State can judge what the standards of the Federal Government would be for intrastate inspection by ascertaining what standards are set up for the inspection of the interstate plants; would that be correct?

Mr. MONTROYA. Not only that—

Mr. AIKEN. Would the standards be identical? Is it assumed that they would be identical?

Mr. MONTROYA. It is hoped that the State would advance its standards so that they would be equal to the Federal standards with respect to interstate plants. But there is also the additional benefit that the Secretary of Agriculture, immediately upon the enactment of this act, will appoint a State advisory committee at the State level in every State, and be in constant communication and consultation with those committees, to impart advice to them, and so that the committees may seek advice from the Secretary of Agriculture, to the end that

there will be an upgrading of local enforcement if it is deficient from the standpoint of Federal inspection standards.

Mr. AIKEN. Then State officials would be advised without delay of the Federal standards they would be required to meet for the inspection of intrastate plants.

Mr. MONTROYA. The Senator is correct, and most of those State people already know the deficiencies.

Mr. AIKEN. I just wanted to make that clear for the RECORD, because it was called to my attention again this morning. And the feeling of my informant was that a State that is now attempting to do a conscientious job would be penalized because a State that was not attempting to do even a mediocre job would get the benefit of the full Federal payment.

Mr. MONTROYA. I say further to my good friend, the Senator from Vermont, who has been interested in the concept of the pending bill, that it was the desire of the Committee on Agriculture and Forestry to try to formulate through the medium of this law a genuine partnership in this particular field between the Federal and State governments.

There has been no desire on our part to impose the arm of the Federal Government over the jurisdiction of an area that appertains to the State. There is no desire whatsoever, but the paramount consideration and the guiding light of every action we take is the protection of the consumers against unwholesome and unhealthy meat and meat products.

Once we travel on that road, within that glaring light and that objective, I think we can formulate a good partnership, a good common approach, and a good mutuality between the Federal and State government for the protection of the consumer.

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

Mr. MONTROYA. I yield.

Mr. MONDALE. Mr. President, I have one further point to add. I think it would be a curious argument to say that by trying to help the States finally to attain an adequate meat inspection system, we were thereby raising an argument in opposition to the pending legislation.

It occurred to us that there might be some States who do not have enough pride in the federal system or have enough sense of responsibility for their own interstate problems, and that those States would forfeit that responsibility and just tell the Federal Government to come in and do what they should be doing.

We do not anticipate that will be the case. We have checked with some States and have asked them what they would do if the bill in its present form were to pass.

I think it is fair to say that all of those States have indicated that this legislation would give them the financial assistance and the extra prod they need to obtain an adequate system through the State legislature.

Speaking for myself, as we find out down the road, the effect of penalizing some of those States that will not do the job themselves, we might take another look at the situation.

Mr. AIKEN. I thought it important to



have this colloquy for the RECORD because, as the Senator from Minnesota says, some States might not be too anxious to do a perfect job—assuming either a State or the Federal Government can do a perfect job.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. MONTTOYA. I yield.

Mr. YOUNG of North Dakota. Mr. President, does the pending legislation impose upon the Governor of a State the sole discretion as to whether the Federal Government should go into a State and take over jurisdiction, or would the Secretary of Agriculture have something to say about the matter?

Mr. MONTTOYA. In the first place, further amplifying my answer to the query of the Senator from Vermont, what we envisaged as a possibility with respect to the States electing to come under the Federal system was a situation whereby a Governor had submitted to the legislature by appropriate message a request to enact mandatory inspection laws or the implementation of deficient inspection laws and the legislature had refused. We merely provided a vehicle in the pending bill whereby, if the Governor in his exercise of prudence asked the Federal Government to come in, the Secretary of Agriculture could accept the invitation and go into that particular State with Federal jurisdiction.

Mr. YOUNG of North Dakota. If a State has a good inspection system now, or it is at least considered to have by the State, but complaints have been registered and the Governor has asked the Federal Government to come in and take over inspection, would the State then be absolved from paying all of the costs? Would all of the costs be borne by the Federal Government?

Mr. MONTTOYA. The Senator is correct. If the Federal Government were to go into that particular State, the Federal Government would then assume all of the costs. However, in the example the Senator cited, I do not think that would happen, because if the State has some kind of mandatory inspection system, the matter of inspection under the Secretary of Agriculture pursuant to the pending bill would have to go to an advisory committee and also to the Governor on a consultation basis.

We would have to try to point out to them that they should correct the situation because the Secretary would be hesitant to come in under any circumstances. And the chances are that the Governor, with the aid of the Secretary and his enforcement staff, would provide that remedial action.

Mr. YOUNG of North Dakota. As the distinguished Senator from New Mexico knows, from time to time we have had recommendations or requests from the Department of Agriculture and the Bureau of the Budget that we transfer all of the costs of the Federal meat inspection system to the packers themselves. We have never done that to my knowledge, but if a sizable deficit were incurred by reason of the Federal Government taking over more of these inspection responsibilities in the various States, who would make up the deficit?

Mr. MONTTOYA. If the Secretary of Agriculture, under the triggering provisions of the pending bill, were to go into a State, the Federal Government would have to assume this cost.

With respect to that school of thought which holds out that the packers should assume part of the cost, I think that concept has been disapproved by virtue of the fact that Congress has refused to approve that concept in bills that have been presented to Congress in prior years. There has been a belief on the part of Congress that if the slaughterers are made to bear part of the cost, we are, in effect, paying the policemen, and that is not a very good concept in enforcement.

Mr. YOUNG of North Dakota. In view of the exorbitant costs that could be involved here, does the Senator agree with me that the Secretary of Agriculture should not go into a State until he has made sure through a careful examination of the situation that the inspection system is not adequate?

Mr. MONTTOYA. I think that the legislative history this measure has gone through and the dialog between the Secretary of Agriculture and his people and the committee merely reflects that the Secretary of Agriculture has to be very judicious and very contemplative and consultative before he goes in and takes over intrastate inspection within any State.

That would apply not only with respect to the economic factors involved, but also to the factors of comity, because this particular enforcement is strictly a police power function reserved to the States by our Constitution. And we do not intend to derogate from the responsibility on the part of the State.

But it is the interest of the consumers and their entitlement to wholesome meat and to be protected against unhealthy situations which motivates us in saying to a State, "You are to assume the true police powers which are reserved to you as a State. You are to assume the responsibility of protecting the consumers within the State. But if you do not, the Federal Government will have to step in so as to protect the consumers of the country."

That, in effect, is what we are saying.

Mr. YOUNG of North Dakota. If the act were properly administered, I think it would work all right. But I am a bit fearful of reposing all of this authority in the Governor of a State. Many Governors might well ask the Federal Government to take over all this responsibility and pay all the costs.

Mr. MONTTOYA. If I were the Governor of a State and had this law hovering over the capitol, I would certainly go before the legislature and say, "I do not want the people of the State to accuse me of irresponsibility. I do not want the people of the State to accuse the legislature of irresponsibility. It is our responsibility to provide mandatory inspection for the protection of the consumers."

So it would be a rare instance when a Governor would ask the U.S. Secretary of Agriculture to take over the control of meat inspection within a State. I should think that such a situation would be confined to an instance when a Governor

had exhausted all his approaches to a State legislature and the State legislature had refused to enact a proper law. I think it would be a rare occasion when the Secretary of Agriculture would step in.

Mr. YOUNG of North Dakota. I thank the Senator from New Mexico for his answers. I think the legislative history established here will help greatly in the administration of the program in the best possible way.

Mr. MONTTOYA. Mr. President, as originally introduced, my bill, S. 2147, was almost identical to H.R. 12144. H.R. 12144 would have provided for Federal assistance to States to institute their raw meat inspection programs. It would have updated present meat inspection statutes, and given the Secretary of Agriculture additional needed authority in this area.

I recognize the weakness in my bill as originally introduced, however, and moved to amend it to insure that consumers in States that were laggard would receive the protection they deserved against the unscrupulous operators.

During the past few days, I have worked in the closest possible manner with the distinguished Senator from Minnesota [Mr. MONDALE] who, like the other members of the committee, had only the public's interest in mind and who also wished to see the soundest bill reported.

With his close cooperation and original ideas, we have been able to agree upon a series of amendments that further strengthen the Montoya bill, S. 2147, measurably. I believe it to be the best possible piece of legislation.

The Committee on Agriculture and Forestry has unanimously reported the bill to the Senate as swiftly as it possibly could. This can be attributed to the dedication of our chairman, the distinguished Senator from Louisiana [Mr. ELLENDER], who saw what was needed, aided us in delineating proper solutions, and expedited action on this measure.

There has been no partisanship in the consideration of this measure. I wish to give just and due credit to the Republican members of the committee who worked diligently in trying to devise a plausible approach to this vexing problem.

Now it is up to the entire membership of this body to take action without delay in the interest of the American consumer. We must not wait. The public health is threatened if we fail to act. This is a situation that transcends any party lines. Unwholesome meat does not make distinction between Republican and Democrat.

We have before us a fair, constructive bill that will do what it is intended to do. If we pass it, we will have taken a major step toward closing the loopholes that have been shown to exist. I would like to outline to this Chamber what the major provisions of the Montoya bill, as amended, will do.

Retaining the Federal-State relationship and 2-year time limitation within which States could act to set up their own meat inspection programs with Fed-



eral assistance, the Montoya bill has been strengthened to provide further consumer protection during the 2-year interim period. This would be done without violating the States' prerogative to act on their own within such a 2-year period.

My bill provides for a basic Federal-State relationship. It provides, as does the House-passed Purcell bill, for technical and financial assistance to individual States to permit them to upgrade their own meat inspection programs.

The major provisions of the Montoya bill, as amended, include:

First. Broaden the present meat inspection program by establishing a Federal-State cooperative arrangement under which the Federal Government would provide scientific, technical, and financial assistance to State agencies in order to improve the quality of State meat inspection services. This financial aid could amount to as much as half the cost of a State program.

Second. Would modernize and combine present statutes relating to meat inspection.

Third. Would give the Secretary of Agriculture needed authority over wholesalers, truckers, warehousemen, brokers, renderers, and animal food manufacturers in order to control traffic in unfit meat and meat products. This would provide additional insurance against the possibility of these products being sold to unsuspecting consumers for use as human food.

Fourth. Imports would be required to comply with Federal standards required of domestic meat and meat products.

Fifth. Would give States 2 years from enactment of the act to set up their own meat inspection programs at least equal to Federal standards, and a third year if the Secretary of Agriculture determines that the State in question will, at the end of the third year, have such standards in operation.

At the end of such period, if the Secretary determines, after consultation with the Governor, that the State has failed to provide such standards, he shall promptly designate it as one in which the Secretary of Agriculture shall have jurisdiction, and apply Federal standards until such State institutes its own meat inspection program, at least equal to Federal standards.

The Secretary shall have authority, after notice to the Governor, to designate any State subsequent to the 2-year period, whether or not it has theretofore been designated, upon the Secretary determining it is not effectively enforcing a State meat inspection program at least equal to Federal standards.

Sixth. A Governor may, if he chooses, at any time after the date of the enactment of the legislation, waive the 2-year period and request immediate Federal assistance. Once the State's meat inspection program meets requirements of the act, the Governor can request the Federal presence to come to an end.

Seventh. It would eliminate the possibility of unwholesome meat finding its way into consumer hands. It would provide further protection for consumers during the 2-year period in which States would be given the opportunity, with

Federal financial and technical assistance, to institute their own meat inspection programs.

If the Secretary of Agriculture determines any establishment within a State is producing adulterated meat or meat food products for distribution within such State, which would clearly endanger public health, he shall notify the Governor and appropriate advisory committee, which is provided for by 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 public health within a reasonable time after such notice, as determined by the Secretary of Agriculture, in light of risk to public health, the Secretary may forthwith designate any such establishment as subject to Federal jurisdiction.

Eighth. Reporting procedures have been clarified, with the Secretary of Agriculture being given the duty to make annual public reports to Congress on the operation and effectiveness of Federal and State inspection systems.

Mr. President, there we have it. The interests of the public are strongly defended and provided for. Industry is offered the best possible solution to a situation that is causing it significant distress. The State-Federal relationship is constructively maintained and extended, to the benefit of all. Loopholes are closed and the evil corrected. Extenuating circumstances are taken into fair consideration.

Some few elements of our national community will oppose this measure. But the overwhelming support from all quarters that has greeted the work of the past few days surely is indicative of the strength and fairness of the bill.

Mr. President, I would be remiss in not reporting to the Senate that never before in my experience as a legislator have I witnessed such a feeling of cooperation and dedication on the part of all concerned. Representatives of the Secretary of Agriculture, led by the able Rodney Leonard, Deputy Assistant Secretary of Agriculture, and Counsel Charles Bucy, have been most instrumental in this endeavor, which has received Secretary Freeman's endorsement.

The industry, likewise, has been most helpful and cooperative. Mr. Aled P. Davies, vice president of the American Meat Institute, has been most valuable in his suggestions, guidance, and constructive criticism. Through his labors we have forged a measure which provides for the strongest possible protection for our consumers, and which has the full endorsement of the American Meat Institute.

The measure also has the strong backing of the President's Adviser on Consumer Affairs. It has been endorsed by the American National Cattlemen's Association and by the National Independent Meat Packers' Association. The National Farmers Union, the AFL-CIO, Amalgamated Meat Cutters & Butchers Workmen of North America, United Packinghouse Food and Allied Workers, and others have all testified in support of strong and meaningful legislation.

Communications have been received from scores of organizations and indi-

viduals, including various State departments of agriculture, urging prompt action on meat inspection legislation. It is not often that we see such an aroused, well-informed, and interested public.

One final word of praise is in order here, and again I wish to bring up the name of the Senator from Minnesota [Mr. MONDALE]. His ability, character, ideals, and sense of public service were exhibited to the full in my work with him. Rarely has the public interest been served any better.

Mr. President, we worked day and night trying to develop a bill that would meet with the approval of all sources that were addressed to the subject of meat inspection in this country. I think we have come up with the best possible solution, one that is, above all, protective of the consumer and which also bears a good relationship with all those affected by its provisions.

Mr. President, I thank my colleagues for their indulgence here today. I ordinarily would not take up such a portion of time were it not for the pressing urgency of this matter before us. This body is never dilatory when a question of national necessity is placed before it. It is on that basis, then, that I ask each of my colleagues to vote this bill into law as quickly as possible.

#### CONCLUSION

Mr. President, we have before us the clearest delineation of the problem confronting us and the solutions available to us. There can be no hesitation regarding the public health. Millions of people have been placed in jeopardy, and they have a right to the protection it is now within our power to grant them. Let us act as we must and should. Let us close these loopholes and put the consumer interest first.

Mr. MONDALE, Mr. President, I commend the distinguished Senator from New Mexico [Mr. MONTAÑA] for his most able and forceful presentation on behalf of the Committee on Agriculture and Forestry. Naturally, I am flattered by his kind comments about my role in this effort. I think the Senator does himself an injustice in so doing because we are now reporting the Montoya bill with the Montoya amendments from the Committee on Agriculture and Forestry. If it were not for the commitment of the Senator from New Mexico to the principle that there can be no compromise on the protection of the American consumer, this bill in its present sound and substantial form could not be reported. The ability and the devotion of the Senator from New Mexico to the public interest has guided this legislation to the point where hopefully it will become the law of the land. Every consumer in the country owes a debt to the brilliant leadership of the Senator from New Mexico in connection with this matter.

Mr. President, the measure we are considering today is based on the premise that the American consumer has a right to expect that all meat and meat products offered for sale in this country are safe and clean.

Unfortunately, as we have learned in recent weeks, this is not the case. Sixty years after publication of Upton Sin-



clair's expose of the packing industry and enactment of the Federal Meat Inspection Act, Americans have learned that substantial quantities of meat and meat products escape Federal inspection, and that they are still in daily danger of eating filthy or diseased meat.

They have learned that Federal inspection applies only to meat which is sold across a State line and that some 13 billion pounds—15 percent of all slaughtered meat and 25 percent of all processed meat—escapes Federal inspection and is subject only to lax State inspection—if at all. Eight States have no inspection law whatsoever, while most of the remainder have either voluntary inspection laws or mandatory laws which are not adequately enforced. Thus, of the 19 million cattle slaughtered outside Federal inspection each year, more than 10 million head go without any inspection on any level of government. Of the 8.75 billion pounds of meat which is processed outside of Federal inspection, nearly 5 billion pounds receives no inspection whatsoever.

The significance of these facts has been brought home in recent weeks with the release of two U.S. Department of Agriculture surveys which revealed filthy conditions and parasite-infested meat in many packinghouses not covered by Federal inspection, and by testimony from Federal inspection officials that there is a thriving business in so-called "four-D" meat—meat derived from dead, dying, diseased, or disabled animals—which is processed through intrastate packinghouses because it would be rejected by Federal inspectors.

Most of these facts have become publicly known over the past 4 months, and as a result we have progressed in that time from no legislation whatsoever to what I regard as a very strong and comprehensive bill to correct this deplorable situation. The measure before us today includes important segments and features of the House-passed Purcell bill and the legislation introduced in the Senate by Senator MONTROIA, as well as some of the concepts embodied in a measure which I introduced.

It is a strong bill, and I am proud to have played a role in shaping it. And its progress and development over the past 4 months should stand as a warning to those who dismiss the growing strength of the consumer lobby—especially when that strength is reinforced by the voice of a free press.

Mr. President, I have already commented on the magnificent work and the performance of the Senator from New Mexico, whose hard work and energy played such a vital role in enabling us to reach this point. Nor can we overlook the Committee on Agriculture and Forestry, which responded under the leadership of its chairman, the Senator from Louisiana [Mr. ELLENDER], to the legitimate concerns of American consumers by recommending a bill that is effective and responsible.

Special praise is deserved by the acting chairman of the subcommittee, the Senator from Virginia [Mr. BYRD], who is now the presiding officer, who with such patience and maturity permitted

the committee to explore all aspects of this problem so that we might develop a measure responsive to the public interest.

Nor can I pass without commending the statements and support of the President on this issue. His strong support was absolutely essential. His special assistant, Miss Furness, was an effective and forceful advocate for strong legislation.

The bill pending before us updates and improves the existing law covering meat inspection in the some 2,000 plants under Federal jurisdiction today. In addition, it guarantees that within 2 or 3 years, the remaining 15,000 plants in the country will be inspected by the Department of Agriculture, or by a State system whose standards are at least equal to Federal standards.

And finally, during the next 2 or 3 years, when the States are attempting to bring their own meat inspection systems up to par with the Federal system, we have incorporated important protections for the consumer in the bill. There is a provision which will permit the Secretary of Agriculture to take action against plants which endanger public health. In addition, the bill opens the door for any Governor to bring Federal meat inspection into his State, even though the State may later reassert its jurisdiction over intrastate plants. And finally, there is provision in the bill for constant supervision by the Secretary over all plants, with a right of access, a right to examine pertinent records, and a right to take reasonable samples, in order to guarantee a high degree of protection for consumers. The Secretary must make annual, detailed public reports to the Agriculture Committees of the Senate and House, reporting on the overall operation of the Wholesome Meat Act. It is specifically required that this report contain detailed information on State inspection systems and conditions in State plants not subject to Federal inspection. At this point I ask unanimous consent that two letters commenting on the authority of the Secretary to carry out these requirements of reviewing and reporting be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. MONDALE. Mr. President, we have taken the time in the Senate Agriculture Committee to do a good job on this bill. It is a good bill. We have not compromised on the public health, and have not turned our backs on the consumer. Nor have we acted irresponsibly with respect to the States and the industry.

It was the overriding concern of the committee that the consumer be protected against filthy and diseased meat, against meats adulterated by poisonous or dangerous additives, and against mislabeled products, or meat stuffed with cheap fillers such as water, cereals, non-fat dry milk, or the like.

As things now stand, the consumer simply cannot protect himself. He can be confident in a supermarket that the meat he is buying was slaughtered and processed under Federal standards or the

equivalent only if he can find the USDA "inspected and passed" label. He does not have even that possibility in a restaurant.

We learned during the Senate hearings that the normal rules of consumer self-help are of no value whatsoever in the absence of the Federal stamp of approval. First, modern chemicals and drugs completely nullify the usual tests of sight and smell with respect to meat. Injections of antibiotics, sulfites and nitrites, and ascorbate—which I call a sort of healthy formaldehyde—cancel out the smell and appearance of decaying or unhealthy meat.

Second, it is no guarantee that meat is federally inspected to shop only in large, nationally known retail chain stores. A 1967 USDA survey of intrastate meat products purchased in regular grocery stores and supermarkets—including such national chains as Kroger, Safeway, and A. & P.—showed that only 39 of 162 meat products tested met all Federal meat inspection requirements. The remaining 123 samples showed a total of 259 violations of Federal standards is due to excessive water, excess nonmeat fillers and use of various additives such as ascorbate, phosphates and nitrites in products where they are prohibited by Federal standards.

Third, brand names and labels provide no protection. The largest meat packing companies in the Nation have established plants doing business only within a State and therefore escape the stringent requirements of Federal meat inspection which products from their other operations must undergo. For example, the meat industry's big three—Swift & Co., Wilson & Co., and Armour & Co.—have admitted operating more than 100 intrastate meat plants which slaughter, process, and prepare millions of pounds of meat each year without Federal inspection. And some of these operations were among those cited for unsanitary conditions in USDA's 1962 and 1967 surveys of intrastate plants. Further, USDA officials testified before the Senate Agriculture Committee that the same brand names and labels are used for meat products processed in an intrastate plant as are used for the same item emanating from a federally inspected plant. Thus, even with nationally advertised brand name items, the consumer must look for a Federal inspection stamp.

At this point, Mr. President, I think we must ask why major packing companies establish intrastate operations and why intrastate operators are so opposed to Federal inspection and go to such lengths to preserve their intrastate status as to ignore large segments of their national markets. For example, Federal inspectors advised us of one intrastate plant which only sold its products in part of the city where it was located because the community in question straddled a State line and the rest of the city was in another State. Another plant located in the corner of a western State, ignored markets in three other States less than 25 miles away, but did substantial business 450 miles away still inside its own State boundaries. In addition to giving up sizable segments of their natural markets, intrastate concerns are also deprived of



other important business such as selling to the Armed Forces, to Federal agencies or to federally supported programs such as the school lunch program, because of their lack of Federal inspection.

It was made clear during the hearings that this practice is supported by economic advantage. The intrastate meat operator has a distinct economic advantage over his interstate competitor who must meet Federal standards regarding ante mortem and post mortem inspection, plant sanitation, use of additives or cheap fillers, and false or deceptive labeling, because the intrastate operator can buy inferior animals, dress up bad meat with chemicals, and use cheap fillers with impunity.

As one newspaper put it in a November 15, 1967, editorial:

The obvious answer is that its more profitable to sell substandard meat from unsanitary plants than to meet federal requirements for cleanliness and quality.

Ralph Nader, to whom the Nation's consumers owe another debt for his efforts in behalf of clean meat, put it even more succinctly with the comment:

Bad meat is good business.

Mr. President, the economic advantage which makes "bad meat good business" was created by Congress in 1907 when it passed the Meat Inspection Act requiring compliance with Federal standards for all meat sold across State lines.

The consumers of America are now demanding that Congress eliminate this economic advantage by requiring that all meat sold in this country is safe and clean.

The revelations of the last few weeks, and the information received in the hearings, have provoked a deep sense of outrage on the part of consumers. A Minnesota poll taken a month ago showed that 87 percent of all Minnesotans—and 93 percent of all housewives in the State—favor immediate inspection of all meat by the Federal Government. The strong demand for Federal inspection to assure clean meat which this newspaper poll represents is supported by other polls, newspaper editorials, and letters from consumers themselves. For example, in the past 2 weeks alone, I have received letters from across the Nation overwhelmingly demanding strong Federal meat inspection legislation. Also within the past 2 weeks, a surge of editorials and two other polls which have come to my attention show the same intensity of feeling. A telephone poll by KSTP radio-TV in Minneapolis-St. Paul showed that 75 percent favor Federal inspection of all meat while a similar poll conducted by WGN-TV in Chicago indicated that 82 percent favor Federal inspection while only 4 percent opposed. That represents a margin of better than 20 to 1 for Federal inspection of all meat and meat products. I ask unanimous consent that the Minnesota poll on meat inspection and several of the many newspaper editorials demanding strong legislation be printed in the *Record* at the conclusion of my remarks.

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

(See exhibit 2.)

Mr. MONDALE. Mr. President, well might we insist upon immediate federalization. The States have had nearly 60 years to shoulder their responsibility for the health and protection of their citizens and have nearly nothing to show for it. Consumers in the States are left to the mercies of a hodgepodge of inadequate, voluntary, or nonexistent meat inspection systems, none of which fully matches the Federal system.

This measure was unanimously agreed to by the Committee on Agriculture and Forestry composed of Republicans and Democrats. The proposal is now endorsed by the American Meat Institute, although my own Governor of the State of Minnesota has come out strongly opposed to effective meat inspection. Therefore, it is essential that the pending measure be adopted.

Surveys by the Federal meat inspectors in 1962 and again in 1967 revealed horrifying and revolting examples of the conditions under which billions of pounds of meat are slaughtered and processed, and thereafter sold to unsuspecting consumers. In order that the Congress have some idea of the conditions in some nonfederally inspected plants, I ask unanimous consent that the so-called Clarkson report, January 1963, together with excerpts from the USDA State surveys in 1962 and 1967 be printed in the *Record* at the conclusion of my remarks.

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

(See exhibit 3.)

Mr. MONDALE. Mr. President, but the committee decided that we ought to give one more chance to maintain a joint Federal-State system. I agree with that judgment. Even if my bill had become law—and it provided for immediate federalization of meat inspection—we would have had a 1- or 2-year lag until sufficient personnel were hired and trained to do the painstaking task that is required of them. In this bill, we have provided both a carrot and a stick to the States. It was not our intent to punish the States or arbitrarily decide that they are now incompetent to do the job. Our objective is to insure that the meat the consumer buys is clean and wholesome—and it makes little difference who does the inspection as long as we are absolutely sure that it is done in an adequate and comprehensive fashion.

In short, this measure will assure the American public of protection for all meat and meat products sold in this country as quickly as can possibly be done—but only if it is enacted into law immediately—only if it is enacted without weakening those provisions designed to protect the public health during the 2- to 3-year period when States are bringing in systems at least equal with the Federal system, and only if adequate funds are appropriated.

While I believe this bill is very strong and substantial, it is in an important sense a bare minimum. As it stands before the Senate now, it can be weakened only at the risk of jeopardizing the public health. We must stand firm and insist that there be no compromise on the issue of the public health.

The very worst thing the Congress can do in meat inspection is to pass a nominal or "showpiece" bill, which will mislead the consumer into believing that his health and that of his family is protected. It would be quite as wrong to pass a good bill, and then fail to appropriate the funds necessary to carry it out. If by failing to insist upon effective legislation and adequate funds we induce an unjustified sense of complacency in the consumer, it would be far better to have no legislation at all so that the consumer would be on guard.

Mr. President, before I close, I would like to make a comment about the support of the American Meat Institute for this proposal. There are many provisions of this bill which the Institute opposed and fought vigorously against, but realizing that legislation must be passed to assure clean meat for the consumers of this country, the Institute nevertheless is willing to stand up and support this measure. While I have had my difficulties with the industry and while we have had many differences of opinion, I must nevertheless express my admiration to them for coming out, despite their reservations, and asking that this measure, in its present form, be passed. We have had our arguments, but I think we must pay proper deference and respect to an industry which, even though reluctantly in some respects with regard to this legislation, stands up and asks the Congress to support it.

With these comments, I strongly urge that the Senate pass this legislation and resist any attempts to weaken it.

#### EXHIBIT 1

DEPARTMENT OF AGRICULTURE,

Washington, November 18, 1967.

HON. WALTER F. MONDALE,

U.S. Senate,

Washington, D.C.

DEAR SENATOR MONDALE: I am writing in response to your inquiry as to the Department's interpretation of the nature of the report contemplated by Section 17 of H.R. 12144, as passed by the House of Representatives.

It is our view that the report would be a detailed public document, covering a cross section of intrastate plants in sufficient numbers so that a continuing picture of the effectiveness of state programs can be obtained for the benefit of Congress, the states, the Department and the consumer.

These reports would include, among other things:

The location of the plant and its ownership.

The procedures and conditions of the plant under local standards and whether these practices would not be allowed under federal standards.

The results of tests made from sampling the products of the plant.

Where the products of the plants are sold. These reports would be analogous to the reports of our 1962 surveys of intrastate plants. These reports, as you know, have already been made public.

In addition, the reports would provide information regarding—

The activities of the Federal Inspection Program.

Cooperative activities with the states under Title III of H.R. 12144 in developing effective state programs, as well as progress made thereunder.

Sincerely yours,

RODNEY E. LEONARD,  
Deputy Assistant Secretary.



DEPARTMENT OF AGRICULTURE,  
Washington, November 18, 1967.

HON. WALTER F. MONDALE,  
U.S. Senate,  
Washington, D.C.

DEAR SENATOR MONDALE: I am writing in response to your inquiry relating to the administration of a proposed amendment to Senator Montoya's amendment to S. 2147.

This amendment would provide in substance that when the Secretary had knowledge of an intrastate plant in the state distributing unwholesome meat which would endanger the public health, he must notify the Governor and the State Advisory Committee so that state action can be taken to prevent such conditions. If the state failed to take such action within a reasonable time, the Secretary, under the proposed amendment, would designate the plant as subject to the Federal Inspection Program.

We read the amendment to mean that the Secretary is vested with power to determine the reasonableness of the time in which the state must take action, with such determination to take into account the seriousness of the danger to public health.

The point raised was how would the Department have knowledge of such a situation. This could come about in any one or more of the following ways:

Through the process of continuing surveillance by the Secretary over intrastate plants, as contemplated by Section 17 of HR 12144.

Through his new power of access to intrastate plants, including the examination of records and taking of appropriate samples.

Through information furnished by a State advisory committee.

Under Title III of this bill providing effective Federal cooperation with State programs, and

Furthermore under present law when brought to the attention of the Department in the course of investigations needed to protect the integrity of the Federal meat inspection system, and by complaints investigated under the assumption the Department has jurisdiction over such situations.

We believe that through these various means, both under existing and new law, we will be able to provide effective and adequate protection against the danger to public health and the consumer arising out of unwholesome and diseased meat.

It is my hope that this furnishes you with the information requested. If you desire any further information in this connection, please feel free to call upon us.

Sincerely yours,

RODNEY E. LEONARD,  
Deputy Assistant Secretary.

#### EXHIBIT 2

[From the Minneapolis (Minn.) Tribune, Oct. 23, 1967]

#### MORE INSPECTION OF MEAT FAVORED

Almost nine out of 10 Minnesotans (87 per cent) favor expanded federal inspection of meat-packing plants, according to a statewide survey conducted by The Minneapolis Tribune's Minnesota Poll.

Opposition to stronger meat inspection laws was expressed by 9 per cent of the state residents interviewed. Four per cent offered qualified answers or had no opinion.

More than half of the people questioned (53 per cent) said it is their impression that most of the meat sold in stores is as wholesome as it should be, but a contrary opinion is held by 38 per cent.

A recently completed nationwide investigation by the Agriculture Department found unsanitary conditions in many packing plants, including some in Minnesota, North Dakota, Iowa, Wisconsin and Nebraska.

Federal meat inspection laws, which now apply only to plants which ship meat across state lines, exempt about 25 per cent of

meat processing and 15 per cent of meat slaughtering. Many of the 25 states requiring inspection of all meat-packing plants acknowledge they do not have enough personnel for thorough inspection.

Expansion of federal legislation is opposed by the American Meat Institute, which represents the largest meat-packers. It is their position that more federal controls are not needed and that state inspection can be improved.

This is the question which was asked of a cross-section of voting-age Minnesotans from all parts of the state:

*"An investigation of the meat industry has revealed unsanitary conditions in some meat-packing plants. Would you favor or oppose more federal inspection of meat-packing plants?"*

The responses:

|   | [In percent] |     |       |
|---|--------------|-----|-------|
|   | Total        | Men | Women |
| Favor more Federal meat inspection..... | 87           | 82  | 93    |
| Oppose.....                             | 9            | 13  | 5     |
| Other answers.....                      | 1            | 1   | —     |
| No opinion.....                         | 3            | 4   | 2     |
| Total.....                              | 100          | 100 | 100   |

"I'm in favor of stricter controls, but not necessarily federal laws," said a 30-year-old Minneapolis man.

The first survey question was:

*"Is it your impression that most of the meat sold in stores is or is not as wholesome as it should be?"*

The replies:

|                                      | [In percent] |     |       |
|--------------------------------------|--------------|-----|-------|
|                                      | Total        | Men | Women |
| Is as wholesome as it should be..... | 53           | 54  | 52    |
| Is not.....                          | 38           | 36  | 40    |
| Other answers.....                   | 1            | 1   | 1     |
| No opinion.....                      | 8            | 9   | 7     |
| Total.....                           | 100          | 100 | 100   |

Twin Cities area residents are more critical of the meat they buy than are people from other parts of the state. Forty-seven per cent indicated a belief that most meat is wholesome and 45 per cent expressed a doubt about it.

"The wholesomeness of the meat depends on the grocery store," a Minneapolis housewife commented.

[From the St. Paul (Minn.) Dispatch, Nov. 23, 1967]

#### TWO-PRONGED MEAT PROBLEM

After much prodding, Congress now seems moving definitely toward stronger meat inspection laws which will give consumers better protection against unwholesome and adulterated products. Senator Mondale of Minnesota deserves much credit for his leadership on this issue.

A conference committee must resolve differences between the strong Senate bill and a weak, ineffective House bill. Prospects are that the House will yield to public demand and accept most or all of the Senate measure. It should by all means do so. There is no justification for hanging back on a matter where public health is involved.

While the wholesomeness of meat sold the public is the chief consideration in the current controversy, there is another important issue which is not as well understood. This concerns the use of chemical preservatives and coloring agents and employment of additives such as water, cereal "fillers" and excess fats.

While federal inspections assure wholesomeness, they also set certain standards of quality limiting use of chemicals and

other additives. There are labeling requirements to inform consumers. Intrastate packing and processing plants not only escape the federal checks against diseased or unsanitary meats, but also are exempt from the federal rules regarding adulteration and additives.

Thus in Minnesota some of the large intrastate operators buy all federally inspected meats, but the processed products they sell to the public may still fall below the other federal standards. A federal spot check made here in July included retail purchase of samples from five intrastate companies. In all cases the meats contained ascorbate, a chemical used to make meat look fresher than it really is. Such use of ascorbate is forbidden in federally inspected products.

In addition the water content of some intrastate products was found to run from 50 to 63 per cent. The federal maximum is 10 percent. Consumers were in effect buying water at meat prices.

These Minnesota results were typical of findings of a national check in which intrastate retail samples were analyzed. Out of 162 samples, only 23 were found in full compliance with federal standards.

The common faults were excess water, "fillers" of various kinds, phosphates, nitrites excess fats and improper labeling. Meats included in the check were wieners, bologna, sausage, luncheon meats, ham, steak patties and other processed items.

Under the Senate bill, the states are given two years in which to establish their own inspection systems which must be "at least equal to federal standards." If they fail to do so, their intrastate plants would automatically come under the federal inspection service.

When the congressional bill emerges in its final form, it is important that it include not only the provisions for wholesome meats, but also that it require states to meet the other federal standards on additives and adulteration.

[From the New York Times, Nov. 16, 1967]

#### STILL A JUNGLE

Sixty years after publication of Upton Sinclair's startling book "The Jungle," which prompted enactment of the present Federal meat-inspection law, it is nauseating to learn that Americans are still in daily danger of eating filthy meat.

One-quarter of all hamburgers, frankfurters and other processed meats are sold within state boundaries and are thus free from Federal inspection. Testimony before Senate and House committees has made it horrifyingly clear that state inspection laws are inadequate in nearly half the nation. Eight states have no inspection statutes at all.

One result has been a wide trade in so-called "4-D meat" derived from dead, dying, diseased or disabled animals. Even in states with mandatory inspection laws, Federal investigators found dirty plants and contaminated meat. The House has passed a bill that would provide some improvement, but it is grossly insufficient to assure full consumer protection.

The chief effect of the House measure, which was endorsed by the meat industry, would be to institute a cooperative Federal-state program for raising state standards to the Federal level. Half the cost would be borne by Washington, but there would be no obligation on any state to join the upgrading effort.

Two stronger bills are before a Senate Agriculture subcommittee. One, introduced by Senator Montoya of New Mexico and backed by the Administration, would give the states three years in which to bring their standards up to the Federal level. It would also provide Federal help in the manner of the House bill.



The second bill, submitted by Senator Mondale of Minnesota, provides a surer and more direct answer. It would extend Federal inspection to all meat plants. That is the best way to guard Americans against the unsuspecting consumption of dogmeat, horsemeat or other meat that does not qualify for the Federal blue stamp of approval.

[From the Chicago (Ill.) Sun-Times, Nov. 19, 1967]

#### STRONG PURE MEAT BILL NEEDED

Most people believe that when they buy meat for their table at the store that it is government-inspected, clean and pure. It is not always so. Three U.S. Agriculture Department food inspectors told a Senate subcommittee that diseased and unclean meat is sold to the public in many areas, including Chicago.

Not all meat prepared or processed for sale is inspected by the government. Only meat sold across state lines is subject to federal inspection. The remainder—about 25 per cent of all the meat sold, or about 9 billion pounds annually—it is prepared or processed within the state where it is sold and is not subject to federal inspection.

Many states have their own laws to govern the processing and preparation of meat. Illinois has such laws and the State Department of Agriculture says it has moved to close 75 substandard establishments since mid-summer, when the government inspectors made their report.

Chicago, which feels that state regulations are not sufficiently strict, has its own regulations. The Chicago Board of Health disagrees with the charges made by the federal inspectors and says Chicagoans are assured of the highest sort of inspection service. However, filthy meat has been coming into Chicago from at least one Downstate plant, as The Sun-Times revealed Friday.

Moreover, an official of a meat-packing union showed the Senate subcommittee pictures of grossly unsanitary meat-preparing and processing conditions in Chicago's Fulton Market. The Sun-Times printed some of those pictures on Thursday. The pictorial evidence should be sufficient to make Chicago redouble its efforts to protect its citizens from unclean meat.

The federal inspectors did not single out Illinois or Chicago as the chief offenders. About 95 per cent of the meat in Chicago is federally inspected. Conditions in many other cities and states are infinitely worse—even sickening.

Sen. Walter F. Mondale (D-Minn.) has introduced a bill (SB 2218) that would require all meat processed or prepared to be federally inspected. President Johnson endorses the Mondale bill. The U.S. Agriculture Department prefers another Senate bill that is much weaker and would give the states another two years in which to set up safeguards to protect the public from filthy or diseased meat. The House has passed a bill that would accomplish nothing and has sent its bill on to the Senate for approval.

We believe the Mondale bill should be passed by Congress. It would safeguard the public's health. The record shows, all too clearly, that many states have failed to pass adequate pure-food laws and where such laws have been passed, too often they are inadequately enforced.

A strong federal law, such as Sen. Mondale has drawn, is needed to protect the public. The food we buy must be fit to eat.

[From the Chicago (Ill.) American, Nov. 17, 1967]

#### COMPROMISE ON HEALTH

When a direct clash occurs between the interests of the public at large and the interests of a big industry, it is remarkable how quickly Congress starts talking about a "reasonable compromise." Public health,

we're sure is important to congressmen; it just isn't quite as important as the public thinks, and may have to wait on other considerations.

Talk of "compromise" is now widely heard about efforts to tighten up regulation of the meat packing industry. Two bills with that purpose are now before the Senate. One of them is mild and accommodating, and is favored by the meat industry and its allies. The other would crack down immediately on substandard plants by subjecting them to strict federal standards, and is favored by everybody who thinks American consumers are entitled to healthy and sanitary food—and entitled to it right now, not when it's convenient for the industry to give it to them.

Whatever compromise is possible between these two bills it is a compromise at the public's expense. Congress, however, seems ready to arrange that. The House has already passed the weaker bill. Now Senate supporters of the stronger one, sponsored by Sen. Walter F. Mondale [D., Minn.], have been showing a resigned willingness to go along with the weak one if that's the only version the House will accept.

The House refusal to pass a strict bill is partly the result of pressure from state agriculture departments, which apparently see the Mondale bill as a threat to state authority. Meat plants that do only intrastate business are now subject only to state regulations and inspection, and do not have to meet federal standards; the content seems to be that the federal government, by imposing its own rules, would be usurping a state function.

That is nonsense. The Mondale bill provides that the takeover need not be permanent; the states may take back the job of meat inspection, once they have proved their ability and willingness to do it. But they've got to prove it first—and they certainly should.

For 60 years, since the federal meat inspection law was enacted, state governments have had the job of inspecting and regulating intrastate meat plants. The kind of job they've done has been described in revolting detail in testimony before the Senate agriculture subcommittee. Why should the American public have to wait 2 more years—as the milder bill provides—for assurance that the meat it's buying is fit to eat?

[From the St. Paul (Minn.) Pioneer Press, July 19, 1967]

#### UNFIT MEAT FOR SALE

Public confidence in the wholesomeness of meat products will be reduced by continued opposition to federal legislation which would increase the effectiveness of present inadequate inspection procedures.

Hearings by a House Agriculture subcommittee have focused attention on dangerous loopholes in laws affecting packing and processing plants in Minnesota, Wisconsin and most of the other states.

It is disappointing to find important segments of the meat industry, along with the American Farm Bureau Federation and the National Association of State Departments of Agriculture, taking a negative and backward attitude on moderate proposals for improving conditions.

The big packers which ship their meat in interstate commerce are subject to continuous federal inspection to assure consumer protection against sale of meats unfit for human consumption or processed under unsanitary conditions.

Similar protection is not provided in the case of meats not moving from one state to another.

Pioneer Press and Dispatch Columnist Drew Pearson noted results of a Department of Agriculture investigation of intrastate meat processing made a few years ago. There

is no reason to believe the shortcomings have been overcome. Meats from diseased animals have been sold. Human health has been jeopardized. Trichinosis, salmonellosis and other diseases have been spread. Meats intended for cat and dog foods have been diverted into retail shops for household use.

Two years ago the Agriculture department proposed legislation to compel the states to provide proper inspection services or let the federal government do the job. It got nowhere. This year Congressman Nell Smith of Iowa and the Johnson Administration are supporting a more moderate proposal, but this too is being strongly opposed.

The record over the years is that federal inspection is effective and protects the public where it prevails. The state legislatures, on the other hand, have consistently failed to provide adequate controls for intrastate packing and processing.

State departments of agriculture, including Minnesota's, fight extension of federal controls. Minnesota has 401 packing plants without federal inspection and 46 with it. Russel Schwandt, the state agriculture commissioner, admits the inadequacies of Minnesota procedures, but hopes they will be improved some time in the future. This same attitude has prevailed here for many years. The undeniable fact is that state legislators here and throughout the country have not met the responsibility for protecting the public interest.

Consumers everywhere are entitled to full protection on all meats, and the argument of "states' rights" is not a sufficient excuse lack of such services. Federal legislation is needed, and should be enacted at this session of Congress.

[From the New York Times, Nov. 21, 1967]

#### COMPROMISED MEAT

The compromise meat inspection bill slated for approval by the Senate Agriculture Committee this week is a vast improvement over the bill passed by the House, but it still represents a victory for political expediency over full consumer protection.

The compromise measure will give the Secretary of Agriculture more specific authority to act against health hazards in packing houses that sell all their products within a state. Reports by Federal investigators have provided vivid evidence of the need for such an extension of authority. The bill also will require the Secretary to make public reports at least once a year on the adequacy of state systems.

Beneficial as these and other changes should prove, they are a poor substitute for the proposal originally made by Senator Mondale of Minnesota, under which Federal inspection would be extended immediately to all meat plants, intrastate as well as interstate. The compromise bill would give the states two to three years to bring their inspection standards up to the Federal level.

Unfortunately, the revised bill is the strongest that seems to have any realistic chance of passage at this session of Congress. Once again the consumer finds his voice on Capitol Hill too weak to command full protection.

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

#### CLEAN MEAT

Out of a welter of shifting endorsements by the administration, the Senate now seems headed in the right direction with a proposed new meat-inspection law. If enacted, it will go a long way toward bringing state-inspected meat up to federal standards.

The compromise agreed upon by Senator Montoya of New Mexico and Senator Mondale of Minnesota provides for a federal cost-sharing program with the states to help them set up adequate inspection systems. It gives the



states two years to do this or face federal intervention if the systems do not measure up to federal standards. And if the government finds any plant endangers public health, it can step in immediately to destroy unwholesome meat and seek injunction to close plants.

One of the complaints during recent hearings was that Agriculture Department reports on filthy and diseased meat were not being made public. Ralph Nader complained that Agriculture actually withheld reports from him.

The new bill will remedy this by ordering Agriculture to report details publicly to Congress on state systems.

By this insistence on a bill that would launch states upon stricter meat inspection procedures now, rather than two years hence, Senator Mondale has earned high marks in this legislative battle. His credentials in the consumer-protection movement already were well-established, for he authored the "fair warning amendment" to the National Traffic Safety Act that already has resulted in callbacks of 4 million cars in 14 months by auto manufacturers to correct defects.

The clean meat war is not ended. The Senate must not only pass this bill but win acceptance by the House, which earlier defeated a milder amendment seeking to extend federal controls.

But Senate hearings have rallied public support for safer meat. Too many states have fallen down on the job of protecting consumers. This is "must" legislation for the 90th Congress.

[From the Chicago (Ill.) American,  
Nov. 13, 1967]

#### MEAT INDUSTRY'S REPLY

Spokesmen for the meat packing industry have come up with a rebuttal to the horrifying stories of filth and neglect presented to Senate investigators last week: They say the stories are greatly exaggerated. Somehow this answer fails to soothe us, and we hope the senators are no less skeptical.

The industry officials were commenting on testimony by federal inspectors for the department of agriculture, who told of finding revolting conditions in many packing plants that do only intrastate business and so do not come under federal regulation. The federal men described plants infested with vermin, where meat—often from crippled or diseased animals—was processed by workers in filthy clothes under "primitive" conditions. The testimony was given before a Senate agriculture subcommittee, which is holding hearings on two bills designed to tighten up regulations on intrastate packing plants.

A much different story is told by the industry spokesmen, according to our Washington correspondent Tom Leach. They described the inspectors' reports as "gross exaggerations" and "horror stories."

No doubt some plants need improvement, said the officials, but after all you can find a little dirt anywhere if you look hard enough.

These answers would be more reassuring if they didn't bring up further questions. What reason would a federal inspector have for telling "horror stories" if they're not true? Are we to understand the inspectors gave false testimony to a congressional body? If so, why doesn't industry expose and denounce them?

Until those mysteries are cleared up we'll stick to our previous conclusion: That tighter regulation is needed now, and that the tough bill by Sen. Walter F. Mondale (D., Minn.) is likelier to provide it than the "compromise" measure by Sen. Joseph M. Montoya (D., N.M.). Why, in any case, should congress look for compromises between the convenience of industry and the health of consumers?

[From the Minneapolis Tribune,  
Oct. 29, 1967]

#### SUPPORT FOR FEDERAL MEAT INSPECTIONS

The Minnesota poll last Sunday showed overwhelming public support for an expansion of federal inspection over meat slaughtering. Nearly 9 out of 10 Minnesotans said they favor it. And nearly 4 of 10 said it is their impression that meat sold in the stores is not as wholesome as it should be.

Minnesota is one of nine states that do not require inspection of the slaughtering of meat destined for sale within the state. Some cities—such as Minneapolis—carry out these inspections, but in cities or rural areas without this protection, the public has no assurance about the quality of meat at the counter.

Congress now is considering bills that would attack the problem with varying approaches. One measure would provide federal aid to strengthen state and local inspection programs. Another bill would extend federal inspection to all plants doing more than \$250,000 annual business. A third—by Sen. Mondale of Minnesota—would require federal inspection of all plants if the states failed to do so.

The Mondale bill seems to be the best of the bunch. It would guarantee inspection of all meat. It would not impose federal programs if the states set up their own inspections meeting federal standards.

Federal inspectors recently were credited with stopping meat with a deadly anthrax disease from reaching the market from a plant in Pennsylvania. Without mandatory inspections, however, 25 per cent of the processed meat and 15 per cent of the slaughtered meat nationally may or may not be safe from such diseases.

Once again, failure of the states to act makes it necessary for the federal government to take the initiative.

[From the Chicago (Ill.) American, Nov.  
10, 1967]

#### A SHOCK FOR THE SENATE

Three inspectors for the federal department of agriculture have supplied what seems to be a necessary part of any drive for reform: Shock. What they disclosed yesterday about conditions in many of the nation's meat packing plants was revolting, and it should supply the jolt needed to get a strong meat inspection bill through Congress.

The packing plants that would be affected are those that do business only within their own states, and so do not have to meet federal inspection standards. To judge from the testimony before a Senate agriculture subcommittee yesterday, many of these plants would not meet the standards of a hobo jungle. The inspectors told of finding vermin-infested buildings, filthy floors, heads of cattle left to decay, diseased meat. Said Reuben Baumgart, who headed a survey of packing plants in a 6-state area including Illinois:

"The slaughtering was done under primitive conditions. The workmen were dressed in filthy clothes. Much of the meat was rancid or diseased, and there were vermin droppings on the floor."

Another inspector told of talking to a cattle buyer who made a specialty of purchasing crippled or diseased animals and selling them to plants that came under either state inspection or no inspection at all. Said Stephen Kota: "He told me there was one meat packing plant that would accept an animal in any condition. They never turned down anything."

The subcommittee is considering two bills that would tighten up inspection of meat packing houses that currently do not come under federal controls, and which supply about 9 billion pounds of meat each year to American consumers. Sen. Walter F. Mondale

[D., Minn.], sponsor of the stronger measure of the two, charges that many larger meat processing firms have been forming smaller, intrastate packing houses so as to dodge the strict federal standards, thus saving immense sums.

Lobby pressures against Mondale's bill are extremely powerful. They seem to have defeated a similar bill in the House; representatives last week voted 140 to 98 in favor of a milder bill authorizing the agriculture department to provide technical aid for states developing their own inspection programs.

In our view, what is needed are stringent rules and tough enforcement, not a series of open-end studies on ways to meet the problem. The Senate should pass Mondale's bill and kick it back to the House—by which time the nation's most powerful lobby, its housewives, will be having their say.

[From the Washington (D.C.) Daily News,  
Nov. 2, 1967]

#### FOR CLEAN MEAT

A curious solicitude for "small" meat packers has defeated in the House the bill to clean up the nation's meat supplies.

We have had Federal meat inspection since 1907, passed after Upton Sinclair's crusading book, "The Jungle," exposed conditions of almost unbelievable filth in Chicago's meat packing industry. Since then the purple-ink stamp of the Federal inspectors has been a reliable guaranty against filth and disease.

But this inspection covers only meat in interstate commerce. The rest is up to the states, eight of which have no inspection laws at all and 12 more of which have only voluntary inspection. It probably is a fair statement that in no state is there inspection as rigid as the Federal.

As passed by the House the "clean meat" bill is a toothless measure which merely authorizes the states to apply for Federal grants to set up inspection systems. There is no insurance, under this proposal, that conditions will be improved. And evidence before a House committee included "horror stories" indicating conditions in some uninspected plants are little if any improved since Upton Sinclair's days in Chicago.

Sen. Walter Mondale (D., Minn.) is author of a bill in the Senate which would bring all meat processors under the Federal system. It would protect the consumer against such hideous things as rat hair in the sausage, and the legitimate processor, small and large, against suspicion. We hope Sen. Mondale can get prompt action on his bill.

[From the Chicago (Ill.) American,  
Nov. 15, 1967]

#### TEST ON MEAT BILL

In considering the two meat inspection bills before it, the United States Senate has a fairly simple choice. It can vote either to protect the public's health, or to support the interests of the meat industry and its allied lobbyists [which include, oddly enough, the Illinois department of agriculture]. This test would seem simple enough, but the House flunked it, and there is no guarantee that the Senate will do better.

One of the bills is sponsored by Sen. Walter F. Mondale [D., Minn.]. It would impose federal inspection standards on all big meat plants, including those that now avoid them by doing business only within their own states. Testimony given in current hearings before the Senate agricultural research subcommittee has described the filthy surroundings in which meat is processed in some intrastate plants and the revolting condition of some of the meat accepted for processing.

The second bill, by Sen. Joseph Montoya [D., N.M.], would allow meat inspection to remain in state hands, and would merely encourage the states to improve their own



inspection programs by offering them federal funds. This measure has been toughened to the extent of requiring states to establish satisfactory inspection programs within 2 years; if they don't the federal government may do it for them.

Montoya's bill, however, remains by far the weaker of the two. By no coincidence, it is the one supported by the meat industry, and immense pressure was put on House members to get the House version of this bill passed. One lobbying group, in fact, used a gimmick close to an outright payoff: The Western Meat Packers association, it was revealed, sought to establish a political campaign fund for "friendly congressmen"—meaning those who would vote against the stronger bill.

On Oct. 30, telegrams were sent to Illinois congressmen by Robert N. Schneider, director of the state agricultural department, urging them to support the weaker bill. The following day the House went along with the pressure; after defeating the stronger measure 140 to 98 on a nonrecorded "teller" vote, congressmen approved the weaker one 403 to 1.

It is logical to ask why the meat industry opposes federal inspection so strongly. Without such inspections; a meat packing concern is deprived of important business; it cannot sell to federal agencies or federal supported programs—the armed forces or school lunch programs, for example—and cannot do business across state lines. The Mondale bill would greatly broaden business possibilities for many plants. So why has the industry fought it to a standstill?

The obvious answer is that it's more profitable to sell substandard meat from unsanitary plants than to meet federal requirements for cleanliness and quality. If there is a better explanation for the meat industry's stand we'll be glad to hear it.

We would also like to hear why our congressmen caved in so readily under pressure; why Schneider and the state agriculture department took such extraordinary steps to influence them; and how effective that "campaign fund" gimmick was in swinging votes. Apparently it isn't only meat that needs inspection.

[From the St. Paul (Minn.) Pioneer Press, Nov. 19, 1967]

#### STRONG MEAT INSPECTION BILL URGED

Minnesota state officials and representatives of the meat industry are showing more interest now in providing effective inspection service to protect consumers against sale of unwholesome products.

The new attitudes coincide with widespread publicity given congressional testimony regarding unsanitary conditions in plants not subject to federal checking, and with other testimony that even national food chains legally sell meat products which do not meet federal standards. As a result of such disclosures, Congress is preparing to pass new legislation intended to improve conditions.

Russel Schwandt, Minnesota Commissioner of Agriculture, says a bill for mandatory state inspection of slaughter animals and plants not federally supervised will be introduced in the 1969 Legislature. If it passes he says another two years will be required to make a state system effective. That means a delay of three to four years.

Sen. Walter Mondale of Minnesota is backing a plan in the Senate which would assure federal inspection of all commercial slaughtering operations in all states immediately. States could later take over their own supervision of intrastate plants if they so desire and if they bring their inspection services up to federal standards. This is one of several proposals the Senate Agriculture Committee is considering in efforts to strengthen a much weaker bill already passed by the House of Representatives.

Minnesota does have provision for inspec-

tion of sanitary conditions at intrastate slaughter and processing plants, but not of the meat animals, either before slaughter or of the carcass after slaughter.

Americans deserve the full assurance that all meat products they buy, in Minnesota or anywhere else, should be wholesome, and unadulterated. There is no such assurance today in this state or in most of the other states.

For generations most state legislatures have dragged their heels on meat inspection, while consumers have had the soothing false impression that they enjoyed adequate protection under federal laws.

The Mondale plan would put an end to pussyfooting in the legislatures and assure wholesome meat products for all American families. It still would leave the door open for state governments to accept their responsibilities. But there would be no four-year delay.

Congress should end the shilly-shallying, which permits evasion of proper meat controls to continue. The Mondale bill is sound and offers a practical, effective solution to present troubles. It should be passed by the Senate and approved by the House.

[From the Los Angeles (Calif.) Times, Nov. 17, 1967]

#### THE WHOLESOME MEAT LAWS

The alarmingly substandard conditions that some states permit in meat plants have shocked housewives more than the House of Representatives.

Although most meat sold is subject to rigid federal inspection standards, 15% of all slaughtered animals and 25% of all processed meat come under widely varying state inspection laws.

Only 28 states, including California, have mandatory inspection of meat. Eight states have no inspection laws at all.

But in the Los Angeles area, according to one spokesman, virtually all the meat sold by supermarket chains and well-known independent firms is federally inspected.

Elsewhere in the nation far too many slaughterhouses and packing plants are so poorly supervised that federal officials have found meat being prepared in filthy and insect-infested buildings.

House members nevertheless decided that they would encourage rather than require the high federal standards for all meat production. As enacted, the "Wholesome Meat Act of 1967" would offer every state matching federal aid to upgrade its inspection program—but only if the state chose to do so.

The Times considers the House action too weak a response to a threat to public health.

With belated Administration support, stronger efforts are being made in the Senate for the passage of legislation that would impose federal inspection upon all intra-state as well as inter-state meat production unless a state had equivalent standards and enforcement.

The bill, introduced by Sen. Walter Mondale (D-Minn.), provides that states meeting those requirements could receive a waiver, subject to review after two years.

Tough enforcement is no less essential than high standards in protecting the public.

California's standards are virtually identical to the federal regulations and in some instances more stringent. U.S. Department of Agriculture officials, however, contend that this state's inspection service lacks sufficient funds and manpower.

The USDA study indicated that 20 of 21 state-inspected plants chosen at random failed to meet federal standards. Dr. R. W. McFarland, chief of the State Meat Inspection Bureau, differed with the findings and insisted his inspectors do "just as good" a job as the federal inspectors.

This may be, but Dr. McFarland has only 140 inspectors who must make a daily check of 352 meat plants on a total annual budget

of \$1.8 million. State officials must make certain that his staff is equal to the task.

Whether enforced by the state or the federal government, high standards of meat inspection are too important to be denied to any American.

[From the United Mine Workers of America District 50 News, Nov. 10, 1967]

#### SPEAK UP FOR A STRONG MEAT INSPECTION BILL

Last week the House of Representatives passed and sent to the Senate a bill (HR 12144) which for the first time in more than 60 years feebly attempts to improve the federal meat inspection system. The bill reflects to some degree a strong public demand for the elimination of "dirty" meat.

Long overdue as it is, the House measure does not, in the opinion of many experts, go nearly far enough toward policing the meat packing industry by bringing under Federal inspection those plants which operate within state boundaries and produce 25 percent of all processed meat consumed in this country—nearly eight billion pounds.

In passing the bill the House voted down an amendment which was designed to extend Federal inspection to more than 5,800 meat processing plants whose products are sold entirely within the state in which they operate. At the same time, the measure would extend Federal aid to state inspection systems in line with Federal standards.

At hearings held by the House Agriculture subcommittee on various meat inspection bills, the results from surveys of intrastate plants by the U.S. Department of Agriculture (finally made public after four years of privacy) made clear the reasons why the House bill does not go nearly far enough:

#### INDESCRIBABLE CONDITIONS

"Examination of these meats revealed a mouldy and slimy condition with a putrid odor. Several dead flies were seen on the surface and mixed with the meat. These items were to be used in the manufacture of sausage items and hamburger . . ." (In a state where a voluntary meat inspection program is in effect.)

"In addition to the very grave and urgent problems posed by the distribution of food derived from diseased animals, the attached report details . . . dirty food handling methods without any regard for rudimentary sanitation . . . Rodents and insects, in fact any vermin, had free access to stored meats and meat products ingredients . . ." (In a plant which has no inspection whatsoever.)

"A complete breakdown of sanitary requirements appeared evident where an open wooden plank ramp extended away from the back of the slaughtering establishment for about 60 feet and all blood, hog hair, stomach contents and considerable offal was dumped off the edge of the ramp and allowed to accumulate . . ." (In a plant which has mandatory state inspection.)

These USDA state surveys covered 48 states. It did not matter very much whether mandatory, voluntary or no inspection laws prevailed for intrastate plants. The conditions described by USDA inspectors were repeated with revolting consistency in state after state.

The Department of Agriculture's survey included reports of conditions at plants owned by Swift & Company, Armour, Wilson and Company which also operate and sell within state boundaries. Yet, with few exceptions, the large meat packers and their associations are against extending federal inspection.

The near unanimous opposition by industry and state officials to a strong Federal meat inspection law was certainly reflected in the passage by the House of HR 12144 rather than of an alternative bill, HR 12145, which would have brought all intrastate plants with gross sales of \$250,000 under Federal inspection.

As noted above, the House bill now is in the hands of the Senate. There, if enough



citizens make their wishes known, the members could improve the House bill by writing in a time limit during which the state would have to act. If any state should fail to provide for inspection of all processing plants, complete Federal inspection would be provided in that state.

Or the Senate could act favorably on a bill introduced by Sen. Walter F. Mondale, (D., Minn.) which would extend Federal inspection to the state plants.

This is the show-down time for "clean" meat. Unless there is an outpouring of mail and large show of support by labor unions, consumer groups and the general public, another wishy-washy bill will become law, to the satisfaction of a rich and strong lobbying group.

Meanwhile, when you buy your meat and meat products, look for those which have on their label a little circle with the words "U.S. Inspected."

[From the Minneapolis (Minn.) Tribune, July 18, 1967]

#### THOSE ABUSES IN THE SLAUGHTERHOUSE

"It makes me sick," was the reaction of a Minneapolis housewife upon reading in the Sunday Tribune about filthy meat slaughtering practices found in some Minnesota plants. She and other consumers have a right to be sickened and shocked over the lack of enough inspections to insure a safe total meat supply in this state.

Minnesota Agriculture Commissioner Russell G. Schwandt says the state does inspect meat plants twice a year or more for sanitary conditions. The state also runs tests of meat products to protect against adulteration. But Minnesota is one of nine states that do not require the crucial before and after slaughter inspections needed to keep out diseased animals, and to maintain a continuous check on slaughtering practices. Only the federal government does this here on meat bound for interstate channels.

In Minnesota, only 46 plants are federally inspected; 401 plants are not. The plant comparison exaggerates the problem because the large federally inspected establishments turn out the bulk of the meat products. The uninspected plants are mostly small operations. But this should not minimize the need for regular inspection of all plants. All meat should be safe.

A U.S. Department of Agriculture investigation showed what can happen from lack of regular inspections. Equipment was found to be unclean; pus, manure and urine had been splashed onto animal carcasses.

The shuddering result of such shoddy practices can be the spread of disease, such as salmonellosis—the increasingly prevalent cause of stomach aches often erroneously attributed to influenza.

The Minnesota Agriculture Department asked the 1967 legislature for \$200,000 to increase its meat plant inspection program. It failed to win approval.

Congress and federal officials are prodding the states to act, possibly with the encouragement of federal aid. The Minnesota Legislature dropped the bill this year; it should not repeat the mistake in 1969.

[From the St. Paul (Minn.) Pioneer Press, Sept. 3, 1967]

#### MEAT INSPECTION BILL PUSHED

Members of Congress have been hearing from voters back home on the subject of improved meat inspection laws. The message getting through to Washington is: We want more protection against unwholesome products.

As a result efforts will be made on the House floor to improve and strengthen the weak inspection bill recommended by the Agriculture Committee. This measure is due

to come up for action sometime in September.

Congressmen Neal Smith of Iowa and Thomas Foley of Washington believe there is now a good chance they will get enough support to substitute their own stronger bill for the committee plan.

The committee bill is good as far as it goes, but it does not go far enough. It would give the federal inspection service some needed new authority, but still would not reach directly the large flow of uninspected meats which reach butcher shops and consumer tables. These products are from packing houses and processors which do not ship across state lines. This exempts them from federal inspection. Billions of pounds of this unchecked meat are sold annually. The committee bill would offer incentives to states to inspect such products, a remedy of doubtful effectiveness.

Instead, the Smith-Foley measure would extend federal inspection to all meat plants with more than \$250,000 annual sales, regardless of whether their products are sold within one state or in many. This would reach nearly all of the meats now being sold without proper inspection.

Among backers of the stronger approach is the Amalgamated Meat Cutters and Butcher Workmen of North America, a union whose members have first-hand knowledge of packing and processing practices. It says: "Most consumers believe they are fully protected concerning the sanitation and wholesomeness of meat and meat products. Unfortunately, this is not the case. Some 16 per cent (5.3 billion pounds) of meat slaughtered in the United States annually, and some 26 per cent (7.3 billion pounds) of meat processed into sausages and other products are outside the protective framework of federal meat inspection. We consider the committee bill a weak, ineffective measure. We support the stronger Smith-Foley bill."

[From the Chicago (Ill.) Daily News, Nov. 18, 1967]

#### TO ASSURE CLEAN MEAT

Two facts stand out above all others in the current meat scandal:

In this day and age everyone is entitled to expect that the meat he buys will be clean.

People in Chicago, Illinois and elsewhere in the United States have not had that assurance.

The fact that a federal compliance officer reports numerous instances in Chicago of filthy conditions and unsanitary practices in meat plants does not, of course, indict the whole industry. Chicagoans are entitled to assume that meat processing and handling conform to acceptable standards.

But neither does the contention that conditions cited in the federal report have been corrected provide all the reassurance needed by the consumers.

Presumably, if federal inspection standards and practices applied throughout Illinois, neither the currently charged bad practices nor the horsemeat scandal of the Stevenson administration would have happened. But federal inspection presently prevails only at plants involved in interstate operations. That takes in 95 per cent of Chicago's plants, and a smaller percentage Downstate.

We believe that both the city and state would benefit from being brought totally under federal standards.

This is the object of legislation now in Congress, and the question is, how tough should the new law be?

A bill by Sen. Joseph M. Montoya of New Mexico would give states two years to meet federal standards or come under federal inspection. Another bill by Sen. Walter F. Mondale of Minnesota would impose federal inspection right now.

Either bill should do the job, but we like

the one that would get it done now. A substantial saving to taxpayers should result from elimination of the redundant inspection systems now maintained by the city and state.

[From the Des Moines (Iowa) Register, Nov. 4, 1967]

#### MEAT INSPECTION

Late support from the Johnson Administration wasn't enough to save a House amendment to the proposed Wholesome Meat Act which would have extended federal inspection to many packing plants that sell only within their own states. The House adopted the bill Tuesday after defeating the amendment 140 to 98.

The measure would update and clarify the original meat inspection law, which has remained almost unchanged for 60 years, and provide grants to state inspection agencies to meet federal standards. The amendment would have extended federal inspection to some 6,000 intrastate plants doing more than \$250,000 worth of business a year.

The House vote preceded revelation by The Register's Washington Bureau that the head of an organization of 600 western states packers had launched a campaign fund drive for "friendly" congressmen while the inspection amendment was still before the House. The drive was halted by the conservative congressmen who recognized that public disclosure of the fund would hurt the packers' cause. That the fund-raising effort was made, however, stands as evidence of the intrastate packers' financial interest in avoiding the expense of meeting adequate health and sanitation standards.

The House measure now goes to the Senate, where a bill has already been introduced by Senator Walter Mondale (Dem., Minn.) which incorporates provisions of the defeated amendment. Passage of the stronger version seems more likely in the Senate, but it would still have to face conference sessions with House members.

Debate in the House became a basically partisan argument between conservatives and liberals over states' rights. Republicans said the amendment "could virtually eliminate state inspection programs" by taking away part of their jurisdiction. And, they claimed, it would assign a state and local responsibility to the federal government.

Actual conditions within states do not support this argument. Twelve states have only voluntary inspection of packing plants, and 10 have no inspection systems at all. Even many states with mandatory inspection have understaffed agencies with insufficient budgets which are unable to do an adequate job of assuring consumers pure meat. Putting the larger packing plants under federal inspection would bring needed relief to state agencies, allowing them to do a better job with the smaller plants and lockers.

It is significant that virtually all House members now agree that action to improve state inspection systems is needed. In 1965, the 89th Congress ignored an Administration bill on this subject. Now, passage of at least the weaker proposal seems assured.

However, that is not enough, in our opinion. We hope the Senate will pass the full extension of federal meat inspection and press the issue with the House. It is absurd to defend state regulation as some fundamental principle of the division of governmental powers. Public health is a nationwide matter, and there is no logic to a system which tolerates no inspection for a large percentage of the meat consumed in many states. The arguments in favor of state regulation are sheer sophistry for permitting unscrupulous meat and poultry processors to foist off unclean and insanitary food products on the public.



[From the Baltimore (Md.) Sun, Nov. 23, 1967]

#### MEAT INSPECTION

Senators Mondale and Montoya have agreed to a wise compromise meat inspection bill. Mondale wanted immediate Federal inspection of plants producing meat for use within a single state. Montoya wanted states coerced to improve their own inspecting, with Federal agencies coming in only if after two years there was state default. The compromise bill calls for state-Federal cooperation, but allows the United States Department of Agriculture to intervene immediately if it finds in intra-state plants conditions that threaten the public's health. A Senate committee has approved this compromise.

There is an excellent chance that this bill will win Senate, then full congressional approval, even though the bill already passed by the House of Representatives is a very weak measure. The reason for this is that in just recent weeks public support for "guaranteed" meat has mushroomed. The general interest usually prevails over the special, when the public is informed of the issue and the issue is one pertinent enough to one's day-to-day living to cause enthusiasm.

When the bill becomes law, much credit should go to Representative Neal Smith, of Iowa, who has been fighting for greater control of intra-state meats since the beginning of the decade.

[From the Houston (Tex.) Post, Nov. 20, 1967]

#### MANDATORY MEAT INSPECTION

It is probable that when most consumers buy meat they assume that it has been inspected by some governmental agency somewhere to determine that the animal was not diseased and that the meat was processed and packaged under sanitary conditions.

Yet it is an assumption that may not be true. Texas is one of 22 states that do not now have mandatory meat inspection laws. It only has a voluntary law. As a result, it is possible for a housewife to buy meat in the state that has not been inspected by any governmental agency.

If there is any area in which the doctrine of let the buyer beware should not apply, it is that of public health. In today's highly complex and impersonal society, the responsibility for seeing that all foods and drugs are safe for human consumption is an especially important one. Every person should be able to buy any food or drug item offered for sale anywhere and be certain that it is safe, that it has been checked and approved by some public authority.

Proposals now are being considered in Washington to make federal meat inspection mandatory and extend it to cover meat produced and sold within the states. It is another case of the federal government being forced to do what the states themselves have not done adequately despite a need for regulatory action.

The Johnson administration originally proposed a co-operative federal-state inspection program, offering federal aid to the states willing to participate, but it would not have been mandatory. Later, the Department of Agriculture endorsed a proposal by Sen. Joseph M. Montoya of New Mexico that would give the states three years in which to set up satisfactory inspection programs. If a state did not act, then the federal government would step in with its inspection system.

More recently, the White House has thrown its support to a meat inspection bill sponsored by Sen. Walter F. Mondale of Minnesota, to make federal inspection mandatory within the states.

About 60 Texas cities, including Houston, have their own meat inspection systems, under the general supervision of the State Health Department. State inspectors and veterinarians also keep a watch on 42 plants

that requested inspection. But the inspection is not required. The slaughter houses and packing plants pay the costs of the program.

But much uninspected meat still is sold in the state. Nobody has the slightest idea how much. Plants that do not sell meat outside the state are not now required to submit to inspection. Most of the uninspected meat is sold locally. Purchasers are protected only by the conscience of the processor.

It would appear that, one way or another, there is going to be mandatory inspection for all meat marketed in the state, and if the state does not act to give the public maximum protection, the federal government will.

[From the St. Louis (Mo.) Post-Dispatch, Nov. 21, 1967]

#### A STRONGER MEAT BILL

A Senate compromise holds better hope than a House-approved bill of assuring public protection against impure meat.

The compromise is the work of Senators Mondale of Minnesota and Montoya of New Mexico. Originally, the latter Senator wanted to give the states two years to bring their own inspection procedures up to federal standards. Senator Mondale proposed immediate federal inspection of all packing plants, allowing the states to take over when they met federal standards.

Now the two Senators have agreed to give the states two years to develop adequate meat inspection, but the Secretary of Agriculture could act immediately against any plant whose products endangered public health.

Citizens under the impression that they already are protected from impure meat may be confused by all this. But the fact is that Congress has hardly changed meat inspection since it was adopted 60 years ago, applying only federal inspection and that only to meat in interstate commerce. Some 14,000 packing plants selling inside particular states have escaped federal inspection; only 28 states have mandatory inspection laws and these vary. The results, as congressional committees have been hearing, can be frightening for the consumer.

A few weeks ago the House overwhelmingly passed a bill for federal aid to encourage states to develop inspection programs to federal standards. This promised some help for the public, but the fact is that many states are not eager for federal money with federal standards attached unless it is for something like highways, which nobody opposes. Meat inspection has had far less priority in state capitals. The Senate compromise would give the states the aid but compel results. In the areas of a nutritional hazard it is the results which interest the public.

[From the St. Paul (Minn.) Pioneer Press, Nov. 26, 1967]

#### STATE MEAT LAW NOT ENOUGH

State officials maintained for some time that there were no serious problems with regard to sanitation in intrastate meat plants not subject to federal inspection. This attitude is now changed. The state Agriculture Commissioner has ordered a crack-down on processors not in strict compliance with the law.

In an "ultimatum memorandum" Commissioner Russell Schwandt said: "Some plants have failed to comply with orders from this Department to provide the facilities required to legally operate a slaughter-process plant in Minnesota."

State and Federal inspectors also have begun a joint check on intrastate operations.

These developments result from disclosures of undesirable conditions in some Minnesota plants which do not have to meet federal standards because they do not ship their

products across state lines. The disclosures came out of Washington in connection with Senator Walter Mondale's efforts to expand federal inspection services and standards to intrastate plants. His proposals have been opposed by Governor Levander.

While most meats sold in Minnesota are undoubtedly wholesome and processed under sanitary conditions, this is no excuse for permitting bad conditions to prevail in those plants which are below par. The public interest calls for complete compliance. State officials are in a far better position in their new attitude of vigorous enforcement than they were previously in their efforts to paper over the weaknesses of the situation.

Even 100% enforcement of state law, however, would not provide complete protection for the public. Minnesota's regulatory statutes are weak and the inspection system is under-manned. State controls apply to sanitary conditions of processing and slaughter plants, not to the condition of livestock before slaughter nor to the carcasses after slaughter.

Another grave weakness permits intrastate plants to process and sell meat products which contain more water, chemical additives, and "fillers" than are permitted by federal standards. In effect, this encourages legal sale of substandard products even though they may be made from wholesome meats under sanitary conditions.

The need for stronger federal laws to bring all meats up to acceptable standards remains. The Senate should pass the Mondale-Montoya Bill to achieve this result, and the House should do the same.

#### EXHIBIT 3

#### A REVIEW OF CERTAIN ASPECTS OF STATE AND FEDERAL MEAT INSPECTION SERVICES AND PROCEDURES

(By the Agricultural Research Service, U.S. Department of Agriculture, January 1963)

#### CONGRESSIONAL DIRECTIVE

House Report No. 2024 to accompany H.R. 12648 (87th Congress, 2nd Session), Department of Agriculture and Related Agencies Appropriation Bill, 1963, states:

"The Committee wishes to express again its concern that, though meat has already been officially inspected and passed for wholesomeness, public funds are also being expended for inspecting processed food products which contain portions of such inspected meat. This inspection deals primarily with such things as composition and ingredients of prepared meat products and is of primary value to the trade in the form of 'government inspected' labels. The Committee points this up since the cost of meat inspection has increased from \$9 million in 1947 to over \$24 million in 1962, an increase of nearly 170 percent in 15 years. Unless some changes in inspection procedures and coverage are made, the potential cost of meat inspection will soon expand far beyond reason. In this connection, the Department is requested to make a special study to determine to what extent it can certify State meat inspection services and license them to inspect meat which moves in interstate commerce."

#### A REVIEW OF CERTAIN ASPECTS OF STATE AND FEDERAL MEAT INSPECTION SERVICES AND PROCEDURES

This report has been prepared in response to a request from the House and the Senate Committees on Appropriations for a special study to determine to what extent the Department of Agriculture could certify State meat inspection services and license them to inspect meat moving in interstate commerce.

The Department has brought together and reviewed existing State laws covering inspection of meat, and sent trained personnel to observe practices and procedures for meat inspection in non-Federally inspected plants.

The Federal Meat Inspection Act and its



administration have provided a model of meat inspection by which many other countries have patterned their systems. Most States with legislation on meat inspection have used the Federal law as a basis for State laws. Thirty-four of the 50 States have statutes providing varying types of inspection services; 31 are actually carrying out some type of meat inspection activity.

#### *Comparison of Federal and State requirements for meat inspection*

**Federal**  
Pre-slaughter inspection of every animal.  
Examination of all carcasses and viscera.  
Supervision of sanitation of plant and equipment at all times.  
Mark of inspection on meat products.

Reinspection of meats that may have deteriorated during handling.  
Examination of all meat during processing.  
Prohibition of false or deceptive labels.

Criminal penalties for violations.  
Authority to withdraw or deny inspection for noncompliance.

Under supervision unfit meats and meat products condemned and destroyed for food purposes.

Inspection financed by appropriated funds, except for overtime. Industry reimburses USDA for overtime.

A review of the State laws reveals a lack of uniformity in requirements from one State to another. The laws vary widely with regard to scope and the extent to which they are implemented in actual practice. Some States have comprehensive laws, others provide only for ante-mortem and post-mortem inspection, and still others provide only for licensing.

**State**  
17 States have ante-mortem inspection.  
18 States have similar provisions.  
25 States have varying sanitary requirements.  
27 States require marking inspected products.  
6 States provide for reinspection.  
16 States have somewhat similar provisions.  
16 States have somewhat similar provisions.  
28 States provide some penalties.  
27 States—in varying degrees.

21 States include some provision for control of condemned meats.

9 States appropriate funds for entire cost of inspection. 8 States require industry to pay entire cost. 17 States share cost with industry.

Having a statute on the books does not in itself mean that a comprehensive meat inspection program exists. The degree to which such statutes are implemented varies from State to State, and from time to time within a State.

#### *Observations in nonfederally inspected plants*

The cooperation of State meat inspection officials paved the way for first-hand observations in non-federally inspected plants.

The Department's observations covered a cross-section of slaughtering and meat processing establishments. These varied in size from small operations, employing one or two persons, to large establishments employing many persons. USDA representatives visited these plants, sometimes in the company of State officials, sometimes alone. Visits were made to establishments in every State, except Alaska, whether or not the State provided for meat inspection.

The observations covered some very fine plants, with good construction, practicing modern principles of sanitation, and using trained inspectors who were doing a good job.

However, in other establishments the reverse was true—plants were poorly constructed for maintenance of adequate sanitation and operating without proper regard for sanitation and inspection. The observations revealed the presence of conditions and practices not acceptable under Federal meat inspection standards. Such conditions and practices were found in establishments operating in States with no inspectional controls of any kind; in some States where inspectional controls were weak; and in still others where inspection covered slaughtering operations but not the preparation of processed meats.

Some of the worst conditions observed included:

1. Allowing edible portions of carcasses to come in contact with manure, pus, and other sources of contamination during the dressing operations.

2. Allowing meat food products during preparation to become contaminated with filth from improperly cleaned equipment and facilities.

3. Use of chemical additives and preservatives that would not have been permitted under Federal meat inspection.

4. Failing to use procedures to detect or control parasites transmissible to man that

would lead to diseases, such as trichinosis and cysticercosis.

5. Use of inspection and operating controls that were not sufficient to prevent possible adulteration of meat food products during their preparation, with substances such as water, gum, cereals, or sodium caseinate.

6. The use of false or deceptive labels and packaging materials.

7. Failing to supervise destruction of obviously diseased tissues and spoiled, putrid, or filthy materials.

8. Working without any inspector, or with unqualified and poorly trained inspectors, without adequate supervision.

Observers reported meat from sick or unfit animals set aside in some plants for use in preparing human food.

#### *Extent to which department can certify State services*

Federal standards are the minimum to assure the public a meat supply that is safe, wholesome, and truthfully represented. In cooperating with the States in providing meat inspection services, the Department has determined, as a result of these findings, that it can recognize those establishments that meet Federal standards for sanitation in plant operations, wholesomeness of product, and accuracy of labeling.

In order for the Secretary to recognize and certify an establishment, that establishment will have to accept and use Federal standards, which are the minimum for the public interest. A number of establishments not now Federally inspected could qualify for certification with appropriate authorization on the part of the Secretary. Public Law 87-718 provides for cooperation with States in administration and enforcement of certain Federal laws.

When the proposal for this law was reported out of committee, the House Committee on Agriculture stated: "By granting authority to the Secretary of Agriculture to cooperate with the States, Congress does not thereby authorize the Secretary to establish Federal policy in accordance with State policy nor to modify Federal policy or statutory provisions. For example, should the Secretary enter into an agreement to cooperate with a State in carrying out Federal meat inspection, the eligibility and sanitation requirements of such inspection would be those of the Federal statute; the inspection would be Federal in-

spection, not State inspection, even though it might be carried out by a State employee; and the Federal policy that meat inspection may be done only by an employee paid with public funds would be controlling."

Since the enactment of P.L. 87-718, the Secretary has designated a joint task force to consider such cooperative arrangements. The task force includes Department personnel and representatives of the National Association of State Departments of Agriculture.

The Department already has strengthened its co-operation with States by providing technical counsel, when requested, for guidance to the States in improving their meat inspection services. In addition, collaborators have been appointed in 47 States to work with the Meat Inspection Division. These specialists, who are State employees and designated by their own State agencies, are appointed by the Secretary and without pay by the Department. They are invited to meetings with Meat Inspection Division personnel for exchanges of professional and technical information and views. Federal meat inspection officials also maintain liaison with the State collaborators at other times.

#### **APPENDIX I—ADMINISTRATION AND COST OF FEDERAL MEAT INSPECTION**

Adequate administration of the Federal Meat Inspection Act calls for the use of trained inspectors to perform specific duties in carrying out the requirements of the law. Of the 3,300 Federal meat inspectors, nearly 800 are veterinarians—graduates from schools and colleges of veterinary medicine. Their qualifications for this demanding work include professional training in pathology, chemistry, bacteriology, public health, clinical medicine, and related fields. This training provides background and experience for making an informed judgment on conditions of animal health, meat wholesomeness, and their effects on human health.

The assurance of safe, wholesome meats as provided by the Meat Inspection Act costs each consumer an average of 13 cents a year. If all inspection costs were charged against the number of animals slaughtered, the average would be only 22½ cents per animal for the 107 million animals slaughtered last year under Federal inspection.

Appropriated funds increased from \$9,160,000 in 1947, to \$24,216,000 in 1962. Of this \$15 million increase, \$10.1 million was used to cover Pay Act increases, and fringe benefits such as costs for employee health insurance and increases in retirement, as well as Civil Service Commission reclassification of positions.

Increases in per diem and mileage allowances, increases in costs for equipment and rentals, and the general increases in pay were taken from funds provided for increased program activities. Increased output per man enabled the Meat Inspection Division to function with a minimum increase in staff during the past 15 years. With an actual increase of only about eight percent in man-years, the Division increased the number of establishments served by 58 percent, and cities and towns by 39 percent. During this time the number of animals slaughtered under Federal inspection increased by 27 percent and the pounds of meat processed by 63 percent.

The decentralization of the meat packing and processing industry is one of the most significant factors in cost increases. During this period, the Department added 246 different cities and towns and extended service to 558 additional establishments. The number of added plants coming under Federal inspection in fiscal years 1957-1962 averaged 53 a year. In fiscal year 1963, the rate is about 30 percent greater. Plant production went up between 1947 and 1962. The number of animals slaughtered under Federal inspection increased from 84 million to 107 million, and processed meat and meat food products from 11 billion to 18 billion pounds.



Another significant change in the industry is the accelerated trend to convenience foods. These include the ready-to-eat and ready-to-heat-and-serve items, such as frozen dinners, meat pies, pizzas, and other specialty dishes. As the industry widens the range of foods offered in this category, it increases the number of processing procedures and ingredients for meat inspectors to know, and check.

Inspection coverage for such a rapidly expanding and changing industry has been through:

1. Improvement in plant design at the blueprint stage for new or remodeled facilities to provide for the maximum use of personnel.

2. Improvement of inspectional procedures and sampling techniques.

3. Provision of inspection coverage of plant operations after an 8-hour day and for third shifts on an over-time basis, for which time the Government is reimbursed by the packer.

#### APPENDIX II—WHY INSPECTION OF PROCESSING?

The Federal Meat Inspection Act is explicit in its requirements covering: (1) the inspection and examination of meat food products during preparation to assure fitness for human food; (2) the elimination of unfit products from human food channels; and (3) the prior approval of trade names to assure that meat and meat food products are not sold under false or deceptive names. Federal inspection is required at any slaughtering or meat processing plant that prepares product for interstate or foreign commerce, with only limited exceptions for retailers and farm prepared products.

Processing is the area of greatest potential for adulteration, contamination, and use of meat that has become unsound through improper handling. Once processing is completed, certain types of adulteration and deterioration are almost impossible to detect. This also is the area in which industry faces its greatest pressures of competition. Short cuts in procedures tend to accentuate the potentials in meat and meat food products for the use of practices and existence of conditions that may not be wholly acceptable from the standpoint of sanitation, wholesomeness, and safety that the public has a right to expect.

Meat inspection procedures for activities other than ante-mortem and post-mortem inspection have specific purposes. Here are selected examples of these activities under Federal inspection:

#### A. Prevention of diseases or parasitic conditions transmissible to man from meat or meat food products

**Trichinosis:** Trichinosis is an age-old disease caused by a parasite of carnivorous animals (including man). It is transmitted to man generally through the consumption of raw or improperly cooked pork muscle tissue. This nematode is microscopic in size and cannot be detected by gross visual examination during post-mortem inspection operations.

While only a small percentage of the hogs produced in the United States are affected with this parasite, any relaxation of trichinae controls could expose large numbers of the consuming public to this pain-producing and sometime death-producing parasite. This becomes increasingly important as consumer demands turn to the use of convenience foods, such as frozen meat dinners and ready-to-eat sausages that are served in the home after short periods of cooking at relatively low temperatures.

#### B. Prevention of adulteration with uninspected meat

Ante-mortem and post-mortem inspection assure that the meat for food is derived from healthy animals and is sound and wholesome. All meats used in processed food products in Federally inspected establishments

must originate from: (1) carcasses inspected and passed by USDA veterinarians within a given establishment's premises; (2) carcasses from other Federally inspected establishments; and (3) imported meat that has passed U.S. inspection.

Federal inspection controls prevent the use of unclean and unwholesome meat in the processing operations. Inspection at this stage is essential because certain adulteration cannot be detected once the processing is completed.

Last year, 22.2 million pounds of meat that had been passed on ante-mortem and post-mortem inspection were condemned on reinspection because of later deterioration, and destroyed:

|                         |                   |
|-------------------------|-------------------|
| Tainted                 | 9,214,424         |
| Rancid                  | 336,557           |
| Molds or foreign odors  | 1,524,398         |
| Unsound canned goods    | 495,834           |
| Unclean or contaminated | 10,324,132        |
| Miscellaneous           | 379,852           |
| <b>Total</b>            | <b>22,275,197</b> |

#### C. Prevention of adulteration with unsafe and unfit additives

Every year, new chemicals are developed that will preserve, emulsify, soften, color, increase water-binding power or inhibit rancidity of meat, and in many other ways alter the natural properties of meat. These are being offered to the food industry in ever increasing numbers. Some of these are good and represent progress in food technology. However, some are known to be unsafe and the safety of many others has not been established.

Normally, meat and non-sterile meat products contain bacteria that enter or may be deposited on meat through air, water, or handling. Generally, they are of the spoilage type; but toxin-formers or disease-producing bacteria may also be present. Meats that are prepared under good sanitary operating conditions, receive proper handling, and are adequately refrigerated will remain wholesome for several days. Improper handling of products, use of poor storage facilities for products, or use of excessively old meat ingredients produce changes in meat that are usually detectable by the consumer. These changes are brought about by an over-growth of spoilage organisms. Their presence in meat in large numbers can be detected by their products of growth, such as odor, change in flavor, and change in meat color.

Normally, the spoilage bacteria grow more abundantly and more rapidly than toxin or disease-producing bacteria. Usually, their products of growth delay or prevent normal development of toxin and disease formers. Therefore, whenever the normal growth of spoilage organisms is altered with chemical preservatives or antibiotics, the usual indications of spoilage may be absent. In this way, meat products may appear to have normal color, normal odor and flavor—yet these products, with preservatives but without evidence of spoilage, may contain toxins or disease-producing organisms.

Meat color can be improved by the use of dyes or the addition of chemicals such as sodium sulfite. Other chemicals, such as benzoate compounds, would serve to act as preservatives. These and other harmful practices deceive the consumer by making the product appear better than it really is. The use of harmful or otherwise unacceptable additives can be successfully prevented only by actions of trained inspectors having at their disposal competent laboratory facilities, such as those provided under the Federal system.

Antibiotics, such as aureomycin (chlorotetracycline), can be used as a substitute for good sanitation and to mask spoilage.

Other reasons for excluding antibiotics from Federally inspected establishments are:

(1) Antibiotics inhibit some spoilage or-

ganisms while not inhibiting others that might be harmful to consumers. This deprives the consumer of normal spoilage characteristics for judging product that is aged, that has been grossly mishandled, or held without proper refrigeration.

(2) The use of antibiotics in foods could encourage the development of resistant organisms in establishment personnel and on product. (Some hospitals have had similar experiences resulting from widespread use of penicillin.)

(3) The use of antibiotics in foods presents the possibility of sensitizing or rendering large segments of the population tolerant to them so that their use for serious medical needs would be nullified.

(4) Antibiotics, such as aureomycin, in food could damage normal bacterial flora in consumers.

#### D. Prevention of adulteration with filth

Federal inspectors, trained in principles of meat hygiene, supply supervision of overall plant operations to prevent the contamination of processed meats with filth and unsanitary practices. Relaxing, thinning, or removing processing inspection control, such as provided under Federal meat inspection, would set the stage for contamination of our meat supply with many kinds of filth.

#### E. Prevention of use of adulterants that reduce nutritional value

Federal inspection prevents the substitution of inexpensive materials such as gums, alginates, and cereals to cut costs of production. Water, as an extender, is the one we have to watch most carefully. Laboratory analysis is not a substitute for effective inspection that prevents deception from taking place.

#### F. Prevention of false or deceptive labeling

Label inspection control is essential for effective application of composition standards and to assure that the consumer receives a meat or meat food product accurately identified.

#### ALABAMA

##### Plant No. 1

On July 28, 1967, during a visit to the above named plant, the following was observed:

The cooler floor was dirty and had been partially covered with brown paper to catch blood drippings. The cooler contained a dressed hog with a sore on the side which had not been trimmed and several hogs with excess hair. Boxed product was stored on the floor.

The cutting table and curing bins for curing dry salt meat were wooden, making it impossible to properly clean them.

The dressing room had been cleaned and was ready for use, but the hog de-hairer was dirty as well as the cow skinning knife and saws.

##### Plant No. 2

On July 28, 1967, the following was observed at the above named plant:

This small plant had dirty floors in the processing room, dirty meat cases where most of their meat was stored, and the boning table had dirty sides and legs. Water pipes covered with brown paper were used to smoke link sausage, and the ends of the pipe not covered by paper showed an excessive amount of buildup.

The door was opened to the killing room and I observed a dirty wall and a dirty wooden table used in hog dressing.

#### ALASKA

##### Plant No. 1

While in Alaska recently I visited the subject plant which operates a meat fabricating and sausage manufacturing business without any inspection. This is a beautiful plant built since the earthquake with all modern stainless steel equipment. The plant looks



like it hadn't been cleaned properly since they started. The working areas are congested because of storage of cartons, spices, etc. The employees were dressed in street clothes and some of them were pretty dirty.

#### ARIZONA

##### Plant No. 1

This plant is a beef slaughtering house operating under the Arizona inspection system. The building is in need of repair, especially where walls, doors, etc., have been damaged. Meat handling procedures and sanitation should be improved. Slight odors of sewer gas were noted.

##### Plant No. 2

This plant is a wholesale meat jobber as well as a retailer (has outlet connected to plant). Operates under the State of Arizona meat inspection system. Building fairly new but overcrowded. Cluttered with cans, pans, equipment, etc. A great deal of room for improvement on their sanitation.

##### Plant No. 3

This plant is a wholesale meat jobber and conducts smoking of hams. It is under the State of Arizona Meat Inspection system. This building is new, but facilities are inadequate. Working areas are crowded. General sanitation is poor throughout. Smokehouse area is cluttered with storage of boxes, paper, bags, etc. Overall sanitation could be greatly improved. No sterilizers in the working areas. Wooden tables are in use. Equipment is inadequately sanitized.

#### ARKANSAS

1. On August 1, 1967, I contacted — owner of the above firm. This firm is not under inspection. It conducts a small operation and custom slaughtering, a wholesale and retail business. The daily volume capacity is 35 head cows, and 20 head of hogs. The owner claims all inedible products are hauled out and burned.

##### Plant facilities

1. No fly control measures instituted.
2. Small drain in slaughtering room floor drainage clogged.
3. Cement floor with cracks  $\frac{1}{2}$  inch deep and approximately  $\frac{1}{2}$  inch wide filled with blood and manure.
4. Open ceiling in kill floor, cobwebs hanging from roof.
5. Lighting system not adequate.
6. No hand washing facilities in killing room.
7. Employees not provided with sterilizing equipment for use when working on diseased or contaminated carcasses.
8. Killing room not properly ventilated.
9. House employees' aprons were dirty. It appeared that blood was caked on their aprons and had never been washed. Also their boots were filthy covered with blood and manure.
10. Toilets were not equipped with ventilation; trash was accumulating on the floor. The toilets and urinal was dirty and malodorous. They led directly to the boning room.

2. On this date I contacted Mr. —, owner. This firm has sanitation inspection only and it is conducted by the City Health Department. The owner offered to take me through the slaughtering plant. During this tour the following observations were made:

All doors, windows and entry-ways were not screened and were completely open to the outside, the butchers were just opening a cow. This cow had not been skinned before making the opening. When the employee or butcher had removed the viscera, he "pitched" the liver over onto a wooden table where 5 or 6 other livers were lying. When it hit the table swarms of flies flew up from the table. Mr. — showed me the hog dehairing machine. When he turned it on the flies were so thick I had to move back

away from it. The machine had not been sanitized and emitted a very foul odor.

The slaughtering room was not equipped with hand washing facilities. Also no facilities were provided to sterilize equipment when employees were working on diseased or contaminated carcasses. All equipment in slaughtering room constructed of wood and was covered with dried blood and manure. There was only one small drain located in the slaughtering room and it was clogged with blood and manure. Employees were dressed in plain work clothing wearing dirty aprons and boots. One employee was chewing tobacco and expectorating frequently on the floor.

All tables in the boning room were also constructed of wood. The surface of these tables was worn. Grease, blood and particles of meat were present. A strong offensive odor was given off.

All meat trimmings were packed in waxed poultry boxes that bore the Federal mark of inspection and the U.S.D.A. Grade A mark. I called this to Mr. —'s attention and explained to him that this is a violation of the Poultry Products Inspection Act and the Agriculture Marketing Act. We then went to the holding freezer. We observed that all of the boxes were labeled as noted above. Mr. — then instructed one of his employees to remove all labeling from the boxes in the cooler.

3. On this date I contacted — owner of the above firm. I was informed by — that they do not operate under City, State or Federal inspection. This firm also has attached to the slaughtering operation a wholesale and retail store. Their daily slaughtering consists of 15 head of cattle and 10 hogs.

— did not invite me into his slaughtering operations. Actually, when I asked him if I could see how they killed their cattle he said that he did not care to take me back to the slaughtering room but said some other time I came through he would gladly show me his plant. After I left him I went outside — I noticed two butchers or employees driving cattle to the kill. These employees were wading in mud and were wearing very dirty aprons and dirty clothing.

#### CALIFORNIA

Limited progress has been made in improvement of California State Meat Inspection since 1963. Some of the points important to subject are as follows:

1. Legislation to extend mandatory inspection to counties with population of less than 28,000 has been enacted. However, to this date, additional funds are not available to provide for the extra inspectional coverage.

2. Numerous plants located around the state regularly slaughter 4-D animals not for human consumption. These plants operate with little or no supervision and are an ever present possible source of unwholesome meat for human food in that there are no requirements which provide for the decharacterization of the product produced.

3. Canned meat food product is produced without any semblance of inspection on the part of California State Meat Inspection. A review of retort charts is made by the canner division of California Food & Drug but no control is maintained over formulation nor daily handling of product.

4. There is a real problem in California with plants which fabricate, bone or otherwise handle meat product in such a manner as to not constitute "processing". These plants are chiefly engaged in supplying hotels, restaurants, ship's stores, and institutions. There is no meat inspection supervision provided for such plants nor for "locker plants." Sanitation and product handling in such plants is often very poor.

5. The City of San Francisco is the last remaining City Inspection (state approved). This so called "inspection" is done by the

City Health Department and leaves much to be desired.

In our opinion, California State Meat Inspection personnel do a very creditable job considering inadequate laws, insufficient personnel and money.

No real progress has been made since 1963.

##### Plant No. 1

This subject plant is a wholesale jobber with a retail outlet located on the side. The only inspection furnished is "sanitation" furnished by the Los Angeles County Health Department which is not on a day-to-day basis. The building is fairly new and in good condition. The coolers could stand some cleaning. The working area was covered with sawdust. Under the working tables was an assortment of "junk". Equipment was dirty and the area lacked sterilizers for the men's knives.

##### Plant No. 2

Subject canning company operates with normal business permit, inspection furnished by the Los Angeles County Health Department. The operation is located in a building that is falling apart. It is infested with flies, cockroaches, and rodents since there are many openings located around the structure. Storage facilities are lacking, everything is out in the open. The cutting table where the tripe is cut is an old board, splinters are visible. The cooler is small, product is stacked on top of open containers, the whole place smells bad, the stench is terrible. There is nothing to help keep the operation clean, no semblance of sanitation.

##### Plant No. 3

Subject meat company operates under the supervision of the State of California Meat Inspection Bureau, their number is — and they are a wholesale jobber.

The walls and floors of the building are in need of repair. There are wooden top tables used in the cutting and boning rooms. There are no sterilizers located in the working area for the employees. Procedures in handling the meat are not correct. Cooler doors were left open allowing the cooler to get warm. Equipment needs to be cleaned. Edible and inedible receptacles need to be clearly marked and identified.

##### Plant No. 4

This canning company operates with a regular business permit. Inspection is furnished by the Los Angeles County Health Department. The operation is located in a building that is falling apart. It is infested with flies, cockroaches, and rodents. There are many openings located around the structure. Storage facilities are lacking and everything is out in the open. The cutting table where the tripe is cut is an old board with splinters that are visible. The cooler is too small; product is stacked on top of open containers. The stench is terrible. There is nothing to help keep the operation clean, no semblance of sanitation.

#### COLORADO

##### Plant No. 1

On the morning of July 29, 1967, I visited subject firm which is a processing plant only. The man at the chopper had a cigarette in one hand and was picking his nose with the other. Without washing his hands he [put] his hand into the comminuted product, felt the texture, and then added more ice into the mixture without any effort to weigh the ice. There is no processing inspection conducted in the city visited although their labels bear legends stating the plant is state approved and inspected.

The cooler ceilings and walls were covered with dirt, blood, fat, and black mold. The cutting tables in the beef cooler had big cracks and were sour smelling. A man was wrapping up pork shoulder picnics, dropped one in the sawdust on the floor, picked it up and wiped it off with a dirty sour rag.



He then placed the picnic in a used poultry box which still bore the marks of federal inspection and grading.

I demonstrated to management how these marks must be removed or obliterated, and advised them of the violation involved and the penalty involved for such misuse of the marks of federal inspection and grading.

Hams and frankfurters were being removed from the smokehouse and I did not witness any one taking temperatures of these products.

#### Plant No. 2

On July 25, 1967 I reviewed subject firm while checking on an alleged violation the Meat Inspection Act by one of subject firm's distributors.

Since this plant does not slaughter, only processes and fabricates meats, it is not subject to inspection and consequently sanitary conditions are very poor. Beef was being broken on an open dock by a dirt road in 95° weather. There were flies on the meat and there was no attempt to keep flies out of the plant. Drums of bones and meat scrap were covered with maggots. I picked up a used meat box and a large cockroach flew right into my face. Mr. Davis admitted using used meat and poultry boxes and was surprised when I advised him that the marks of federal inspection and or grading must be removed or obliterated before these boxes are acceptable for use.

I saw water being added to pork sausage and ground beef. The men lugging beef wore no protective covering over their street clothes.

#### Plant No. 3

On July 28, 1967, I surveyed subject plant. This plant slaughters and processes meat. The slaughtering is inspected but the processing part of the business is not inspected. I talked with one of the owners who at first was non cooperative and resentful of my presence in the plant. When I noticed he was reusing a meat box bearing the marks of inspection of a federally inspected plant, I called his attention to section 8 of the Meat Inspection Act and advised him of the possible penalty for such violation of the Meat Inspection Act. Upon receipt of this information Mr. Stauffer became a little more cooperative.

Meat being processed into sausage items such as frankfurters, and braunschweiger was not clean. Some of the pork trimmings contained skin with hog hair still on them. The coolers were dirty and the ceiling was covered with mould. The odor of the place upset my stomach. Cereal and nonfat dry milk was being added to product grease, due to a faulty gasket directly into comminuted product. The entire plant had more of the appearance of an inedible plant than an edible producing plant.

#### Plant No. 4

On the evening of July 28, 1967, at subject plant I noticed three cows in the holding pens. One cow, a Holstein, had a large swollen udder with what appeared to be infected with mastitis. The second cow appeared to be emaciated, and the third was a "cancer eye" with part of the skull around the eye eaten away with cancer and infection. Outside of the killing floor there lay a large Hereford bull with a broken leg.

On the morning of July 29, 1967, I visited subject plant and the cancer eyed cow, and the cow with the infected udder had already been slaughtered and were hanging on the rail in front of the cooler. They had just killed the emaciated looking cow and it was laying on the floor. The bull with the broken leg was still laying outside the killing floor. The plant was a former wooden army barracks, converted. It was in very bad condition. The walls and ceilings were of a porous type of material similar to celotex, but was so crusted with blood and filth that it was

difficult to ascertain what the material actually was.

#### Plant No. 5

This plant is very old and rundown. Sanitary conditions are far from adequate. Trucks and drums had the appearance of being reused over and over without ever cleaning them. Pipes were flaking rust into meat product. The walls and ceilings were dirty and mouldy. The floors were dirty with poor drainage. There was no effort to control the fly problem and there was strong evidence of vermin and roaches. This company too was advised of the requirements for re-using cartons bearing the marks of Federal Meat inspection.

#### Plant No. 6

On July 28, 1967 review of subject firm disclosed a small slaughtering and fabricating plant. The premises outside and the rooms inside could only be described as utterly filthy. Evidence of roaches and vermin was quite prevalent. There was no attempt made to control flies from entering the building. Water supply appeared to be from a well and the plant is located in a slum area where outside toilets are prevalent.

Although subject firm was not slaughtering at the time of my visit, the state livestock inspector at Pueblo, Colorado, stated that subject often slaughters 4-D type cattle.

#### Plant No. 7

During the evening of July 28, 1967, I observed the exterior premises of subject firm. To the rear of the building there was a dirt driveway. There were puddles of bloody, manure filled, stagnant water. Drums which appeared to be for use of inedible material were stacked near the rear of the building. Rats were working in the drums, and trash incinerator. As I watched I noticed a rat enter the part of the building which appeared to be the killing floor. The exterior of the building was wood and tin.

On the morning of July 29, 1967, I visited subject firm. It was more than evident that there had been no attempt to clean the place up from the previous day's business. The employee showing me through the plant attempted to explain that they never clean up until the beginning of the new day. The floor in the slaughtering room was rough broken cement, with very poor drainage. There were pools of rancid water, blood and manure on the floor. In the fabricating room they were breaking beef, grinding, and cutting steaks. The band saw had not been cleaned for several days and the bone dust in the bottom of the saw was filled with maggots. In the assembly room, I noticed rat droppings and tracks on boxes and wrapping paper and in the sawdust on the floor. They were not slaughtering at the time of my visit and management informed me that their meat inspector (city) only came around when they slaughtered.

I noticed that they were re-using meat and poultry boxes to pack their meat in. Closer observation disclosed that they were not removing the marks of federal inspection. I demonstrated to management how these marks must be removed or obliterated, and advised them of the violation and penalty involved for such misuse of the marks of federal inspection.

#### Plant No. 8

This plant has very poor drainage, sanitary conditions are deplorable, and the place can be smelled long before you get near it.

Rats, roaches, and flies have the run of the place. Hosing down of the killing floor was being done with cold water. No means available for sterilizing equipment and tools.

#### FLORIDA

#### Plant No. 1

This establishment produces most of its meat for human food. It operates with 3 men and 2 standby girls.

Average dog food meat produced is only 300 to 400 lbs. per month—about 5,000 lbs. per year. Also slaughters (in addition to cattle) 6 to 10 goats and sheep per year.

Obtains 4D cattle from farms (20 mile limit) and from the . . . says he will not take old dead—must be able to bleed. Limits pick-ups to about 20 miles because he can not use meat that has started to deteriorate. Does not pay for 4D animals.

He sells 4D meat in the form of ground beef. It appears edible—very nice looking hamburger. Does not decharacterize.

#### Plant No. 2

We asked ——— to present us to the inspector, and he told us the inspector was not in—they come and go unannounced. I inquired when an inspector had last visited the plant. ——— was sure one had come to the plant Wednesday (6 days ago), and thought one might have visited the plant the previous day. His 4D meat sells for 15¢ lb.

Labeling of his ground meat for dog food does not comply with Florida law—"Dog Food" in longhand on the packages is the only labeling.

#### IDAHO

Inspection of N.F.I. meat product in the state of Idaho is at a low ebb. Due to the recent dismissal of the former Chief, ——— it is reported that morale is at an all time low and little or nothing is being done.

It is our information that meat inspection in Idaho has regressed since 1963.

#### Plant No. 1

Unclean beef in cooler. Sanitation on killing floor poor. Inadequate lighting in slaughter area. Laminated boards in use on boning tables. Ceiling and loose paint throughout plant. Flies in and around loading dock and shipping area.

#### Plant No. 2

Scaling and loose paint throughout plant. Inadequate lighting in some areas. Cooler doors and jambs badly in need of repair. Beef carcasses rubbing wall with loose paint. Unclean beef (ingesta and hair) in cooler. Sausage material cooler badly in need of cleaning. Laminated boards used on boning tables. Flies on loading dock and shipping area.

#### Plant No. 3

Cattle being washed before hide removed. Head meat contained large amounts of hair and manure. Water pressure not adequate. Wash basin inoperative—no soap or towels. Walls throughout plant with block mold loose and scaling paint. Condensed stamped carcass in cooler not decharacterized. Calf carcasses in cooler very dirty. Beef carcasses in cooler dragging in sawdust. Meat being processed on broken plywood edible lard stored in basement in sump pump area. No doors on tank room from killing floors. Sour musty smell throughout plant. Sanitation very poor. Meat gondolas and tubs broken rusty. Hog heads in cooler awaiting boning very dirty.

#### INDIANA

#### Plant No. 1

Pork and beef cutting room—Here again the equipment was contaminated and rusty. Walls and overhead ceiling needed repair—cutting boards were silvered, etc. The kill floors, both cattle and swine, were old. The equipment badly in need of repair. The equipment, such as splitting saws, the hog viscera table and all the associated equipment on the floors were badly in need of cleaning. Again no hand washing facilities or sterilizers were to be found in the work areas.

#### Plant No. 2

Boning room—greasy meat scraps everywhere—saws, knives, steels very dirty. Table tops filthy. Walls in bad shape. Construction and sanitation poor.



Killing area in need of cleaning, rust and grease.

In all of the above areas no hand washing facilities or sterilizers were observed.

#### IOWA

##### Plant No. 1

Made the following observations at this plant:

Poor sanitation and housekeeping.  
Some wooden floors and equipment.  
Believed to slaughter cripples and downers at times.

##### Plant No. 2

I made the following observations at this plant:

Old and poorly maintained building.  
Poor sanitation, especially floors.  
Walls difficult to clean.  
Overcrowded conditions.

##### Plant No. 3

Hog slaughtering, curing, smoking, sausage making.

Processing is performed on second floor of farm building.

I observed the following during two visits to this farm:

Overcrowded conditions for all operations.  
Some wooden tables used.  
Equipment difficult to clean.  
Improper handling of inedible material.  
Low rails.  
Poor sanitation evident.

#### KANSAS

##### Plant No. 1

This plant operates with Grading Service. Cattle are slaughtered primarily with a few hogs being killed each week. This plant is clean, has good facilities, and adequate fly protection. At the time of my visit cattle were being killed but no Veterinary or Lay Inspector was evident. The plant operates under Kansas State Inspection. Federal Meat Inspection officials have been contacted regarding future Federal Inspection.

The lack of adequate post mortem was about the only undesirable feature of this plant.

##### Plant No. 2

This plant operates under Kansas State Inspection. I was conducted on a tour of the plant by owner. This plant slaughters only cattle, with a beef boning operation. The kill was not in operation at the time of my visit. No sterilizers were found on the filling floor or in the beef boning room. Rails were so low that many cattle were dragging the floor. Walls and ceilings were dirty. In the boning room equipment needed sanitation in the very worst way. The cutting boards were very dirty with accumulated blood and grease. Flies were in great abundance because the door from the cooler to the dock was not screened, or with any other adequate fly protection. This plant would never meet Federal requirements.

##### Plant No. 3

This plant has both an edible and inedible operation. The edible side operates under the Kansas State Health Department. The inedible operation is licensed by the Kansas State Livestock Sanitary Commission. This means that dead animals are picked up and boned for dog food. When I visited the plant I found the inedible side not in operation. Flies were numerous with no provision made to keep them out. The edible and inedible operations are conducted in separate buildings which are only a few feet apart. On the outside of the inedible building I found lying on the ground the viscera and hide from an earlier slaughtering operation. I could not tell if the viscera and hide were from a dead animal or not.

It is hard for me to understand the approval from the state for operations such as this in such close proximity.

#### Plant No. 4

This plant has a complete operation except canning. It operates under Kansas State Inspection. I visited with — one of the brothers who operates the plant and he agreed to conduct me on a tour of the premises. I found the cutting boards in the boning room filthy—food with accumulated grease and blood. No sterilizers were observed. The walls and ceilings recently painted showed evidence of fat and blood on them. The killing floor ally rails and overheads were dirty with accumulated dirt and grease. Only one sterilizer was seen for the entire kill floor. The kill was not in operation at the time.

In the sausage formulating room no provision for refrigeration. The floor was cracked and pitted. The smokehouses were dirty with accumulated carbons and grease. Sausage racks and sticks were very dirty.

Outside areas were graveled and dusty. A great deal of work is necessary before this plant would meet Federal standards.

#### KENTUCKY

##### Plant No. 1

This firm operates under the inspection program of the State of Kentucky. Able to slaughter 100 head of cattle or 300 head of hogs but not on the same day. Plant manager — conducted the plant tour.

Shipping and receiving.—The area was infested with flies, meat scraps, and accumulated grease covered the floors. The ceiling and the covers for the rolling doors facing the street had been painted, was peeling and badly needed scraping and cleaning. The rollers with hooks for the shipping and receiving of cattle carcasses were greasy and rust covered and hung on an old barrel for storage. A saw and meat cleaver used to cut and chop the sides of beef was hanging on hooks that probably had not been cleaned since hung on the wall.

Coolers were in a slightly better condition, loose paint, greasy rusty rails, and the floor grease packed. The break-up area, equipment, tables, grinders, saw and under the saw table rusty and contaminated. Ante mortem and inedible rendering areas were in a filthy condition. Apparently it is accepted by the plant that since they are as such, little or no clean up is necessary to make these areas sanitary. Both areas lead out to the street and the city and state should be more interested in a more positive control to keep flies, odors and vermin to minimum.

##### Plant No. 2

This firm operates under the inspection program of the State of Kentucky. —, Foreman, conducted the tour.

Shipping and receiving.—Small docks with porch like structure overhead, exposed to the elements. The walls, floors, pillars, and the immediate area on and around the dock were littered with paper, meat scraps, etc. There were containers stacked on the dock for use in the plant. These were encrusted with grease and filth from previous use; swarms of flies were everywhere. No refuse barrels were present and by the looks of the immediate area they do not use them. The area around the livestock yards; receiving and shipping docks had pot holes filled with water. Little is done to keep this area free from contamination. Sausage cooler small room, low overhead, poorly lighted, floor badly needed cleaning, dirty ceiling with loose paint hanging. The containers holding meat and the rack trucks located in the room were in need of cleaning. No refuse barrels or containers were present for the disposal of contaminated product.

Kill beef and swine.—This area was observed after the normal cleaning was conducted from the previous kill. The room is a small, poorly lighted, poorly ventilated, overly crowded room. The equipment, scalding tub, dehairing machine, etc., outdated, rusty,

highly contaminated. The walls, ceiling, floors, were filthy, fly covered; in fact, everything visible was badly in need of a thorough cleaning. This area, like the previous ones, had no sterilizers or hand washing facilities. This plant, without a doubt, is in need of some type of an inspection program that will assure the consumer some protection against a product manufactured under such unsanitary conditions.

This plant was recommended as part of this survey by USDA Meat Inspector, — who with 40 years of meat inspection claimed "the dirtiest plant I've seen in 40 years."

#### LOUISIANA

##### Plant No. 1

Throughout the plant very unsanitary practices in handling meat or meat product were noticed. Accumulation of rubbish was evident in the box storage area and corridors. The entire plant had a very unpleasant musty odor. Numerous flies were seen in the kill floor. In the back of the building there was a collection of dented, filthy, foul smelling drums.

##### Plant No. 2

The above is a pork curing and salting operation.

Observations: Procedures employed by the persons handling these pork products was very unsanitary. Fresh hams that are being salted are stacked against the walls in the cooler. Four inch high tile brick is used as a "container" for these hams. The first row of hams were being contaminated with the water splashed from the floor. The floor is very uneven, four or five water (muddy) puddles were noticed in this cooler.

Wooden barrels (originally containers for olives) are used to hold the pickled hams. The nine or ten barrels in this room were observed to be thick with slime, inside and out. The steelbands could not be seen for the rust that covered them.

The shovels, scales, metal meat trucks, and all the equipment used at this plant is rusty and filthy. Condensation prevails throughout this establishment.

##### Plant No. 3

This is a Louisiana State inspected establishment. —. The kill floor equipment and layout appear to be acceptable, with the exception of the lighting which was very poor.

The rest of the plant is old and visibly filthy. All of the walls are stained with greenish slime caused by humidity and condensation. The sausage manufacturing room has a very low ceiling (approx. 6½ feet high) partly covered with plywood. Unprotected light bulbs were observed in all working departments. The grinder, chopper, mixer and all other utensils used in the manufacture of meat products is old, rusty, and dirty and appears repulsive. Contamination of the food products produced at this plant is inevitable.

Beef lungs and condemned beef livers were being loaded into the bed of an open pick-up truck. No decharacterization of this material was performed. It was stated that these products were going to a mink farm to be used as feed for minks.

#### MASSACHUSETTS

All the above mentioned plants are located in Massachusetts, a State that does not have a meat inspection program. None of the plants mentioned receive any regulatory supervision. As far as I know, visits are made to the plants by State Inspectors only occasionally, and then only to advise them of the labeling requirements.

The owners and operators of the plants are placed on their honor to supervise the manufacturing processes, and the heating of pork products to arrest the action of trichina.

Products from all the plants mentioned, have been observed in most markets and



supermarkets in the Eastern half of Massachusetts.

On the 2 days that I observed these plants the weather was hot and humid, and flies were prevalent at all locations.

#### MICHIGAN

##### Plant No. 1

A State of Michigan meat inspection program has been in effect for nearly two years. Slaughtering operations are supervised by the State of Michigan Livestock Division while processing operations are under the jurisdiction of the Food Inspection Service. State officials are quick to point out that Michigan requirements are "tougher than federal." They refer to state stipulations for Michigan Grade 1 sausage products and fat content of ground beef.

Surveys of state supervised plants reveal an abundance of wooden equipment, rusted galvanized containers and frequent direct contamination of product. Michigan places edible and inedible material in the same cooler not susceptible of being cleaned and hardly suitable for inedible product storage. Flies infest the shipping area and excessive wooden equipment remains in use. The last survey at — in — revealed he had no supply of hot water for cleanup operations. Thomasma Sausage Company in Grand Rapids and — Michigan used 4-D beef supplied by — for a long period of time until the raid by the State Attorney General in September, 1966.

— operate under a unique system. The firm slaughters and prepares a limited number of comminuted products in quarters at the front of the premises. Just a few feet to the rear a 4-D operation is conducted. Advertisements for 4-D animals may be found in all local papers—except the town in which the operation is conducted. State authorities seem aware of the 4-D operation and its proximity to areas reserved for human food production. No diversion of unwholesome meat from the 4-D operation is suggested. It is suggested that the operation is highly susceptible to diversion and certainly not desirable. A slaughterer at — Michigan uses lime as a dehairing agent in his hog dressing operation.

In July, 1965, — faced trial at Marquette, Michigan on charges of having offered non-federally inspected meats for interstate movement from Michigan to Wisconsin. The presiding judge permitted testimony by company officials informing the jury that the new State of Michigan meat inspection law enforced regulations more stringent than those of the federal government and that under this state law meat products prepared by Vollwerth would be permitted to move in interstate commerce. Examination of the facts, examination of sanitary conditions and processing controls under State of Michigan meat inspection programs hardly bears out this court testimony.

#### MINNESOTA

##### Plant No. 1

In the sausage packing room there were many tables of wood construction exhibiting large cracks which were not conclusive to good sanitation.

It was also noted that flies were quite numerous in the plant, especially in the chopping and grinding area. With the number present it is quite logical to assume the possibility that a few could find their way into the product.

##### Plant No. 2

There was no examination of live animals prior to slaughter. Neither was there any post-mortem inspection. The lymph nodes were not examined and the animals were eviscerated without any indication of inspection.

Swine were being slaughtered at the time of my visit. They were not made free from

dirt, hair, or scurf during the scalding and dehairing operation. The toe nails were not removed but left on the carcass.

The viscera was dropped on the floor. The liver and the heart was then separated and washed in a barrel of water. They were then hung on a metal rack. The rack had been painted and was peeling badly. There was an accumulation of dried blood on the rack of probably several weeks duration.

Hand washing facilities were present on the killing floor and I noted that they were being used. There was an adjacent toilet room which opened directly to the killing floor and the door was standing open. Openings into the plant were adequately screened and no flies were present on the kill.

##### Plant No. 3

I ascertained that only a small percentage of animals received antemortem inspection; the inspector examined only those animals which were in the holding pens prior to the beginning of slaughtering operations. As a result the inspector did not have the benefit of antemortem findings or observations to assist in making proper post-mortem dispositions in many cases.

##### Plant No. 4

Ante-mortem examination was not being conducted. It is my understanding that any animals which can leave the South St. Paul Stockyards will be received and slaughtered without an ante-mortem inspection at the time of slaughter. At the time of my visit the animals in the holding pens did not show any evidence of disease. Dead animals are picked up by outside rendering facilities.

The room in which the viscera was separated and the heads boned was littered with extraneous material such as several cases of empty soft drink bottles, empty grease cans, etc. There was no evidence of vermin or flies, however, the doors were not adequately screened.

Boning operations were being performed on three butcher blocks which were fastened together. They were not, nor could they have been, properly cleaned. The meat band saw and meat grinder were both dirty and hadn't been properly cleaned for some time. They were both located in the beef cooler which had at least one inch of sawdust on the floor and no drain.

A very small amount of sausage is produced. It is all sold in the retail market in connection with this building. There was none being made the day of my visit, but the area in which the operation took place was also cluttered and in a very unsanitary condition. The inspector informed me that as none of the sausage was sold in Minneapolis they did not inspect that part of the plant.

The butchers in the slaughtering department impressed me as being the type who with the proper direction would have performed in an acceptable manner. It appeared to be a case of not being informed of proper dressing procedure.

##### Plant No. 5

This market also makes sausage for retail. The slaughtering room was small and cluttered with unusable articles. The sanitation was very bad, all the equipment was filthy dirty and rusty. The processing room was cluttered with boxes and the floor was dirty with old sawdust. In general, this establishment should not have been operating for human consumption.

This establishment is state licensed.

##### Plant No. 6

This plant is operated by — and he in turn does contract work for a restaurant chain in the area, which consists of cutting up fryers for use in restaurants.

This work is performed in an adjoining building and in a room, very warm room, which has no refrigeration. The flies were

thick in the place, the poultry boxes were dripping wet and the table and other equipment filthy. Mr. — stated he had no room in the locker plant itself and had to do the cutting up of fryers in the adjoining room.

The Slaughter room was dirty as was the equipment. Flies were present and there were no sterilizing facilities.

The Establishment is State Licensed.

##### Plant No. 7

This market also slaughters under the State of Minnesota License and is inspected periodically by the state inspector. Processing and sausage making is done at this place in Montgomery, Minnesota.

This establishment has given the State Authorities a considerable amount of trouble in the past. The owner is in the habit of going out to auction markets and to farmers and buying distressed animals for slaughter.

The slaughtering place burned out last winter and he now kills in a neighboring town.

The processing is done in the rear of the store and this is perhaps one of the filthiest places in which meat products are made.

The cooler is absolutely filthy, pans, tubs, and other containers have meat for cure, all in filthy condition. Two large wooden barrels are filled with meat in cure for sausage and are just plain filthy. A grinder was observed hanging in the cooler and this had not been cleaned at all.

The room for making the sausage was cluttered with all kinds of boxes and other empty containers. Ceilings were dirty and shelves were full of unused materials not for sausage making. The equipment was in very filthy condition. Nothing was done to keep flies or rodents out.

Yet, people buy the product from the retail store out front.

#### MISSISSIPPI

##### Plant No. 1

This plant slaughters and processes.

Facilities: Overcrowded. Hanging product bumped by vehicles. Dry storage needed racks. Some outside openings were not screened. Plant old and in poor repair. Lighting inadequate.

Equipment: Cutting and boning tables rusty and dirty. Storage racks of wood and in bad repair. Product transfer trucks in poor condition. Curing facilities made of wood and in bad condition.

Sanitation: Sanitation was not good. Obviously, congestion hampered clean-up. Some employees working with product without head covering. Employee clothing was not clean. One employee smoking in product room.

Premises: Considerable debris around. Fly breeding material in some places.

#### MISSOURI

##### Plant No. 1

This plant is operated by Herb Gorin and operates under the Kansas City Missouri Health Department Inspections. Cattle slaughter and boning operations are conducted here on a small scale. He is well known in the Kansas City Missouri Stock Yards for his purchases of Cancer eyed and other distressed cattle. I have visited this plant on previous occasions and have never seen a Veterinary Inspector or Lay Inspector present during killing operations. Containers for meat appear to be reused constantly without the benefit of being cleaned. On one occasion boneless meat from this plant was condemned at the Allied Meat Company, Kansas City, Missouri for filth and contamination. Allied Meats operates with a Certificate of Exemption. This condemnation was made by the Kansas City Missouri Health Department after it was called to their attention by a Federal Meat Inspector. No refrigeration was provided for the boning



room. Equipment, including boning tables was filthy. Poor housekeeping is evident. Floors are accumulated with grease and blood. The area outside the building is unpaved with loose gravel and dusty areas.

This plant would never meet the requirements for Federal Inspection.

#### Plant No. 2

I visited this plant recently, and noted the following:

Very old building and equipment; reasonable sanitation is next to impossible. Suspect that cripples and downers are sometimes slaughtered here. Low rails. No inspection of any kind.

#### Plant No. 3

Observed the following at this plant:

Very low rails, slaughterhouse and cooler. Overcrowded conditions.

No inspection of any kind.

Large dressed hog hanging from rail in cooler had shoulders touching floor. Carcass had not bled properly, indicating possible dying condition at time of slaughter. Carcass also had strong odor. I notified the Sanitarian of the Pulaski County Health Unit at Crocker, Missouri, who handled disposition of the carcass.

#### Plant No. 4

I visited this plant recently. Noted vile odors, surrounding the premises. Some deterioration of building and equipment. Some wooden equipment. Low rails; poor sanitation.

#### Plant No. 5

In many areas screens were not in place and the files were very much in evidence. Most equipment was rusty and in need of maintenance. Several wooden tierces used for curing hams were very dirty and many splinters were seen on the inside. In one area several employees were seen reworking fat trimming. The odor from the trimmings which were sour was noticeable from several feet away. When I questioned one of the employees about their use, he said they were just about right for product.

This is one of the filthiest plants I have ever been in.

#### Plant No. 6

This plant has a complete operation except canning. It operates under Joplin, Missouri, Health Dept. inspection. I met Howard Qualls, manager, and he agreed to take me on a tour of the plant. Floors are cracked and pitted. Rails in the kill and coolers are not high enough to prevent long carcasses from dragging. Beef were being killed and the veterinary inspector was present in his street clothing. He did no incising of glands or palpating. I never did see him touch a carcass or any viscera. No sterilizers were visible. Walls and ceilings were reasonably clean.

This plant has grading services. The lack of adequate post mortem inspection seemed to be the most glaring fault.

#### Plant No. 7

This firm does no slaughtering. It is a sausage and ham processing plant, and operates under the Kansas City, Missouri, Health Department. I was conducted on a tour of the plant. The ceilings, walls and floors are dirty, with flaking paint in many places including overheads. Cement floors of many holes and cracks and poor housekeeping is the rule rather than the exception. Wooden barrels used for ham storage are dirty both inside and out. The coolers are congested and very dirty with an accumulation of fat, blood and mold. This firm has a history of previous retail sampling which analysis revealed extenders and binders in excess of 8% and a considerable amount of added water in excess of Federal regulation. The sausage formulating room has an extremely high temperature and smoke houses were extremely dirty.

### MONTANA

#### Plant No. 1

The general appearance of premises, badly in need of cleanup. A lot of junk equipment and old lumber around the outbuildings and livestock pens.

Cutting and processing room, with wood tables and benches in need of cleaning, one particular bench used for cutting was water sodden and very dirty giving off a foul odor. Accumulation of junk, used boxes, and old material in room. Some flies in evidence in room. Cement floor in need of thorough cleaning, due to grease spots and dirt accumulation. Meat slicer not cleaned thoroughly for some time.

The smoke and curing room and vestibule was really filthy dirty, with accumulated junk and equipment. A small wooden wall and ceiling cooler used for smoked products in very bad shape, with some mold showing. Wooden shelves in this room, rotten and very dirty—is used to store cured hams and bacon.

Three carcasses of beef and two carcasses of hogs hanging in aging cooler appeared satisfactory. The room had old dirty sawdust on cement floor, which showed an accumulation of blood drippings. Wood walls and ceilings water sodden and gave off a stale odor.

### NEBRASKA

#### Plant No. 1

During the time that — were operating the firm, it was issued a letter of warning regarding the misuse of some labeling material bearing marks of federal meat inspection. The firm was also a supplier of uninspected frankfurters bearing an "all meat" label, which frankfurters were being sold to a holder of a certificate of exemption in —, and upon a sample being submitted to a Meat Inspection Laboratory, it was found to contain a percentage of extenders.

Within the last several years, the plant has inquired at the — meat inspection office relative to obtaining a certificate of exemption from federal meat inspection, and has also been fined \$50.00 in the Federal court in — as a result of a plea of nolo contendere to an allegation of having removed required labeling material from a product subject to the Meat Inspection Act, and having unlawfully substituted in lieu, a tag label of their own making, which also upgraded the product to discerning buyers.

I know for a fact that the firm maintains a meat buyer in the area at least two days a week, and that several of their refrigerated transports pick up various meat and product at official establishments in — this being a return trip after bringing sausage items from — to — for — based route trucks.

Various deficiencies noted during the tour included:

A "pile" of beef plates tipped over, and slid onto the floor of the room in which they were being boned. The workmen made no attempt to pick up the meat, and were working away at their usual chores when — and I entered the room.

Employees apparently not required to wear head coverings, neither male nor female employees, although some were covered. Other clothing acceptably clean, and in all cases white.

The freezer was a "mess". Gross disorder, and countless part packages, or boxes of various products, including some product identified by — as "rework." One container of this rework was filled with ends of various sausage from the slicing operation, and included the metal clips, and portions of casings at the time viewed.

A coffee pot was in business in the sausage packing room, and although the employees do have a welfare and lunch room, it was apparent that "lunching" on the job was al-

lowed, although none of this was actually witnessed.

The warehouse or box storage room was in considerable disarray with there seeming to be a lack of system, and all portions of this floor showed very clearly an accumulation of "walked in" fat and grease, from scraps of products, etc.

The stuffing area seemed to be not unusual for this kind of and operation.

The formulating area was perhaps a little more crowded than would be allowed under federal inspection, and a little more accumulation of fat, meat, and various debris, such as paper sacks etc. was such would not be allowed in a federal plant.

A number of window panes were noted to be in a cracked or broken condition in the manufacturing and stuffing areas, and also several between departments in swinging doors.

#### Plant No. 2

All floors throughout the plant were "dirty". Tub trucks were in some cases filthy, and in others liberally coated with a type of corrosion peculiar to those used for curing, and one such tub was noted, with a quantity of pork jowls in cure, in which the corrosion was from ¼ to ½ inch thick. Fragments of paper and other debris were noted in this truck, as though it had been used as a wastebasket as well as a curing receptacle.

Rework of various kinds was noted in a truck of the tub type, with the varieties being separated in the truck by means of ordinary butcher type wrapping paper. Smoke sticks were also on top of this load, and a bucket which obviously had been on the floor, was also placed on top of the other product, in direct contact, as was also a paper box, which appeared to be quite soiled, and perhaps had been on the floor.

A night man does the cleaning up for the firm.

One of the firm's catch lines on advertising and labeling, was "Sausage products with that old world taste."

Products are also brought to the plant from some stores, for such as curing and smoking, and then returned to the stores. This is done on a per pound fee basis, and such a proposal was being discussed by phone as I entered the firm's office.

### NEVADA

#### Plant No. 1

General sanitation very poor. Equipment in bad shape rusty and cracked seams. Water pressure not adequate and small water tank does not provide enough hot water. Loose and scaling paint in operating area. Files in operating area. Fresh pork sausage being produced in non-refrigerated room. Sheep casings used to stuff product unclean. Reused soiled containers utilized for packing product. No hand wash basins in plant.

#### Plant No. 2

Meat inspection is virtually non-existent in Nevada. There is no continuous coverage by inspectors of meat plant operations. So-called meat inspection consists of Health Department scrutiny of products offered for sale and could be compared to the casual scrutiny given to any product coming under their jurisdiction.

The State Legislature has recently enacted a new law which will become effective July 1, 1968. What the provisions of the new law will accomplish is unknown to us at this time. The new law has not been printed for distribution as of this date.

No real progress has been made since 1963 to date.

#### Plant No. 3

Some equipment body in need of repair. No hand wash basin soap or towels available in plant. Beef plates being used in the manufacture of product slick and slimy and their soundness questionable. Excessive ex-



tenders and water being used in "beef steaks." Hot water and water pressure inadequate for cleaning up. Finished product not properly labeled. Product labeled "veal steaks" contained mostly beef.

## NEW JERSEY

## Plant No. 1

All rooms operating or storage had wooden walls and wooden ceilings.

Approximately  $\frac{1}{8}$  inch water over most of the floors, indicating poor sewage and drainage if any.

No evidence of sterilizers where meat cutters worked.

Meat in unlined wooden slack barrels.

Shipping and receiving areas had no doors—6 ft. open areas. No fly and pest control.

This observed on meats within the plant. Meats in wet cartons on wet floors in preparation of use.

Floor lighting.

Live cats around loading platform.

No ingredient statement or labels indicating type of product.

## NEW HAMPSHIRE

## Plant No. 1

Slaughters about twenty-five cattle daily—6 days per week.

Establishment visited at start of days operations (7:00 a.m.)

No cleanup from previous operations (or for many days), all rooms (boning, processing, slaughtering) were dirty, cluttered, caked with blood, grease, filth. Men with dirty clothing were boning dirty meat on dirty tables. A partially used roll of meat tying string remained lying on the floor where it had apparently fallen some time earlier.

Lower extremities of beef quarters were in contact with the floor and dragged when moved.

For greater convenience in working on skinned and split beef carcasses being processed, butcher on killing floor dropped the entire carcass until the complete forequarters were lying on the floor.

Three cartons of moldy (green) smoked pork shoulder picnics were stacked on floor under the beef boning table.

All drums in use for holding bones and fat were rusty, dented and filthy.

Metal barrels containing boneless beef were corroded, greasy and filthy. Partially collapsed cartons containing meat were lying across the tops of barrels of meat.

Empty glass soda bottles and dirty clothing were scattered around the boning room (on tables, in corners, etc.)

Rear dock piled with bones and strewn with manure and paunch contents.

Boning tables, grinder, walls, ceilings caked with blood and grease.

Congested, cluttered area throughout with no evidence of any attempt at cleanup for many months.

The inspector was not present. Killing, boning and processing operations were being conducted.

## NORTH DAKOTA

## Plant No. 1

Upon entering the combination office and processing room I observed 2 men working with meat products, and another person who apparently was a visitor. The people working were dressed in work type clothing, and appeared very dirty. After waiting a few moments I asked if the manager was present, and said that he was sometimes called one. Stated he was — and the other workman was —, partners in the business. I presented my card as an introduction, saying my name and that I wished to become acquainted; also to review their operations. Right away, both persons appeared indignant and became obstinate. — remarked, "Oh, I know of your kind, you are one of those snoopy bureaucrats looking for bad things, so you can tell the newspaper people how

crummy we meat processors are, just like the Minneapolis paper done three weeks ago." It became quite difficult to even explain the purpose of my visit and more apparent would not even listen. — said, "No, I don't want to listen, I would rather that you would leave." Therefore, I excused myself, leaving as they desired.

This plant is a slaughtering plant, doing custom work for local patrons. Buying live animals, slaughtering, cutting up, making hamburger for sale to institutions and some retail stores in area. Operates under City and State Inspection program, with cost of veterinarian expenses paid by the plant.

## OHIO

## Plant No. 1

Kill Floor is a small room poorly lighted, located in the basement of the building. The doors and the ceilings are constructed of wood, no metal covering of any kind. All the equipment, dehairing machine, scalding tub, floors, etc. were filthy, grease and blood covered. There was no hot water facility for cleaning the equipment, no hand washing facility or sterilizers present. No container for meat products either edible or inedible.

Coolers were filthy, the walls, ceilings, in bad need of washing. Hooks used for the hanging of offal products, such as liver, hearts, spleens, lungs, etc. filthy contaminated. Containers filled with offal products were setting on the floor; the product covered with filth.

## Plant No. 2

Hog kill all the equipment the walls and ceilings were covered with loose fat, blood, and accumulated filth. The walls and ceiling had loose paint which was peeling. They had covered the ceiling with tar to keep down the condensation. Containers and racks used to hold livers and the head meat were rusty and contaminated. No sterilizers, hand washing facilities, refuse barrels, marked edible or marked inedible containers were to be found in the kill area.

Pork cut dripping from the ceiling, dirty tables and meat containers were observed. The power saw was covered with accumulated filth. Containers being used for meat products to make deliveries to retail stores were rusty and filth covered. Outside the Pork Cut a floor drain was stopped up, water had filled the alley; nothing was being done to correct this situation. Also, two coolers located off the sausage room were filled with offal products in tub containers. Dripping from the ceiling was falling into these containers, no effort on the company's part to alleviate this condition.

## OKLAHOMA

## Plant No. 1

On this date I surveyed subject plant in the company of —, I asked Mr. Boyd what he did with condemned carcasses, and his answer was, "I don't know. I've never had one. I have had some retained for the Veterinarian, but he has passed them for food."

The exterior of the building was in good repair and made a good appearance. The interior however was another story. The floors were rough and cracked; the walls and ceiling were peeling paint. The lighting for inspection was very poor. Meat was piled high in trucks and falling onto the floor. The smoke house doors were on an open run way and meat preparatory to going into the smoke house was on cages on an open rail outdoors. It was early morning but the temperature outside was already 80°. Flies were on the meat, the big blow type fly. I asked Mr. Boyd if he temperatured the meat and he said no, they usually pulled the smoked pork meat when he wasn't there.

In the processing room I noted that they were adding pork hearts to their ground beef patties.

Generally speaking the sanitation in this plant was very poor.

## Plant No. 2

This company slaughters and processes a full line of sausage and smoked meat products in a building which isn't fit to be a dog food plant.

Sewage water was backing up in one room. A dead mouse was laying in the corner of one cooler. There was putrid water standing in a hole where a scale had previously set. The floors were not only cracked, in some places there were holes where the cement had sluffed away as big as a grapefruit. These too contained bloody stinking water.

Doors into the building stood wide open with no attempt to screen out flies.

There is a Hide Company and a Rendering Plant within a stone's throw from subject company and the entire area stinks.

## Plant No. 3

— stated that this plant only slaughtered junk. I asked him what he meant and he said, you know old cows and bulls.

He said that occasionally they killed cancer eye and lump jaw cattle.

Review of the plant was revolting. Stagnant water stood in bloody puddles all over the place. The walls were covered with grime grease and mould. One beef carcass had an infected brisket and another had a large knee joint which appeared to be arthritic.

A butcher was boning out a beef round which had sour bone and the meat near the bone was greenish colored.

## Plant No. 4

I tried to survey this plant at two different times. Once on 7/29/67 and again on 7/31/67. Both times the place was locked up.

When I was at subject plant on 7/29/67, I went around to the back of the building and found an alley which dead ended at the plant. The exterior of the premises was filthy and stinking. I moved a meat barrel containing meat scrap and a rat jumped out and nearly knocked my hat off. I noticed that the rat entered the rear of subject plant.

This plant has no holding pens for livestock so it was apparent that the livestock is unloaded directly from trucks into the plant.

## OREGON

## Plant No. 1

Subject plant operates under Oregon State inspection and has been approved for grading. There is a threat of withdrawing grading as general sanitation is poor, inedible materials, slinks and animal food not properly decharacterization, inadequate fly control, exterior premises very untidy, unusually large collection of rubbish, inedible and condemned, room dirty. Doors, walls paint scaling off, lighting inadequate on kill and in boning room employees wear dirty clothes.

## Plant No. 2

I visited the subject plant at 10:00 a.m., Monday morning, July 31. The walls were splattered with emulsion from grinders and stuffers, there was water ankle-deep on the floor and employees were wading around like it was a normal condition. The lighting was poor and the ceilings were dirty. The concrete floor was cracked in a good many places, the smoke trees were evidently not cleaned. The plant operates under Portland City inspection. I was told the inspector comes in every day.

## PENNSYLVANIA

## Plant No. 1

Meat in holding cooler in direct contact with dirty standing water on floor. Ninety per cent of beef quarters on hand showed evidence of bruises, sores, etc. General sanitation of entire establishment was very poor.

## Plant No. 2

Packinghouse located at Pennsylvania was visited and a tour of the premises was con-



ducted by —. Cattle and swine are slaughtered and sausage products are manufactured. Country-style smoked hams are aged for six months on the premises. All areas visited had a disagreeable odor. — said this was because his septic tank was too small.

#### Plant No. 3

Files were prevalent in processing area. Large door with no screen was open at rear of building. Live animals are unloaded and enter at this door. No separation between this area and a packaging department.

Sausage processing room was piled with debris under racks and tables. Walls are of tile construction but needed repair and cleaning.

#### Plant No. 4

Racks for storing product in freezer were rusty. Trays used in the racks were rusty and badly in need of cleaning. Cardboard dividers were used to separate the meat product. This cardboard was being picked up from the floor after being walked on by the employees. Some of it was covered with blood from the floor. Dirt was prevalent on window sills behind table where product was being packaged.

Accumulation of filth in corners and along walls in processing room.

Nonfederally inspected beef was being sliced on a dirty piece of equipment.

Floors and walls in all areas needed cleaning.

#### Plant No. 5

Medium sized slaughter and processing company. Conducts edible rendering.

Two inch long paint scales hanging directly over exposed meat product in shipping room.

Doors, walls, floors, work tables and other equipment encrusted with grease and dirt.

Welfare room sewer plugged and water was pouring down stairway to two processing floors below.

Walls in all departments cracked and crumbling.

General sanitation very poor.

#### Plant No. 6

I visited plant while in operation. The place was very dirty. Personnel was dirty, working in street clothes, one was smoking. Equipment was in bad need of cleaning, there was a build up of grease and dirt that was not from the days operation. Mold was prevalent on the walls in the cooler where meat product was stored.

Entrance to the processing room was piled high with debris. All floors were covered with fats and particles of meats from days of accumulation. This plant processes a large quantity of beef products such as steak patties, wafer steaks, hamburger, and etc. The compliance staff recently reported a violation of the Meat Inspection Act by this firm.

#### Plant No. 7

Slaughter and boning. Sanitation very poor. Employees handling product with filthy clothing. Floors, doors, tables etc. encrusted with grease and dirt. Meat hooks and rails dirty and rusty. Dirty rusty metal drums for bones and fat.

#### SOUTH CAROLINA

##### Plant No. 1

Rusty equipment racks, tables, meat trucks, hooks, etc., in use in all areas.

Most floors covered with heavy deposits of saw dust.

Unclean pork fat being used in products. Heavy deposits of tar on smoke house doors.

Dirty smoke sticks in use.

Evidence of overhead leak and condensation drips in product working areas.

Products in freezer covered with dirty ice from refrigeration coils.

Paint peeling from walls and painted equipment.

Deep cuts and cracks in wood boning boards.

Low hanging, unprotected light bulbs in work area.

#### Plant No. 2

Dirty wood racks used for storing products. Floor in bad repair.

Tin roof over slaughtering and dressing area not rain proof (Many nail holes).

#### Plant No. 3

Killing and dressing area heavy with flies. Floors throughout plant in bad repair—poor drainage many puddles.

Rusty equipment—meat trucks, tables, saws, hooks, in use in the plant.

Boning boards rough and cracked.

Employee washing floor in cooler with strong detergent containing a disinfectant—splashing low hanging and low stored products.

Off condition livers stored loose in some area with other loose products.

Paint peeling off most walls.

Low hanging unprotected light bulbs in working areas.

#### Plant No. 4

Inspector—examining viscera during dressing operation in a community pan containing several sets of viscera.

Rusty rails, meat trucks, and hooks in use in the plant.

Floors throughout the plant in bad repair, many puddles.

Chopping table made of rough 6' x 6' many deep chips (app. 1 inch deep) cut out.

Paint peeling off walls.

Evidence of refrigeration ducts blowing particles of dirt on product.

#### TENNESSEE

##### Plant No. 1

Facilities: All departments badly crowded. Meat trucks, floats, etc. hauling meat came in contact with product because of congestion. Dry storage was inadequate. Knocked down boxes and cartons stored on floor in packing departments. Handwashing facilities not noted in some departments. Some outside openings were not screened.

Equipment: Metal product equipment was in poor state of sanitation. Some wooden cutting and boning boards were in need of replacement because of splinters. Wooden racks were in use for storage of product.

Sanitation: Sanitation was generally poor. Floors, walls, ceilings, rails and the main office were dirty.

Premises: Considerable debris around the outside of the building. Fly breeding places were noted.

#### TEXAS

##### Plant No. 1

"Sanitary practices are not considered in handling carcasses or meat. The equipment in the kill floor is rusty, and dirty with old accumulated filth. Evidence of rats can easily be found inside and out of the building. City water is used, but all drainage from this plant is piped into a creek located approximately 100 yards east of the building. Flies were seen by the thousands outside and of course inside on the meat. Dogs and chickens were running around loose in the yard of this establishment. The pens are about two feet high in accumulated stock manure."

##### Plant No. 2

Sanitary practices are not considered in handling carcasses or meat. The equipment in the kill floor is rusty, and dirty with old accumulated filth. Evidence of rats can easily be found inside & out of the building. City water is used, but all drainage from this plant is piped into a creek located approx. 100 yards east of the building. Flies were seen by the thousands outside and of course inside on the meat. Dogs and chickens were running around loose in the yard of this establishment. The pens are about two feet high in accumulated stock manure.

#### Plant No. 3

Smokehouse combined with a retail meat business and killing plant is located about five miles out of town. The surrounding environment is very unsanitary. The inside of this plant is as dirty and filthy as any place can get. Well water is used and the drainage from said plant is piped to a creek approximately 100 feet from the plant. Inedible material is picked up by the company of Texas. About 20 to 25 head of cattle are slaughtered per week.

This plant operates under no inspection, Mr. — indicated to me that he has been in business for seven years and has never been visited by a State health official. Further stated that a county officer from — checks his premises for sanitation occasionally. Observations: Flies, birds nests, cobwebs, weeds, manure, dried blood, causing very unpleasant odors welcomes any visitor to this plant.

#### Plant No. 4

This is a city inspected establishment, manned by two city inspectors, —. During my visit thru this plant I asked Mr. — what agent was being used to decharacterize inedible product that is being packed by this establishment. He did not know. Mr. — answered by saying powdered charcoal. Upon observation of the packing of said product I noted that very minute amounts of charcoal is being used per box. This product was being packed in used boxes still bearing the Federal Poultry Inspection legend and grade mark; — stated that the legends are removed as the product is being packed.

Edible meat drums were very dirty, contaminated with rust and the inside showed a very poor job of washing. Some of the lips were broken with meat embedded in. The paint on all walls is flaking off, some was evident on hanging beef fore shanks. Hair, bruises, and kill dirt was also noticed on these carcasses. Flies were swarming on the back dock. Spitting on the floor by an employee was noted. Several wore clothing that appeared to have been worn more than one day and was very dirty. The inedible drums in the boning room had an offensive odor. These were full of bones and others in the tank room were not being washed properly after they were emptied. The rails and trolleys were rusty.

#### UTAH

Inspection of N.F.I. meat product in Utah is rather ineffective. For some months there has been a vacancy in the top position. Dr. Versluis reached the mandatory retirement age and to our knowledge has not been replaced.

Historically political and religious interference in Utah has been prevalent. The result has been little accomplished in state meat inspection which affords consumer protection.

In our opinion no real progress has been made in Utah meat inspection since 1963.

#### VERMONT

##### Plant No. 1

July 28, 1967. Vermont's largest meat processor—operated for many years under the local (city) health department inspection. Recently came under the state program.

Old three story building—cement floors and walls. Many cracks and broken areas in both. Cooler doors wooden and water soaked. Many meat handling trucks rusty and corroded.

No separation between sausage stuffing room and refrigerating equipment area with result that the entire area is stifling hot. Employee's lunch room, with coffee urn, is one corner of a processing room. Prevalent use of wood racks and equipment in processing room, coolers and shipping area.



Old hardwood barrels with rusted hoops used for holding product in curing room. Boning room congested, cluttered and untidy, dented rusty barrels used for bones and fat.

Ice machine blades rusty and pitted.

A recent attempt has been made to "spruce up" the place with a heavy coat of paint on walls and some metal equipment.

Many openings between floors, with open stairways and storage beneath. A couple of these floor openings are used to drop partially processed meat from one floor to another. Only protection is a metal lining of the hole.

No restriction on storage of Nitrites.

#### VIRGINIA

##### Plant No. 1

No light bulbs, incandescent or fluorescent tubes, had protected devices on them. The killing floor equipment was rather primitive and rusty. The beef rail is not sufficiently high to prevent the beef carcass necks from dragging the floor. When I mentioned the low beef rail in the beef chill room and the kill floor to — he stated they were giving some thought to renovating the beef kill floor and raising the rails in the beef chill room.

The livestock receiving and holding area was paved with badly cracked concrete and poorly drained. The wooden pens were badly in need of repair.

All storage of containers in all operation rooms were on wooden truck type pallets or were placed directly on the floor. Sanitation in this plant was lacking. Approximately three-fourths of all work tables in the plant were of non-approved wood construction.

This firm employs approximately 15 regular employees. They do not have a dressing room or an eating area for the employees.

#### WASHINGTON

##### Plant No. 1

I recently visited the subject plant which operates under Washington State inspection. It is an old wood and concrete structure. Killing of cattle done in a small area. Sanitation and lighting very poor. Inedible material hauled way to a rendering plant without decharacterizing. Fabricating on wooden tables and sawdust on the floor. Exterior premises dirty with barrels of inedible material sitting around.

#### WEST VIRGINIA

##### Plant No. 1

Exhibit 1 shows in the foreground the sewage settling lagoon and two windows near the roof of the main building. At the time of my visit these windows were propped open and not screened.

Exhibit 2 shows on the right end of building two rooms approximately 6 x 8 feet each. In the lefthand room is the refrigeration compressor equipment. The righthand room is storage for unopened containers of spices but both rooms also have miscellaneous odds and ends, rubbish, etc. in them. Each room has a double door constructed of wood, which in the summer is generally left open, making the rooms excellent harbors for rodents and vermin.

Exhibit 3 shows the livestock receiving area and unloading gate at the left end of the building together with a double door, both of which have openings where rodents may enter. Also note in this exhibit ruts in drive area and unused odds and ends of wood and equipment littering area.

##### Plant No. 2

The killing floor is approximately 20 x 50 feet and has a wooden knocking pen of undressed lumber with an open beam and ceiling constructed of wood. The floor is of rough concrete with only one three inch drain, with a minimum amount of necessary killing floor equipment, including a par-

tially painted rusty metal table used to trim beef, head meat, lips and heart which are then dropped into an unsanitary battered large type drum of approximately 50-gallon capacity which is half filled with water that is contaminated with ingesta material, hair, etc. for a community bath. When the killing is over this drum is moved into the chill room.

On a liver rack truck I observed two beef livers that had small abscesses on them; also one abscessed and one parasitic pork liver. Pointing this out to Mr. Thompson, he remarked that they were going to recheck the livers and indicated a wire-bound wooden poultry type shock box which was half filled with badly abscessed liver and other offal, saying that there was where the inedible products go and the boxes marked with a felt oil type pencil "Fish Feed".

Of four windows, each approximately 18" square, which were screened, two of the screens had holes approximately the size of a small grapefruit. In my opinion, this killing floor is a very primitive type operation. Each week they slaughter approximately 40 cattle of the grade previously mentioned, 8 hogs of the type mentioned and on the average 5 calves and sheep.

#### WISCONSIN

##### Plant No. 1

City of Milwaukee ordinances do not require continuous inspection of calves and lamb. —, operating under City of Milwaukee Health Department regulations, slaughters approximately 1,000 calves per week. No inspector is present during slaughtering operations. Each morning a non-veterinarian employee of the City of Milwaukee examines and stamps calf and lamb carcasses slaughtered the previous day so each carcass, though having received neither ante mortem nor post mortem inspection, proudly bears Milwaukee Health Department marks of inspection.

##### Plant No. 2

— operating under City of Milwaukee inspection, had been a prime recipient of cancer eye and diseased cattle shipped from Montana. These diseased cattle had been approved for interstate movement to approved slaughtering establishments by Montana authorities but had been "shortstopped" by an enterprising cattle dealer and diverted to a more lucrative market—often —.

Present requirements within the state include only token surveys at six month intervals. Utilization of by products as a substitute for meat ingredients in comminuted products is still commonplace. Ham loaf rarely includes ham; pork trimmings and veal with appropriate amounts of cereal would be more likely. Trichina controls have been voluntarily subscribed to by many sausage manufacturers out of fear that a "Brownsville incident" will ruin their business. The old die hard German sausage maker still remains outside this mainstream of nebulous compliance. He still contends frozen pork or heating to 137 deg. F "ist nicht gut fur die wurst" and very difficult to convince otherwise.

Packers operating within small communities such as — demand inspection from local authorities to lend that aura of respectability to their products. These inspectors are responsible to the packer. As an example, the inspector, a layman, assigned to — conducts swine and cattle post mortem inspection without ever having had training for disposition determination. Sausage, ham, and bacon produced by the company bears the marks of city inspection yet the inspector has no knowledge of restricted additives, formulations, processing etc. and admittedly exercises no control over comminuted product production.

Startling improvements in sanitation have occurred within recent months. Much still remains undone. Certainly the steady hand

and influence of some impartial government agency is mandatory if realistic and meaningful sanitation and product control is to become effective and replace haphazard and nebulous current inspectional systems.

Recently enacted legislation has provided a State of Wisconsin meat inspection program. Though initial portions of the program are scheduled for implementation January 1, 1968, effects are already apparent.

In 1963, I had been requested by the Inspector in Charge at Milwaukee, Wisconsin to survey sanitary conditions and processing controls at the nonfederally inspected plants throughout Wisconsin. The 1963 survey revealed deplorable sanitary conditions and an almost lack of processing controls. Excessive use of cereal extenders, substitution of meat byproducts for meat ingredients, minimal or no control over restricted additives, deceptive labeling, rotted wooden equipment, rusted containers, frequent and direct contamination of product, token cleanup methods, all were generally accepted and commonplace.

Subsequent surveys of exempted establishments and sausage manufacturers supplying the exempted establishments has revealed gradual improvement. Within the past 18 months this improvement has been accelerated and has become startling. Undoubtedly apprehension over requirements of the impending state program has been largely responsible. Many local meat packers speak of "going federal" and accordingly modify processing methods, obtain new equipment and improve existing structures.

Events such as the Brownsville incident in which 38 people became ill with trichinosis and the ease with which —, et al. could move undetected about the state fostered a general awareness that some governmental sanction was vital and necessary to provide and mirror a favorable meat production image in Wisconsin.

Current surveys still reveal many discrepancies at variance with U.S. requirements. Page after page would be required to enumerate specific examples in specific plants. Common discrepancies generalized to most plants include excessive use of wood not susceptible of adequate sanitation, rusty galvanized equipment, direct contamination of product from overhead structures and ineffective cleanups. Little control exists over formulation and ingredients.

Mr. YOUNG of Ohio. Mr. President, it is my hope that later today we, without even one negative vote, will pass this much-needed bill that was reported unanimously by the Senate Committee on Agriculture and Forestry.

May I at the outset express my congratulations to and admiration for those Senators who have participated in bringing this fine measure out of the Agriculture and Forestry Committee.

The present Presiding Officer (Mr. BYRD of Virginia), as a member of the Committee on Agriculture and Forestry, I am told, worked very hard in committee, over a number of days, and assisted greatly in perfecting the bill which we are considering. I know, except for the fact that the Senator from Virginia is occupying the seat of the President of the Senate, he would like to add his voice to the remarks that have been made here.

Perhaps I should not say a word in support of this measure. As a former trial lawyer in Ohio, I know the danger of overtrying a case. We have listened here to magnificent arguments made by the distinguished Senator from New Mexico [Mr. MONROYA] and the distin-



guished Senator from Minnesota [Mr. MONDALE], both of whom worked hard in committee and who have presented fine arguments for the passage of this needed legislation. They are doing something today for the housewives and families of America.

Mr. President, American housewives should never have to take a chance on purchasing dirty or unwholesome meat. For the most part, Americans are receiving the finest and most wholesome meat of any people in the world. However, the fact is that there are some unscrupulous meat producers and processors who peddle meat which does not conform to Federal standards. In short, too often contaminated or unclean meat is sold to unsuspecting consumers.

The outmoded Federal meat inspection law has been on the statute books with little change for more than 60 years. Times have changed. The slaughter of livestock is no longer concentrated in Chicago and in other large meatpacking centers. In recent years slaughterhouses have become much more numerous and have moved closer to livestock feeding areas. At the same time, plants manufacturing meat products tend to be located near the large consumer markets.

Under present law Federal inspection is limited to meat transported in interstate and foreign commerce. However, much of the meat produced and processed in the Nation today never crosses a State line. Only about one-half of the States today provide mandatory inspection of meat and meat products that move within State boundaries. Eight States have no meat inspection laws whatever, although all of them do have general food or sanitation statutes. This is an unconscionable situation. Many of the States simply are not doing their job in protecting their citizens from unhealthy or unwholesome meat.

The need to update our present national system of meat inspection is urgent. Despite the attempts of the States to do so, many have not been able to accomplish this task on their own. One reason is lack of money to finance State programs.

Mr. President, when it comes to a question of the cleanliness of the meat we eat, frankly, it is no time to quibble unduly about States' rights or costs. We need the strongest possible meat inspection bill. A watered-down measure is not good enough. One estimate of the cost of good consumer protection of meat sets the cost at less than one-sixth of a cent per pound of meat. Contaminated meat, dirty meat, meat from sick animals, and meat not good enough for dog or cat food must under no circumstances be permitted to be sold for human consumption.

Adequate protection can be accomplished within the framework of our Federal system. However, the bill passed by the House of Representatives does not go far enough. It lacks the power to move States that might be laggard in establishing and enforcing meat inspection laws to take steps to protect the well-being of consumers within their jurisdiction.

The distinguished junior Senator from New Mexico [Mr. MONTANA] and the dis-

tinguished junior Senator from Minnesota [Mr. MONDALE] are to be commended on their efforts to strengthen, update, and reinforce meat inspection procedures throughout the Nation. Many of their proposals have been incorporated in the pending bill, S. 2147, which is certainly a great improvement over the bill passed in the other body.

The legislative proposal under consideration will preserve the basic Federal-State cooperative relationship. It provides for Federal technical and financial assistance to individual States to assist them in development of State standards at least equal to Federal standards. This financial aid could amount to as much as one-half of the cost of a State program. States would be given 2 years to establish such a system, unless the Governor elected to come under the Federal system immediately. Also, the Secretary of Agriculture would be empowered to inspect intrastate meat plants during the 2-year interim period and to take immediate action against any such plant that endangers public health if State officials failed to eliminate the health hazard. If within 2 years a State failed to provide adequate meat inspection for meat produced and processed within its borders, complete Federal inspection service would be provided in that State.

This proposal allows States that choose to expand their programs to do so. If a State failed to put its own house in order, Federal inspection would be extended to all slaughter and meat-processing plants in that State without regard for whether or not the meat moved in interstate commerce.

Mr. President, I am happy to report that the new Ohio meat inspection law which becomes effective next July 1 provides regulations which are the same as Federal rules applicable to meat sold in interstate commerce. Ohio consumers will be protected against adulterated meat regardless of what meat inspection bill is passed by Congress. But we need this bill, and we need it very much. The people of the Nation need it, and, as I said at the outset, it is my hope that there will be not one dissenting vote cast when the Senate votes later today. My State of Ohio is counting on the Federal Government to pay for one-half the cost of the State program, estimated at \$1.7 million a year. I am happy to report that my home city of Cleveland has had an inspection program based on the Federal system since 1908. I am hopeful that with enactment of a meaningful Federal meat inspection law, citizens of all the States can enjoy the same protection as all citizens of Ohio will soon be afforded.

Mr. President, the States should have one more chance, with Federal aid, to do what many have neglected in the past. If any State should fail to take advantage of that opportunity within 2 or 3 years, there is no rational alternative to Federal inspection of all meat plants within its borders.

The health of the people of the United States is certainly one of our primary concerns. We must without delay pass this meat inspection bill to correct once

and for all abominable conditions which exist in many States under existing outmoded legislation.

President Johnson is to be highly praised for speaking out urging that we in the Congress, before adjournment, pass pending bills providing consumer protection. The meat inspection bill which we are presently debating is greatly needed in all sections of the United States. This was the first consumer protection bill referred to by our President when he recently listed various bills to protect consumers that he hoped Congress would pass before adjourning. Our colleagues who in committee rewrote the bill from the other body and sent from committee to the Senate this greatly amended and strengthened bill, deserve our praise.

It is my hope that before adjournment next month we in the Senate will enact strong bills requiring safety regulations for the building of pipelines.

That is another needed legislative proposal that the President said he hoped Congress would enact before adjournment. Also, we Americans may expect there are likely to be some tragedies at Christmastime due to the delay in enacting into law legislation now pending in Congress to provide adequate protection against flammable fabrics. Such a measure is also on the President's list.

We read daily in Washington newspapers of citizens having been swindled in real estate deals and deceived by sharp operators who make extravagant claims as to what they will do and then secure signatures on the dotted line contradictory to promises they have made. This swindling in the real estate and home repair fields must be ended by enactment of pending legislative proposals. That is another of the proposals for the protection of our citizens to which President Johnson referred.

Finally, Mr. President, I am hopeful the House of Representatives will soon act on a really strong and effective truth-in-lending bill. I have spoken out in favor of that measure before, supporting the position of the distinguished Senator from Wisconsin [Mr. PROXMIRE]. Many Senators who are now present in the Chamber supported truth in lending when it was introduced by that great former Senator from the State of Illinois, Mr. Douglas. Truth in lending is another proposal which the President urged Congress to enact before adjournment. We in the Senate, of course, passed such legislation earlier this year.

The hour is late. We should proceed to pass legislation to protect the consuming public of our Nation.

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

Mr. YOUNG of Ohio. I yield.

Mr. MONDALE. I should like to take a moment to commend the Senator from Ohio for his characteristic courage and brilliance on this important issue of adequate meat inspection for the protection of the American consumer.

It was recently my privilege to speak in Ohio, and I was delighted to find that the citizens of the Senator's State have the same high impression of his performance as do we. They are delighted



with and proud of their Senator from Ohio [Mr. Young].

The Senator's speech today is characteristic of the reasons why his constituents hold him in such high esteem. I was particularly grateful to see the Senator place this issue in perspective, first by pointing out its primary importance, and the fact that the President has listed it as No. 1, but also indicating that there are also a number of other consumer-related issues pending before the Senate and the House of Representatives which also need to be acted upon, if we are to fulfill our responsibilities for the protection of the American consumer.

I congratulate the Senator for his fine speech, and am proud to serve in the Senate with him.

Mr. YOUNG of Ohio. I thank the Senator from Minnesota for his very flattering remarks.

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

Mr. YOUNG of Ohio. Yes. In fact, I am about to yield the floor.

Mr. MONTOYA. Mr. President, I too, commend the distinguished Senator from Ohio for his great contribution here this afternoon. His wisdom in seeking to protect the general public has always been evident at least since I have been here.

I commend the Senator from Ohio for his splendid statement today with respect to the American consumer, and the responsibility that we should assume for his protection. Certainly, the Senator's constituency is to be congratulated, because he has always been present in this Chamber, fighting in behalf of every important issue affecting his constituency and the American people, and has always lifted his voice with fervor to try to articulate his views, which are indeed the product of great wisdom and good reasoning.

I commend the Senator from Ohio for his contribution.

Mr. YOUNG of Ohio. Mr. President, I thank the distinguished Senator from New Mexico for his very fine statement regarding me. It makes me feel very good, indeed.

I yield the floor.

Mr. MONTOYA. Mr. President, I do not want to let this moment pass without commenting on the statement made by the distinguished Senator from Minnesota.

The Senator from Minnesota made a very forthright and excellent statement which will contribute to the debate and the legislative history of the pending legislation.

As I said before in my principal statement, the Senator from Minnesota has given of his time, energy, wisdom, and good judgment in an effort to reach what we consider to be the best possible approach to the problem facing us with respect to the American consumer. I also thank the Senator for the kind words which he expressed in my behalf.

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

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, the nature of the proceedings by which we arrived at what some have, I think, mistakenly referred to as a compromise requires some explanation to be made here.

I do not regard the proposal that we have unanimously recommended from the Committee on Agriculture and Forestry to be a compromise in any sense whatsoever. It is an agreement which men of good will have reached in an effort to achieve the objective of wholesome meat for the American consumer. This was not a question concerning whether such protection would be afforded. It was a question of how such protection would be afforded.

It was a highly complicated, technical, and difficult matter to achieve a proposal which would move us along toward that objective as quickly as possible.

At all points during this effort the Senator from New Mexico showed not only his devotion to the objective of this legislation but also the brilliance and craftsmanship of an outstanding lawyer in the development of a law which I think will be a landmark of careful, practical, and effective legislation designed to protect the American consumer and to show proper deference and devotion to our Federal system and an understanding which the industry is entitled to, as well. I think we blended all of these things together without in any way compromising public health.

Our efforts could not have been successful had it not been for the singular devotion of the Senator from New Mexico.

Mr. MONTOYA. Mr. President, I thank my good friend, the Senator from Minnesota, for his kind remarks.

Mr. MONDALE. Mr. President, in my remarks I neglected to point out that two organizations which represent the broad cross section of employees working in the slaughtering and processing fields across the Nation, both Federal and intrastate—the Amalgamated Meat Cutters and Butcher Workmen of North America, represented by Mr. Lloyd, their president, and Patrick Gorman, their secretary-treasurer, and the United Packinghouse Food and Allied Workers, under a Minnesotan, Ralph Helstein—are to be given great commendation for their leadership and for speaking out in the interest of the American consumer. And they did so from a special vantage point. They are the people who work in these plants. They are the people who, day in and day out, know perhaps more about the condition of meat slaughtering and processing than do any other people in the country.

Mr. MONTOYA. Mr. President, I share the opinion of my good friend, the Senator from Minnesota, with reference to these devoted people who came here primarily to protect the consumers and to lend of their experience with respect to a provision for helping the consumers in this country.

At all times while the distinguished Senator from Minnesota and I worked on the pending bill, we had the bill on top of the table, and we invited everybody to come before us.

We wanted to eliminate opposition, and the only thing we told them was that uppermost in our minds was the knowledge that we had to have some good, effective legislation for the protection of the consumers.

These people came in and consulted

with us, whether they represented the consumer groups or industry groups or anybody else. We gave them all a hearing in our office sanctuaries or wherever the Senator and I would meet with respect to the amendments that have been appended to the pending legislation.

We had nothing to hide, and we have nothing to hide now. We feel that the package—if one wants to call it that—that we have presented here to the Senate represents the best blueprint for action that we could conceive.

We also had in mind the divergence of opinion expressed by the other House when it considered the Purcell bill and the Smith-Foley bill.

Our approach was designed to meet the objective of the consumer first and then to meet the philosophical differences that existed in the different approaches that came before this legislative forum or the other legislative forum in the House of Representatives.

With that in mind, and without derogating the consumer interest and the consumer objective, we put together the amendments which we think are salutary improvements in the approach that we both had in mind to accomplish the objective that we desired.

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

Mr. MONTOYA. I yield.

Mr. MONDALE. Mr. President, I think in our discussions and in the public reporting of our deliberations before the committee, it was quite right to observe that, by the amendment of the Senator and by my proposal, we felt that the House-passed proposal was deficient in that it failed to deal with the problem of the State that would not on its own establish a system to accord at least with the Federal inspection system.

Having said that, there was much good in the House bill with respect to assistance to the States. Some of the other provisions found in the House measure were sound and good. And we built on that proposal.

I think the Senator from New Mexico would agree with me that we believe we have a stronger bill, and that in no sense do we intend to diminish our respect for the proposal which the House passed.

In that respect, I note the distinguished Representative from Iowa, Mr. NEAL SMITH, entering the Chamber.

Representative SMITH has been a pioneer in this field. Since the beginning of his distinguished career in the House of Representatives, he has firmly and courageously and ably led the fight in Congress after Congress.

I am sure, assuming that we are able to effectuate the passage of strong legislation, that it will be a great fulfillment for him and will reflect his able and effective leadership through the years.

The distinguished Representative from Washington, Mr. THOMAS FOLEY, has spoken out effectively for the consumer interest on this issue.

Mr. MONTOYA. Mr. President, we were in touch with Representative SMITH and Representative FOLEY concerning what was unfolding with respect to the legislation pending in the Senate.

My office was in touch with the office of Representative PURCELL during the de-



liberations and during the periods of consultation between the Senator from Minnesota and me.

All this was done with the ardent hope that the divergent views would reach a confluence so that concerted action could take place with respect to a vehicle to meet the challenges we face here in Congress. That vehicle is the pending bill. And it is my earnest hope that if the pending bill is approved as presented to the Senate, the House of Representatives will immediately take affirmative action so that the consumer will have an effective law before too long.

Mr. President, I yield the floor.

Mr. BOGGS. Mr. President, my overriding concern in supporting the Whole-some Meat Act, S. 2147, is that the consumers of our Nation be assured as soon as possible that any meat they buy is perfectly safe to eat. That situation does not now exist.

While I support the whole bill, I would like to mention in particular the provision that a Governor of a State may waive the 2-year period in the bill and request immediate Federal inspection. At my suggestion, this provision was added to the bill which Senators MONTOYA and MONDALE worked out. These two Senators deserve great credit for the leadership and hard work they have demonstrated in bringing this legislation before the Senate.

Without this provision concerning the Governor, the 2-year period would run its course and, in the case of those States which did not take action, the Secretary of Agriculture would find that the State was not inspecting meat in line with Federal standards. Federal inspection would then follow.

With this provision in the bill, a State is given a graceful way to come under Federal inspection standards.

The possibility is increased of faster protection for the consumer.

Meat businesses in a State are spared possible adverse consumer reaction concerning the fact that inadequate State laws made Federal inspection necessary.

The Federal-State relationship is preserved in the pattern of Federal-State cooperation which has worked well in other legislation.

The circumstances under which a Governor requests immediate Federal meat inspection would vary according to the powers of the Governors in the different States. If the Governor were not empowered by his State constitution and laws to make such a request, then he would have to seek authority for his action from his State legislature.

To repeat, Mr. President, the primary concern is that the citizens of our Nation be assured that whenever and wherever they buy meat, they are getting wholesome food which is not a threat to their health.

The urgency of achieving this goal has been emphasized in the hearings before the Agriculture Committee's Subcommittee on Agricultural Research and General Legislation, which has been considering the bill. As a member of this subcommittee, and as a Senator who is convinced that we can delay no longer in meeting our responsibility in this field, I urge passage by the Senate of this bill.

Mr. HRUSKA. Mr. President, this bill deals with a very vital and important subject. That is an understatement, if we take into consideration some of the more elaborate descriptions that we have heard in the Senate, in the other body, and the language contained in the report.

It is regrettable that this Senator has not been able to devote more study to this vital measure, but this was not possible with the undue haste with which the proposed legislation is being considered.

It will be said that this subject has been discussed for a long time, and therefore there is no undue haste. But I should like to recite the chronology of this particular bill and the report upon which it is based.

This body received copies of the bill and of the report last Wednesday. Immediately upon their becoming available, I sent out copies of those documents to those people who indicated interest to my office and to me in legislation of this nature. So far, I have received only one response to the several inquiries, which were made.

The bill is quite complex and confers much power and many prerogatives upon regulatory bodies which do not now exist in this field—and perhaps they are all to the good. However, the more certain we are of that, the more happy we would be to allow a sufficient time for the consideration of the specifics of this bill. We would not want to overlook something that would be harmful to producers, processors, merchants, and all those covered in the bill, but particularly, to the consumers, in whom all of us have an abiding interest.

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

Mr. HRUSKA. I am happy to yield to the distinguished Senator from Colorado.

Mr. ALLOTT. I should like to add the additional comment that, so far as I am concerned, I was able to procure a copy of the report and the bill on last Wednesday and had an opportunity to talk with the distinguished Senator from New Mexico, the manager of the bill, that day, and also to discuss it with the staff. But when I attempted to get additional copies of the report and the bill, I found none were available. So I was put in the position of sending the only copy of the report and bill I could get on Wednesday to constituents of mine in Colorado. As a result, I do not believe that most of the people in Colorado who are interested in this bill, and who have inquired about it, have had an opportunity to get copies of the bill and the report. I know that this situation does not rest upon the shoulders of the manager of the bill, the distinguished Senator from New Mexico, because he does not run the Government Printing Office. At least, I do not believe he does. Nevertheless, this was the situation.

The distinguished Senator from Nebraska has performed a valuable service. When we get proposed legislation such as that now before us, I believe we should have a more reasonable time in which to communicate the reports and information about the proposed legislation to the people who will be most intimately involved with it, to find out

whether it is workable, to find out whether it is practicable, and to find out whether it will accomplish the desired purpose, from their standpoint.

I thought that perhaps this comment as to the shortage of copies of the report and of the bill last Wednesday would fortify what the distinguished Senator from Nebraska has said already.

Mr. HRUSKA. I am sure the Senator's comments have done so, and I appreciate his comments.

I repeat, Mr. President, that none of this comment as to the timing of the measure is to be imputed to the sincerity and conscientiousness of those who have piloted this bill to its present point.

Certainly, the Senator from New Mexico and the Senator from Minnesota are to be complimented for their desire to lead us to legislation which will be meaningful, workable, and significant. However, the practical situation is a difficult one. I shall soon ask a question or two of the Senator from New Mexico which will illustrate that questions and considerations of this nature are not an effort to avoid or prevent meat inspection as it properly should be made with regard to wholesomeness, sanitation, proper labeling, and so on. But when we have a bill which contains such criminal sanctions as we find in section 16 for offenses which have not been scrutinized by the bulk of the Senators, some of whom might have thoughts and ideas about the matter, we reach a point at which we are compelled to say that this is an unduly hasty consideration of a very important and far-reaching bill.

One other factor complicates the matter. I know that virtually every provision in the pending bill has been in one place or another in the three bills that have been considered and discussed in the debate that has occurred in the other body and in the Senate from time to time, or in the testimony of witnesses.

However, from all these component sources are taken certain sections, and certain sections are deleted, and we have a brandnew product. We have something upon which our eyes have never been cast before. And the arrangement is different.

It is of interest that on pages 19 and following, the report contains the Department of Agriculture views, dated February 23. Obviously, those views could not relate to this bill. They could not possibly relate to it. Besides, the President's Special Assistant for Consumers Affairs testified in direct and diametric opposition to some of the testimony that was given only the day before by the Department of Agriculture.

That is an example of what I am attempting to explain—namely, that the product we have before us is brand new, as a bill, as of last Wednesday afternoon. Of course, the language in the report is in the same category.

With that preliminary statement, I should like to ask a question or two, of the Senator from New Mexico, whom I again salute and commend for his diligence, sincerity, and dedication. I have learned that he spent most of the past weekend familiarizing himself with this material, so that he could put it forth



today for the edification of the Senate and others in the most attractive fashion possible. For that, I congratulate him.

I am concerned about certain language in section 14 of this bill which would add a new section, section 202(a) pertaining to recordkeeping and record inspection.

Section 202(a) would require that the classes of persons and organizations specified by the bill "keep such records as willfully and correctly disclose all transactions involved in their business," and that such records may be made available for inspection and copying "at all reasonable times, upon notice by a duly authorized representative of the Secretary."

My concern relates particularly to two aspects of the new section: first, the unnecessarily broad language of this provision, and, secondly, the rather vague wording as to the requirements for giving Department of Agriculture representatives access to such records.

Read literally, the language of the bill might require record keeping and permitting inspection by Department of Agriculture representatives of every document relating to "all transactions involved in their business" by anyone engaged in the manufacturing, processing, or distribution of meat or meat products. Perhaps this would even extend to records in every portion of a regulated business beyond the handling of meat and meat products, such as corporate data, personnel records, financial records, and research data.

I ask my distinguished colleague, the Senator from New Mexico, if he can clarify these provisions in order to assure that only those direct records must be kept and disclosed which are necessary for the effective enforcement of the bill with respect to insuring wholesome meat products for the American consumer, without getting into every conceivable business record not directly related to meat inspection.

Mr. MONTROYA. I am glad that my distinguished friend from Nebraska asked this particular question because, in reading the full text of the section it is my feeling, although the Senator from Nebraska does not agree with me, that there is a confinement of objective in the particular section and it necessarily follows that the inspecting authority is limited to that objective.

However, in order to establish a clear legislative objective, I wish to say that it is clearly not our intent that the scope of section 202(a) should extend beyond those records applicable to meat and meat products which would properly be necessary for effective enforcement of this section of the act.

Furthermore, it is our assumption that the Secretary of Agriculture shall issue regulations setting forth specifically what records shall be kept and under what circumstances they are made available to duly authorized representatives of the Secretary.

In this regard I would like to call attention to a provision on page 16 of the Senate Committee on Agriculture and Forestry report stating that section 202 would require persons subject to the act to give representatives of the Secretary "under reasonable terms and con-

ditions, access to their places of business, an opportunity to examine records, facilities, and inventories and to take samples of their inventories upon payment therefor."

We feel it would be appropriate for the Secretary to spell out in further detail such reasonable terms and conditions and recommendations for the guidance of industry after notice and hearings. Certainly he cannot exert any extended action or assume any extended action which is clearly not subservient to the objectives of the act. I think that is a matter of judicial interpretation and judicial confinement.

Mr. HRUSKA. I suppose that there is something to what the Senator from New Mexico has said and I know he would give every fair interpretation toward that result.

The reference to that additional language in section 202, to which the Senator has called attention, is very helpful. It is my recollection that in the hearings there was some consideration given to the two Supreme Court cases which deal with the proposition whether a statute can confer upon any governmental employee the right to go into a business establishment, and that he can exert that right in a summary fashion on the provisions in a statute and no more.

The Supreme Court in two cases said, "No, you cannot do this." One of the officials involved was a fire inspector and the man in charge of the house had said, "I choose to believe in the old maxim that my house is my castle, and I am not going to let you in."

The Supreme Court agreed with that, and yet we find in section 202(a) of the bill the granting of this power from which most people would assume, "Since the law says so, therefore, they have a right to come in here, and if I do not let them in, they will send me to Siberia or some other place for a long time, and I do not want to do that."

These bills are not drawn for the purpose of allowing the employees and officials of the Government to ride rough shod over any part of the citizenry.

Does the Senator have comment on those two decisions of the Supreme Court?

Mr. MONTROYA. Yes.

Mr. MONDALE. Mr. President, will the Senator yield to me briefly?

Mr. MONTROYA. I yield.

Mr. MONDALE. I would like to comment that the language which appears on page 31 of the committee print was prepared by Mr. Bucy of the Department of Agriculture, who did so, in light of the decisions in *Camara* and *See*, to fulfill as far as possible the legal requirements laid down by the Supreme Court. He seeks to provide access to intrastate records, wherever possible, through the State officials.

I believe the Senator from New Mexico has more information to add in that connection.

Mr. MONTROYA. I thank the Senator. When this problem came up in the hearings it disturbed me as to whether or not we could do this. I wanted to be convinced that what we provided in the bill would be within the realm of constitu-

tional authority and that it would be proper so far as any constitutional provision was concerned in light of the decisions.

I referred the matter for study to the Legislative Reference Service of the Library of Congress. The subject of inquiry which I made of the Library of Congress was the validity of section 202(a) in H.R. 12144, which is identical to the provisions in the Senate bill which we are now considering.

I shall quote the pertinent answer from the Library of Congress, which states as follows:

We have examined section 202(a) in light of the foregoing principles and have concluded that it may be distinguished from the *Camara* and *See* cases in a number of vital particulars. Like the ordinances in these cases, section 202(a) requires inspections to be made at "reasonable times". Additionally, however, the federal proposal requires inspectors to notify companies in advance of any actual investigation. Briefly, then, the investigation must be made at a reasonable time. "Here was no midnight knock on the door, but an orderly visit in the middle of the afternoon with no suggestion that the hour was inconvenient." *Frank v. Maryland*, 359 U.S. 366. More significantly, the requirement of notice affords the parties adequate time to prepare, thus lessening the likelihood of undue inconvenience.

It is interesting, indeed significant, that included among various situations pictured by the majority as falling without the mandate of these cases were those involving "seizure of unwholesome food" and "summary destruction of tubercular cattle". *Camara v. Municipal Court*, 387 U.S. 539. The potential widespread danger to public health from adulterated food is worlds apart from the more localized fire and/or building inspections involved in the cases as was evidenced by the recent tragic deaths of children who had consumed contaminated bread.

Also not without significance is the Supreme Court's observation in the *See* decision that it did not reach the question of how the Fourth Amendment prohibition should be applied in those instances where routine inspection is required as a prerequisite to engaging in a particular business. "... nor do we question such accepted regulatory techniques as licensing programs which require inspections prior to operating a business or marketing a product." 387 U.S. 546.

The consistency of these remarks with the practice extant in the meat inspection field needs little elaboration.

I hope that answers the question of my good friend from Nebraska, from the standpoint of constitutional sanction.

Mr. HRUSKA. It answers it in part, yet the language of 202(a), which was read from the counsel's opinion would get away from the basic proposition.

That section starts out by saying:

The following classes of persons firms, and corporations shall keep such records as will fully and correctly disclose all transactions involved in their businesses.

Then it goes on to say who they are. Subsections (1) and (2) say who they are. Many of them handle meats and meat products on a very incidental basis or at a low level compared to gross activities, yet they are supposed to lay their heads on the chopping block for everything in which they are engaged.

For that reason, it is well to have the comfort of the two Supreme Court de-



cisions which declare that when there is a denial of access, the authorities must go to court and lay forth what they will want and the court must decide whether they can have that information and whether it is pertinent to the purposes which they declare are those they seek to subserve. I think that is all to the good. As to the reference there to contaminated meat and the necessity for prompt action, the statutes are full of authority to the agencies, including the Federal Trade Commission, the Department of Agriculture, and all the rest, to go in summary fashion and take the action necessary to head off further distribution or further processing of objectionable material. No one will quarrel with that. But under the statutory obligation to make records available upon request, even if it is on notice, that is cloth of a different fabric.

Mr. MONTROYA. That kind of authority exists in section 9 of the Perishable Agricultural and Commodities Act.

Mr. HRUSKA. Surely.

Mr. MONTROYA. It reads as follows:

"SEC. 9. Every commission merchant, dealer, and broker shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership of such business by stock-holding or otherwise. If such accounts, records, and memoranda are not so kept, the Secretary may publish the facts and circumstances and/or, by order, suspend the license of the offender for a period not to exceed ninety days."

Section 8d of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608d), provides:

"§ 608d. Books and records; disclosure of information.

"(1) All parties to any marketing agreement, and all handlers subject to an order, shall severally, from time to time, upon the request of the Secretary, furnish him with such information as he finds to be necessary to enable him to ascertain and determine the extent to which such agreement or order has been . . .

Mr. President, I might also add that in the Food, Drug, and Cosmetic Act, this power also exists on the part of the Secretary of Department of Health, Education and Welfare. Thus, this is not a novel concept we are incorporating into the bill. The approach and the authority are patterned after existing authority which has been exercised by the Secretary of Agriculture and, I might say, has been exercised wisely without imperiling the rights of those at whom it was directed.

Mr. HRUSKA. It is not a novel situation in so far as statutory precedent is concerned, but I would call the Senator's attention to the fact that all the statutes to which he has referred were written before the Supreme Court decision. The Supreme Court decisions do not make any exceptions. The two decisions, according to the hearings and one of the witnesses, overruled prior holding. Thus, I do not make an exception for certain kinds of situation without knowing that the decision was taken after the statutes to which the Senator has referred were written had been on the books. Let them try to make an exercise of that power without having

a good foundation which they can produce in court, to get the necessary warrant, and they will find they will be up against a stone wall.

But I am glad the Senator has that in mind. Certainly, this colloquy will serve the purpose of indicating that the matter is not governed by statute alone. So that I can be grateful, certainly, again, that there is no desire on the part of anyone I know of to protect someone from a disclosure of the proper and pertinent records and information in his possession where it will subserve the declared objective of this bill. But, unfortunately, sometimes our officials get a little carried away with a sense of their own importance. They become so enthusiastically imbued with the importance of their duties that they go beyond that or they try to go beyond that. Instances are legion. I do not think that we should encourage them any more than is necessary. We can start by putting that in the statute. While no language is found in the bill, I trust that the appellate procedure or reference to the courts on these matters is certainly something that probably should be said either in the court or in the bill itself which would indicate that.

Mr. President, I hold in my hand a copy of a letter which was addressed to the Senator from Louisiana [Mr. ELLENDER], from the Grocery Manufacturers Association, signed by George W. Cook, president. It has for its purpose calling attention to the very point we have been discussing with the Senator from New Mexico. It would be useful, it seems to me, to indicate that the point was duly raised and considered in the hearings as well as in the draftsmanship of the bill.

Unfortunately, the letter arrived too late to be included in the printed hearings on the subject bill.

Mr. President, I ask unanimous consent that the letter of November 20, 1967, be inserted in the RECORD at this point.

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

NOVEMBER 20, 1967.

Re H.R. 12144, the Wholesome Meat Act.  
HON. ALLEN J. ELLENDER,  
Chairman, Committee on Agriculture and Forestry, U.S. Senate, Old Senate Office Building, Washington, D.C.

DEAR SENATOR ELLENDER: Grocery Manufacturers of America, Inc. is a national association of the manufacturers and processors of foods and other grocery products whose membership will, either directly or indirectly, be affected by this important regulatory measure.

Our association has traditionally supported enactment, both on the state and federal level, of sound and effective legislation regulating the manufacture and distribution of food.

We support the current effort to modernize existing legislation on the subject of meat inspection.

However, we believe that the above bill, as reported by the House Committee on Agriculture on September 21, 1967 and passed by the House on October 31, has one deficiency, perhaps unintended by its proponents, which we urge the Subcommittee on Agricultural Research and General Legislation to remedy.

Section 14 of the above bill would add

Section 202(a) to the Meat Inspection Act. That section would require that the classes of persons and organizations specified by the bill "keep such records as will fully and correctly disclose all transactions involved in their businesses." (Italic supplied)

The broad class of business firms subject to this requirement is described in the following language:

"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."

The bill defines the term "prepared" as "slaughtered, canned, salted, rendered, boned, cut-up or otherwise manufactured or processed."

In addition, Section 202(a) of the bill would require members of the industry, on request, to afford representatives of the Secretary of Agriculture access to "such records."

The Grocery Manufacturers of America wish to call the attention of the subcommittee to the unnecessarily inclusive nature of the language of Section 202(a) quoted above.

Read literally, this language might require keeping and permit inspection by representatives of the Department of Agriculture of every document relating to "all transactions involved in their businesses," by anyone engaged in the manufacture, processing or distribution of meat or meat products, perhaps even extending to records in other parts of their business beyond the handling of meat and meat products. Thus, corporate data, personnel records, financial records, and research data are only a few examples of the type of material which the bill, as now drafted, could require to be kept.

Section 2 of H.R. 12144 recites that the health and welfare of consumers should be protected "by assuring that meat and meat food products distributed to them are wholesome, not adulterated, and properly marked, labeled and packaged."

We fully share and support this laudable legislative objective.

However, in view of the sweeping and perhaps unintentionally broad reach of the record keeping and inspection provision, Section 202, we strongly urge that the language of proposed Section 202(a) quoted above is unnecessary to accomplish the stated statutory purpose and could inflict serious, yet needless burdens on many members of our industry.

In addition, we have been advised that the present broad language of this provision of the bill may raise substantial constitutional questions in light of recent Supreme Court decisions.

We recommend, therefore, that the subcommittee give serious consideration to an amendment of Section 14 of H.R. 12144 which would clarify proposed Section 202(a) by ensuring that only such records as are necessary to the proper enforcement of the provisions of the Act must be kept, and clarifying the circumstances under which such records must be made available to representatives of the Department of Agriculture.

Furthermore, in our view, this would best be accomplished by regulations issued by the Secretary of Agriculture in conformity with rule making procedures like those used for packaging regulations under the Fair Packaging and Labeling Act of 1966.

It is our belief that the bill, as so amended, would provide the Secretary with the administrative flexibility required to make the meat inspection program effective, but would at the same time provide our members with needed procedural safeguards.

We would appreciate the inclusion of this letter in the record of the Subcommittee's hearings, and take the liberty of sending



copies to all members of the Subcommittee for their consideration.

Very truly yours,

GEORGE W. KOCH,  
President.

Mr. HRUSKA. Mr. President, if I may engage the attention of the Senator from New Mexico once more, I refer to page 7 of the report with the comment as to the proviso being added to allow the Secretary of Agriculture to impose more stringent restrictions for pesticides, chemicals, food and color additives, and so on. These restrictions are more severe than those presently imposed by the Secretary of Health, Education, and Welfare under the Food, Drug, and Cosmetic Act.

This proviso is on page 6, lines 5 through 11, of the bill. Would the Senator from New Mexico give us the background of that language and the reasons why the committee was impelled to include this particular language which goes far beyond present statutory authority vested in other Government agencies in this same field?

Mr. MONTROYA. I might say to the Senator from Nebraska that the hearings do not disclose any particular reason for it. I assume that the reason the power of regulation was broadened was the recent experiences we have had not only in this country but also in other parts of the world with respect to infected food from pesticides. I presume that. It is the only thing I can ascribe it to because, certainly, in the hearings, we did not go into that particular genesis.

Mr. HRUSKA. I was informed—I did not make a personal perusal of the hearings—but I was informed that there did not seem to be any development in the testimony of any such extension of statutory authority to this particular field which is not vested in any other governmental agency in a similar field. That was the reason I put the question and I draw attention to it in that fashion.

Mr. MONTROYA. The main purpose of this provision is to insure that the meat will be wholesome. It gives to the Secretary of Agriculture the authority to check into pesticide content so as to determine whether meat is actually wholesome.

I think, in order to put our discussion in proper context, I should read into the Record at this point subparagraph (D), which appears on page 6 of the bill and which reads as follows:

(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;

Mr. HRUSKA. I am sure that is a fine declaration, and it goes to a general principle with which we cannot quarrel; but certainly Congress on previous occasions, after having held extended hearings on this point in particular and conferences and discussions, extended the authority just so far. Now, without such hearings, we have the authority extended far beyond what it has been for any other agency. It would seem to me very appropriate

that there would be good, sound reason, with justification existent, before we would take such action.

Mr. President, frankly, I repeat what I said at the opening of this statement. I greatly regret my lack of whatever it takes to have made timely objection to what I call undue haste in consideration of this very important and highly needed bill. It has had a controversial career so far. There was a reversal by one of our major departments of Government as to its official position on it. It had extended debate in the other House, not enough here, and certainly not enough consideration. It is for this reason that I have made these inquiries.

I want to repeat that I make this statement without one iota of argument against the necessity for a bill in this area. There is not to be any suggestion or intimation from what I have said that I believe there is anything but the highest intentions and sincerity on the part of the manager of the bill and the co-authors of it, but it is still not the most desirable way of legislating on a very vital subject.

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

Mr. HRUSKA. I yield.

Mr. MONTROYA. I may say that it never entered my mind that the Senator was articulating any bad intentions here. On the contrary, he has added to the legislative history of this bill and by his inquiry has improved the effectiveness of this legislation. I am sure he has contributed greatly to the kind of dialog that would lend itself to giving this bill a better legislative history than it had before he assumed the floor, and I certainly want to thank him for it.

Mr. HRUSKA. I thank the Senator for his kind remarks.

I now turn to another point, the application of Federal standards to approximately 15,000 plants not now under Federal standards or equal State standards. The question was raised—and I understand from the explanation of the Senator from Iowa that the situation is covered in the report in the last paragraph on page 3, extending over to the subtitle on page 4—that it was felt there would be thrust upon some 15,000 intrastate plants brandnew Federal standards pertaining to and relating to construction.

Obviously, many of these businesses which have been in existence for many years would be called upon to virtually tear out the insides of their plants or demolish the buildings and rebuild them in order to comply with the Federal construction standards.

That does not mean that the Senator from Nebraska would like to have them retain their own construction standards or that the construction standards should in any way militate against the building of their plants to produce wholesome and sanitary products that are properly labeled. That question was raised, and I am glad attention was paid to it and that it solicited an answer to this practical problem in the fashion in which it was done.

Mr. MONTROYA. Mr. President, if the Senator will yield, that was a concern of

mine when we were considering the bill. Even after the close of the hearings, we called in personnel from the Department of Agriculture to look into this particular question.

I might also say that my good friend the senior Senator from Colorado [Mr. ALLOTT] called this matter to my attention on Wednesday, and I told him we had taken care of this provision in the committee report. I have gone into this a little further.

If the Senator will yield to me to amplify my statement—

Mr. HRUSKA. I am happy to yield.

Mr. MONTROYA. Even though this was taken care of in the committee report—and certainly the wording in the committee report should allay the fears the other concerned persons have had—I called officials in the Department of Agriculture and asked them specific questions on the architectural requirements. This is the answer they gave me. First, the specific question was asked them: What if a certain plant has a height of 8 feet and your require 10 or 11 feet so the carcass will not drag?

The Department of Agriculture advises me that they have not adhered to such stringent requirements even in their interstate inspections; that where they have made specifications with respect to construction, it has been merely to offer advice and to offer a sort of followable blueprint to those who wish to construct, but those who do not have that type of ceiling may continue to operate with the facilities they have, provided the overall, primary objective of sanitation and wholesome meat is realized through that practice. So that right now, in Federal inspection, with respect to architectural requirements, there is merely advice and counsel by the Department of Agriculture to those who want to update their plants.

Mr. HRUSKA. But the fact is that Federal construction standards do exist and they can be enforced. I am mindful that the Senator believes and reports accurately the information he receives. Some years ago an increase in funds was made available by Congress for the purposes of meat inspection. The result of that was that many plants were inspected that had not been inspected up to that time. I do not recall the experience of other Senators in whose States independent packers may be located which were not inspected before; but several applications were made to my office for intervention with the Department of Agriculture. These complaints were to the effect that if the Department insisted on these construction standards the packers could not comply with them. They would have to build new plants if they wanted to stay in business. Perhaps through complaints made to Members of the House and the Senate, and the commonsense of the Secretary of Agriculture, that situation was corrected.

Mr. MONTROYA. May I also state that even if persons wanted to rebuild their plants, the Secretary of Agriculture does not impose on them new construction specifications, about which I have spoken, except as guides.



Mr. HRUSKA. Unfortunately, I would have to disagree with the Senator as to what I have encountered. Perhaps the Secretary did not do it, but some of his officials did, because I have files in my office from a number of plants in my States where that actually happened. We were able to get it straightened out. Thank goodness, we did.

What is contained in the report is good policy, I am sure.

Mr. MONTTOYA. If the Senator will yield, I would like to ask unanimous consent that that part of the report from the last paragraph on page 3 up to the subheading "Committee Amendments" on page 4, be inserted in the RECORD.

Mr. HRUSKA. I join in that request.

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

Under this new bill Federal standards will be applied to approximately 15,000 plants not now under Federal standards or equal State standards. Many of these plants are smaller facilities, some located in remote areas, which produce small quantities of meat and meat food products. The committee feels that Federal standards must be required of all meat and meat food products sold for human consumption in this country. It is understood, however, that some of the Federal standards for plant construction may sometimes be unrealistic, and it would be unreasonable to arbitrarily apply them when the operational practices of a smaller facility enables them to meet Federal or equal State standards. In this regard the committee expects the Secretary to approach this problem in the spirit reflected in the testimony of the Department's witness:

There appears to be some misunderstanding of physical structure requirements for intrastate establishments thus made subject to Federal inspection. However, the facts are that the eligibility of an establishment for Federal inspection is based upon a combined evaluation of the operating procedures used by the establishment and the building construction and physical facilities rather than upon a separate evaluation of these factors. Thus, if the operating procedures are patterned so as to insure the sanitary handling of product within the establishment and result in wholesome food, the establishment could be declared eligible for Federal inspection.

However, the committee wants it clearly understood that the requirements on wholesomeness, additives, labeling, and the other Federal regulations are not to be compromised and must be at least equal to Federal standards.

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

Mr. MONTTOYA. The Senator from Nebraska has the floor.

Mr. HRUSKA. I am happy to yield to the Senator from Minnesota.

Mr. MONDALE. I am pleased that the Senator from New Mexico has included this language appearing in the report at pages 3 and 4, because I believe it spells out the intention of the committee that construction standards shall be approached in the spirit reflected in the testimony of the Department, which made it very clear that, as to some of the 15,000 plants not now within Federal regulation, many of them smaller facilities or located in remote areas, and producing small quantities of meat and meat food products, to attempt to apply a highly technical series of Federal regulations to such plants might, in the light

of particular circumstances, be a wholly impractical and useless exercise, and could bring about a result completely disproportionate to the purpose and spirit of the act.

It is the intention of the committee, which I think we have clearly spelled out, that the objective of this act is to assure wholesomeness and establish standards relating to additives and labeling, and that is the primary function of the application of Federal standards; and that the arbitrary application of highly technical construction standards is not what we have in mind.

I believe that the testimony of the Secretary's representative, as set out on page 4, very clearly expresses not only the intention of the committee, but the policy which the Department will pursue with respect to such plants. Thus I think it overcomes many of the fears we might otherwise have of a highly technical, arbitrary application of those standards.

Mr. HRUSKA. I fully concur with the construction which the Senator from Minnesota has placed upon the matter. I do believe that that is a clear statement of legislative intent, contained, as it properly should be, in the committee report, which is the effective way to do it.

I ask unanimous consent, however, to have printed in the RECORD at this point an amendment which would be usable to supplant this report language into statutory form, if it were felt desirable and necessary to have it included in the bill.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Without objection, it is so ordered.

The amendment ordered to be printed in the RECORD, is as follows:

On page 38, between lines 2 and 3, insert the following:

"(d) Notwithstanding any other provision of this Act, the requirements of this Act and rules and regulations issued thereunder relating to building construction standards shall not apply for a period of three years after the date of enactment of this subsection in the case of any plant or building in which the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products were being conducted on the date of enactment of this subsection if such operations were not subject to Federal meat inspection on the day prior to the date of enactment of this subsection. The provisions of this subsection shall not be construed to exempt any plant or building from complying with any building construction standards prescribed under this Act or under any rule or regulation thereof if at any time after the date of enactment of this subsection the operations of any such plant or building are conducted in commerce; nor shall the provisions of this subsection be construed to exempt any plant or building from complying with standards for wholesomeness and sanitation of animals, carcasses, parts thereof, meat and meat food products handled in any such plant or building."

On page 38, line 3, strike out "(d)" and insert in lieu thereof "(e)".

Mr. HRUSKA. I have asked that my suggested amendment be printed in the RECORD, as I say, for the purpose of re-emphasizing the legislative intent, as now spelled out in the committee report.

I would be happier if such language were included in the statute. Then every lawyer in the land who meets with a case of this kind would have it available, and

would know immediately what the statute means. This way, those privileged few who think they can learn anything from Senate or House committee reports will be, perhaps, benefited by the knowledge of the legislative intent which has been spelled out in the report.

Mr. President, I yield the floor.

Mr. CURTIS. Mr. President, I rise to ask some questions of the manager of the bill, if he will be so kind as to respond. I realize he has worked long and hard on this measure; and it is a measure of great importance to many people.

My first question is this: Is it the feeling of the committee that the Governor of a State might avail himself of the opportunity or the right to invoke Federal inspection at Federal expense for budgetary reasons?

Mr. MONTTOYA. In a colloquy with the Senator from North Dakota a few minutes ago, he asked a similar question. My answer was substantially this: that I did not feel that any Governor would summarily, without any justifiable reason, ask the Federal Government to step in, and certainly would not do it only because of fiscal considerations.

Mr. CURTIS. Could our present inspection service and its personnel handle what is proposed in the pending bill, plus the additional duties which might come about in a number of States which might turn to the Federal Government to perform the service?

Mr. MONTTOYA. No; if there are additional plants or additional State inspection systems turned over to the Federal Government, then that necessarily would require additional manpower. But there is no requirement for additional manpower under the interim investigative authority given the Secretary of Agriculture over plants that might produce unwholesome meat.

I do not know whether I have made myself entirely clear. There are two categories here: one where the State turns all of its inspection over to the Federal Government, and the other where the Secretary of Agriculture goes into a State which already has inspection, and where, in a circuit-riding fashion, he investigates some of the plants to determine whether they are producing unwholesome meat.

In the latter category, there is no requirement for additional personnel; but if a State should cast upon the Federal Government its whole State inspection program, then there would be a requirement for additional manpower.

Mr. CURTIS. Then there is the additional provision that they could have a cooperative plan, if the Federal Government shares the cost.

Mr. MONTTOYA. Yes.

Mr. CURTIS. Who furnishes the personnel in such case?

Mr. MONTTOYA. With the Federal-State cooperative plan, there will be no need for additional employees, but there would be a need for additional money, so as to fund the extension of aid to the States in providing the training, the inspection, and the other requirements for an adequate inspection service at the State level.

Mr. CURTIS. Are rendering plants sub-



ject to Federal inspection now, under the present act?

Mr. MONTROYA. The rendering plants which render edible food are under Federal inspection at the present time, but those that render inedible products and wastes are not under Federal inspection. This bill would bring them within the purview of the legislation.

Mr. CURTIS. What foods are manufactured by rendering plants?

Mr. MONTROYA. Well, there are the remnants of fat. There is the grinding of carcasses and skins, and—

Mr. CURTIS. Is that from slaughtered animals?

Mr. MONTROYA. Yes; from slaughtered animals and the wastes.

Mr. CURTIS. Are rendering plants that deal primarily with animals which have not been slaughtered presently federally inspected?

Mr. MONTROYA. I do not understand the Senator's question.

Mr. CURTIS. I am referring to animals that die from natural causes, and a rendering plant picks up the carcass.

Mr. MONTROYA. They are not subject to inspection at the present time unless that meat starts moving in interstate commerce. Then the Federal Government will step in.

Mr. CURTIS. What is done about rendering plants in this proposal?

Mr. MONTROYA. It would subject them all to the licensing functions of the Secretary of Agriculture.

Mr. CURTIS. Every rendering plant would have to be licensed.

Mr. MONTROYA. If they are in the interstate commerce category, they would automatically come under the Federal inspection service.

Mr. CURTIS. In the pending bill?

Mr. MONTROYA. The Senator is correct.

Mr. CURTIS. On page 1 of the report, near the bottom of the page, it says:

Add a new Title II(A) prohibiting commerce in animal products not intended for human use unless denatured, properly identified as not intended for human use, or naturally inedible.

Would the Senator elaborate a little on the meaning of that statement?

Mr. MONTROYA. If, for instance, we have a diseased animal in a slaughtering house and the owner of the slaughtering house intends to process the animal, there is a requirement under the pending legislation that one is supposed to denature it. That means that one is supposed to color it green or purple or some other discernable color that will be indicated as the Secretary may prescribe, to show that it is not an edible commodity. That is what the term denature means, to take it out of its proper, natural appearance.

Mr. CURTIS. Does that language refer to pet foods?

Mr. MONTROYA. It could refer to pet foods, however, if the meat or meat product is clearly labeled as pet food it would not necessarily have to be denatured.

Mr. CURTIS. What products would be covered by those lines which I read from page 1 of the report?

Mr. MONTROYA. This is determined by applying the test of what products are

not capable of use for human consumption.

If a diseased animal has been brought into a plant, that is naturally not an animal that is capable of being used for human consumption. Therefore, the product has to be denatured immediately. If the plant does not do this, the plant is then in violation of the Federal law.

Mr. CURTIS. What plants are referred to by this language?

Mr. MONTROYA. The language refers to all plants under the Federal inspection system and to all new plants that might come under Federal inspection.

Mr. CURTIS. What is the definition of a plant?

Mr. MONTROYA. A plant is any person, firm, or corporation engaged in the slaughtering of animals—cattle, swine, goats, and equines—for the manufacture of products for human consumption. That is the purpose of the legislation.

Mr. CURTIS. It must be the intent of the processor that the product be for human consumption.

Mr. MONTROYA. It is the intent that governs under the existing Federal inspection system. We have now switched that around to say "any product which is capable of being consumed by a human being." That is the test now, instead of what is in the mind of a processor.

Mr. CURTIS. The test is whether it is capable of being consumed.

Mr. MONTROYA. The Senator is correct.

Mr. CURTIS. How does one determine that?

Mr. MONTROYA. I think it is perfectly natural for any human being to determine whether meat is edible and whether it meets the requirements of wholesomeness. I think that is something that is very natural.

I do not think it requires even the establishment of any formal criteria for that. However, the Secretary of Agriculture will probably establish criteria.

Mr. CURTIS. Suppose a product is manufactured and processed with the intention of being used for animal food, but contrary to the knowledge and intent of the processor, some of that product is eaten by humans. Would that be covered by the pending legislation?

Mr. MONTROYA. Yes, it would be. Page 4 of the bill, subdivision (k) reads as follows:

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.

That would cover any of these products without the matter having to go through a stage of definition.

Mr. CURTIS. Inedible, I assume, would perhaps mean the hair that is processed.

Mr. MONTROYA. The hair, the hide, and the horns of an animal. They are naturally inedible.

Mr. CURTIS. What additional requirements will be placed upon a slaughtering plant that is presently covered under the Federal law and is, we will assume, conducting itself satisfactorily? What additional requirement should that businessman look forward to having to meet under the pending legislation?

Mr. MONTROYA. I would say by way of a fair answer to that question that there is no substantial, additional imposition upon the plants that are now federally inspected.

There are clarifications in the pending legislation with respect to misbranding, labeling, and packaging. The Secretary of Agriculture is given clear authority which was previously exercised by the Food, Drug, and Cosmetic Administration.

They now complement each other under the pending legislation with respect to labeling, packaging, and other authorities which heretofore existed with both agencies.

Mr. CURTIS. Suppose a plant is not federally inspected and the State Governor does not elect to have all of the plants come under Federal inspection, is there a cooperative plan in issue? How much time does the individual plant that is not now federally inspected, if it is engaged in interstate commerce, have in which to comply?

Mr. MONTROYA. Under the pending legislation, the Secretary of Agriculture does not have any authority, within a 2 year period, to impose Federal inspection on a State presently until he finds out on a plant-by-plant basis that a certain plant is producing an unwholesome product.

If that is the case, the Secretary of Agriculture shall advise the Governor that plant A is producing an unwholesome product intrastate. The Secretary will ask the Governor to try to do something under its State inspection system to see that that plant does not continue to follow this practice.

If the Governor refuses to act in behalf of the consumer in this instance, or if the Governor says to the Secretary of Agriculture, "I have no facilities under my State law to act," then the Secretary of Agriculture, under the pending legislation, immediately would bring the violating plant under his jurisdiction under the Federal inspection system. However, it is done on a plant-by-plant basis during the 2-year period.

Mr. CURTIS. I understand that if the pending legislation is enacted into law, it will bring approximately 15,000 plants under the Federal inspection system that are not now subject to the Federal inspection system.

Mr. MONTROYA. The Senator is correct. There are now 15,000 plants engaged in intrastate commerce which are not covered under the Federal inspection system. These plants slaughter approximately 19 million animals a year, and they are responsible for the production of 15 percent of the meat and 25 percent of the processed meat products.

Mr. CURTIS. If those nonfederally inspected plants exist in a State and a spotcheck by the Secretary of Agriculture fails to find any violation of the law, they are then permitted to continue in their status quo.

Mr. MONTROYA. That is correct.

Mr. CURTIS. No plants not now covered will be covered until the Secretary of Agriculture seeks them out and so advises the Governor?

Mr. MONTROYA. Yes. That was the



purpose of our amendment—to be able to say to the States, within a 2-year period, "All right, you exercise your police power over these intrastate plants; but if you do not do it, we have a responsibility to the consumer to come in and do it. But we will let you know first. We will let you, the Governor, know, and we will let the advisory committee know, that such violations exist, and we want you to do something about it; and if you do not, we will do it on a plant-by-plant basis; we will take them into the Federal system."

Mr. CURTIS. Suppose someone—an individual, perhaps—is engaged in slaughtering and selling direct to the consuming customer, which would naturally be on a rather small scale, would he be subject to the new act?

Mr. MONTOYA. No.

Mr. CURTIS. In other words, the individual, or the farmer himself, who slaughters and sells direct to consuming customers is not affected by the new bill?

Mr. MONTOYA. No.

Mr. CURTIS. What does the Senator anticipate to be the additional Federal cost of this bill?

Mr. MONTOYA. Depending upon how many States come into the Federal system, the cost would start at \$4 million and go up to \$15 million—the cost of my bill. The cost of the Mondale bill, if it had been enacted, would have been \$45 million. The cost of the Smith-Foley bill would have been approximately \$35 million additional.

Mr. CURTIS. What is anticipated to be the additional cost of the pending bill, if it should become law?

Mr. MONTOYA. It will start at \$4 million and go up to \$15 million.

Mr. CURTIS. Now a question concerning the slaughtering plant that is now under Federal inspection and meets the requirements, has never been involved in any violation of consequence, and has a long record of law observance: What additional bookkeeping burdens will be placed upon such a plant?

Mr. MONTOYA. They have to keep certain records which are required by the Secretary of Agriculture to carry on the objectives of this bill—namely, inspection, and to assure the Secretary of Agriculture that unwholesome meat is not being produced by the particular individual.

For example, if the slaughterer buys a diseased or dying animal, he must keep a record that he received it on a certain day and that he disposed of it in some way. He must keep a record as to how he disposed of it.

Mr. CURTIS. Such records are not required now?

Mr. MONTOYA. Well, the Secretary has imposed by regulation certain requirements, but there has always been a question as to whether the Secretary had the authority to go as far as he did. To illustrate the authority under which he is acting, it was an acorn of legislation planted on a silver dollar, so to speak, because it was a rider on an appropriation bill. And from this acorn grew the mighty oak of Federal inspection and inspection by regulation, and that is what is presently on the statute books. There has been no substantial amend-

ment to the original act, which was passed in 1907.

Mr. CURTIS. With respect to the 15,000 processors who will come under the jurisdiction of Federal inspection, who are not now under that jurisdiction, did any witness give an indication of how many of them were producing unwholesome meat?

Mr. MONTOYA. There have been quite a few investigations. In 1962 and, I believe, in 1967 the Department of Agriculture conducted some investigations, and they were able to show that there have been quite a few violations of the consumer's interest in this field. In Chicago—

Mr. CURTIS. I do not dispute that there are violations. I do not dispute that some very unwholesome meat may reach some consumers. My question is this: Is it believed that all of the 15,000 who will for the first time come under Federal inspection, or any substantial number of them, have been guilty of delivering to consumers, or causing to be delivered to consumers, unwholesome meat?

Mr. MONTOYA. There have been quite a few violations; but the Department of Agriculture has no control over them, and some States have very lax laws or refused to prosecute.

I will give the Senator the most glaring example which occurred in the last few days. In the city of Chicago there was a recent conviction, with indications that this particular case had ramifications which stemmed from activity on the part of gangland figures, on the part of the Mafia.

I read the headline from Chicago's American, dated Tuesday, November 21, 1967: "Sells Bad Meat, Goes To Prison—Gets 2 Years for Diseased Cattle Deals."

These cases did not originate in Illinois, which has a mandatory inspection system. They originated in Iowa and one other State and then the meat was transported into Illinois; and that is where the Federal service got into the picture and caught them. But had these been intrastate sales, within a State, perhaps these people would not have been caught.

Mr. CURTIS. Do not misunderstand. I certainly am not rising in defense of anyone guilty of selling unwholesome food of any type.

I will state my question in another fashion: Can it also be said that many of the 15,000 plants that heretofore have not been subject to Federal inspection, and must now be subject to that inspection, no doubt have a good record on sanitation and wholesome processing?

Mr. MONTOYA. Oh, yes. I do not wish my remarks to be misinterpreted. I believe that, on the whole, many of these intrastate plants have been giving the consumer sanitary and wholesome food. They are not to be condemned for what a few violators have done.

Mr. CURTIS. And some of them have been very conscientious, in the absence of any inspection or in the absence of any anticipated inspection. Is that correct?

Mr. MONTOYA. Well, I do not know. I assume that they are reputable business people and that they want to give their clientele the best food they can produce, under the most sanitary conditions.

Mr. CURTIS. I am sure we agree upon that.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the newspaper articles to which I have referred be printed at this point in the RECORD.

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

[From the Chicago American, Nov. 21, 1967]  
SELLS BAD MEAT, GOES TO PRISON—GETS 2 YEARS FOR DISEASED CATTLE DEALS

A man who shipped the meat of diseased cattle to the Chicago market was sentenced today in federal District court to 2 years in prison and fined \$15,000.

He is Orest Deligiannis, 52, of 7118 Kedvale av., Lincolnwood, who operated the Janis Livestock company from his home.

He pleaded guilty before Judge Julius J. Hoffman last month to 6 counts of a 12-count indictment accusing him of interstate transportation of 78,000 pounds of uninspected beef between Sept. 10, 1964, and May 5, 1965.

The government dismissed the remaining six counts. Under all 12 counts, Deligiannis could have been sentenced to 24 years and fined \$120,000.

#### TELLS TRUE TOTAL

Hoffman said a report by the United States department of agriculture said the true total of the uninspected beef handled by Deligiannis was 226,733 pounds between January, 1964, and May, 1965.

Hoffman rejected a plea for probation by the probation department and another by a psychiatrist.

He criticized the probation department over its recommendation, chiefly because a psychiatrist was assigned to examine the defendant at the request of the defense lawyer, Jack Marcus.

#### WENT TO WHOLESALERS

The meat was obtained in the Appleton, Wis., and Dubuque, Ia., areas, according to the government, but the indictment did not name the sources.

The department of agriculture report said Deligiannis placed the beef in cold storage and that an undetermined quantity of it went to four food wholesalers, who were not named in the indictment or the court proceeding.

Deligiannis also operates a wholesale grocery at 766 W. Jackson blvd., but the indictment did not charge that he disposed of any of the meat there.

#### GIVE TAX RETURN

The department of agriculture report read by the court said that Deligiannis' 1964 income tax return showed his gross sales as \$61,417.

In imposing sentence, Hoffman specified that Deligiannis is to be held without bond and must pay the fine and court costs before being released from prison.

The case is the first of its kind in federal District court within memory.

Marcus produced the communication from the psychiatrist, who reported that Deligiannis is "passive-aggressive reactive and has an impulsive life style."

The attorney described Deligiannis as "a religious, honest, reliable man," at which Hoffman interrupted to say:

"What's a wonderful man like that been indicted for? And he pleaded guilty, but you didn't say that."

"I meant he was," said Marcus.

[From the Chicago Daily News, Nov. 21, 1967]  
BAD-MEAT HAULER GETS 2 YEARS

(By Ed Kandlik)

A suburban Lincolnwood man with crime syndicate connections was sentenced to two years in prison and fined \$15,000 Tuesday for



transporting uninspected meat across state lines.

Orest Deligiannis, 51, of 7118 Kedvale, had pleaded guilty to 6 counts of a 12-count indictment. He was charged with transporting 78,000 pounds of uninspected meat to Chicago from Wisconsin and Iowa.

U.S. District Judge Julius J. Hoffman, who passed the sentence, said much of the meat was from diseased cattle.

Deligiannis could have been sentenced to 24 years in prison, Hoffman said.

The judge said Deligiannis dealt with Victor Champagne, who is a brother of and lives with attorney Anthony V. Champagne, 5679 W. Madison.

Anthony Champagne has appeared several times as attorney for Sam Giancana, reputed crime syndicate boss.

During the trial, the prosecution produced Agriculture Department figures that showed Deligiannis had placed 226,733 pounds of uninspected meat in cold storage at Chicago, and had sold additional meat without placing it in storage.

The indictment, returned May 11, 1967, involved only 78,000 pounds of meat transported to Chicago between September, 1964, and May, 1965.

[From the Chicago Sun-Times, Nov. 22, 1967]  
DEALER GETS 2 YEARS FOR SHIPPING UNFIT  
BEEF INTO CHICAGO

(By Max Sonderby)

Accused of shipping more than 100 tons of unfit-to-eat meat into Chicago, Orest Deligiannis, 53, was sentenced Tuesday to two years in prison and fined \$15,000.

U.S. District Court Judge Julius J. Hoffman, in denying probation for Deligiannis, of 7118 Kedvale, Lincolnwood, said:

"It would appear that he was transporting meat from dead, disabled and diseased cattle."

The judge noted that some bank checks involved in the meat deals were signed by Victor Champagne, brother of attorney Anthony V. Champagne, whose clients have included top Mafia gangsters.

#### PLEADED GUILTY

Deligiannis had pleaded guilty earlier to six charges of transporting uninspected meat across a state line, from Wisconsin to Chicago.

Asst. U.S. Atty. John J. McDonnell said in court that the defendant first told investigating agents he was handling meat for use as dog and mink food.

Deligiannis later admitted that the meat was for human consumption, the prosecutor said.

Records showed that Deligiannis did business, as Janice Meat Co., from his Lincolnwood home and also was interested in Deligiannis Brothers Inc., a wholesale food firm at 766 W. Jackson.

McDonnell told the judge the defendant had a farm near Little Suamico, Wis., shipping meat from there and from Appleton, Wis. Other shipments were made from Dubuque, Iowa, McDonnell said.

#### ONE HUNDRED TONS INCLUDED

Deligiannis pleaded guilty to handling 70,025 pounds of uninspected meat from Sept. 10, 1964, to May 6, 1965. However, Judge Hoffman observed that 226,733 pounds, or more than 100 tons, were placed in cold storage for him.

Deligiannis was indicted May 12 after two years of investigation by government agents. The prosecution dropped six of 12 counts in the indictment.

In asking for leniency, defense attorney Jack Marcus said of his client:

"He is a religious man. He doesn't drink. His life has been devoted to honest and legitimate work in the meat business all of his life."

Judge Hoffman replied:

"Then why was he indicted? There are things about this case I don't like. If you want, I will tell you about them."

Marcus refrained from asking.

Mr. CURTIS. The individual or the concern that is intentionally guilty of practices that result in unwholesome food, of course, must be dealt with. I believe it is also important for the consuming public to realize that the great army of producers and processors of meat are well intentioned and do a good job. Any case that occurs is bad and should not be defended, but the entire industry should not be condemned, whether they be small or large concerns.

Mr. MONTROYA. The Senator is correct.

I thank the Senator for the questions he has asked. I believe that the colloquy has provided further amplification of the objectives of this bill.

Mr. CURTIS. I thank the Senator for his helpfulness in replying to my questions.

Mr. HOLLAND. Mr. President, as the Senator from New Mexico knows, the Senator from Florida was not able to attend the markup in committee because he was transacting other Senate business elsewhere. For that reason I would like to address some general questions to the Senator from New Mexico.

As the Senator from Florida understood, there were three bills considered by our committee; the bill that came over from the House of Representatives, H.R. 12144, which is known as the Purcell bill, and the two bills that had been introduced by Members of the Senate, the Montoya bill, S. 2147, which, as amended, is before us now, and the Mondale bill, which was S. 2218. Is that correct?

Mr. MONTROYA. The Senator is correct.

Mr. HOLLAND. The Senator from Florida first had assurances from the industry in his own State and the appropriate officials of their general approval of the Purcell bill, the House bill; and later, when the Senate hearings were underway, he had the same kind of assurances with reference to their general approval of the Montoya bill, sponsored and introduced by the distinguished Senator from New Mexico.

The Senator from Florida understands, however, that certain amendments were made in the Montoya bill and are in the bill as now reported from the committee. The Senator from Florida wants to understand whether or not the Senate and the general public can rely upon the recital of committee amendments to the Montoya bill found on page 4 of the committee report, at about the middle of the page, the amendments being Nos. 1, 2, 3, 4, and 5.

Are those the amendments made and all of the amendments made in the Montoya bill?

Mr. MONTROYA. The Senator is correct, with the exception of one amendment I am going to offer, which is for clarification only. It would strike out language that is surplusage in the bill, through a misprint.

Mr. HOLLAND. The amendment to which the Senator refers will not make a substantial change in the bill?

Mr. MONTROYA. It would not change the substance.

Mr. HOLLAND. Mr. President, I ask at this time that there be printed in the RECORD that portion of the committee report beginning with the words "Committee Amendments" appearing on page 4, and extending through the listing of those five amendments, for the information of the public and the industry.

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

#### COMMITTEE AMENDMENTS

The Committee amendments would—

(1) provide for extension of Federal inspection to intrastate operations in any State upon request of the Governor, or upon a finding that the State has not within 2 or 3 years after enactment of the bill developed an inspection system at least equal to the Federal system;

(2) provide for extension of Federal inspection to particular intrastate plants found to be distributing adulterated products dangerous to the public health;

(3) preserve the Secretary's existing authority to exempt retail butchers and retail dealers in appropriate cases;

(4) strike out the provision giving the Secretary authority to make additional exemptions in the District of Columbia and unorganized territories; and

(5) make a number of changes designed to conform the provisions to those contained in H.R. 12144 as passed by the House of Representatives, to correct typographical errors, or to make other technical corrections.

Mr. HOLLAND. Mr. President, since there is a listing in the report of the differences between the Montoya bill, as amended, and the Purcell bill, I ask if the Senate can rely upon the recital of those differences, as stated in the paragraph appearing on page 4 of the committee report which is entitled "Comparison of S. 2147 With H.R. 12144."

Mr. MONTROYA. Yes, I believe reliance can be had on that difference stated therein.

Mr. HOLLAND. I thank the Senator.

Mr. President, at this time I ask that there be printed in the RECORD that particular paragraph on page 4 of the committee report entitled "Comparison of S. 2147 With H.R. 12144."

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

#### COMPARISON OF S. 2147 WITH H.R. 12144

The major differences between S. 2147, as reported, and H.R. 12144, as passed by the House of Representatives, are the committee amendments described in paragraphs (1), (2), (3), and (4) above. In addition, S. 2147 in section 17 would require the Secretary to submit more detailed reports regularly on the operations and products covered by the act. The only other differences are nonsubstantive technical corrections.

Mr. HOLLAND. Mr. President, I have listened with a great deal of interest to the colloquy on the floor of the Senate between the distinguished Senator from New Mexico and the two distinguished Senators from Nebraska, in which other Senators have participated from time to time, particularly the Senator from Minnesota [Mr. MONDALE].

I think I understand the situation, and I believe that the public generally and the industries affected will understand



the situation better by the inclusion of these excerpts of the committee report.

I think that a good many States, like my own State, are reluctant to have their own inspection services interfered with. We have an antemortem inspection and a postmortem inspection that are mandatory. We have processing inspection that is mandatory. I understand we are also willing to see that any insufficiency in State inspection be repaired and perfected so that the public will be better assured of getting wholesome products.

So far as the Senator from Florida is concerned, he does not think that Governors need to be feared, because I do not think they will ask for federalization of their services unless intolerable enforcement prevails in their States.

Mr. MONTOYA. Unless they are running for a second term.

Mr. HOLLAND. Fortunately, up until now, the governors of my State cannot run for a second term. I think they would not be persuaded to do such a foolish act. They might be planning to run for higher office and it might militate against them to take that action.

I thank the Senator for his answers and I thank Senators who participated in the colloquy. I think they have made this bill reasonably clear for the RECORD. As far as I am concerned, not having had any protest at all to the committee bill, although there were some protests to the earlier bill, the Senator from Florida would expect to support the bill of the Senator from New Mexico, as amended.

Mr. PASTORE. Mr. President, I merely wish to congratulate the distinguished manager of the bill and to tell him that when this bill came to consideration by the Senate, I communicated with Dr. Cannon, who is the director of health in the State of Rhode Island, to determine the situation in Rhode Island.

As a predicate to asking a question of my colleague who is managing the bill, I ask unanimous consent to have printed in the RECORD the letter which I received from Dr. Joseph E. Cannon, director of health, to the State of Rhode Island, dated November 17, 1967, together with the statement of Dr. T. J. Grennan, which is referred to therein.

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

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF HEALTH,

Providence, November 17, 1967.

HON. JOHN O. PASTORE,  
U.S. Senate,  
New Senate Office Building,  
Washington, D.C.

DEAR SENATOR PASTORE: The Rhode Island meat inspection program is based upon a Rhode Island statute requiring compulsory inspection of all meat, meat products, and meat animals intended to be used or sold for food.

The United States Department of Agriculture "Manual of Meat Inspection Procedures"; and the United States Department of Agriculture "Regulations Governing the Meat Inspection" are used in determining compliance under the current program.

Chapter 80, Public Laws, 1962, Rhode Island, provided for the transfer of the Division of Animal Industry from the former

Department of Agriculture and Conservation to the Department of Health. In 1963, a reorganization of the Rhode Island Department of Health was effected. A result of this reorganization was the creation of the Division of Animal and Dairy Industry. One of the activities assigned to this division is the enforcement of the "Rhode Island Slaughter Act", and the assignment to serve as consultants to the Rhode Island Division of Food and Drug Control in all matters pertaining to the preparation and processing of foods of animal origin.

Since July, 1963, meat inspection activities in Rhode Island have been under the direct supervision of a full-time Public Health Veterinarian. The incumbent, formerly employed by the United States Department of Agriculture Meat Inspection Division has been certified by the Rhode Island Division of Personnel as a result of open competitive examination.

Thus, the program in force in this state parallels that of the United States Department of Agriculture in the use of the same manual and regulations; in the use of full-time personnel to provide ante- and post-mortem inspection; and in providing qualified, professional supervision.

I do not intend to detract in any way from the excellence and dedication of the federal meat inspection service. The reputation of this organization is well-deserved. Many statements, however, made during the current Washington hearings have created a widespread doubt concerning the disposition of so-called 4-D animals (dead, dying, diseased, disabled). I want to assure you that no such animal has been presented to any Rhode Island slaughter house in recent years; nor have such animals been purchased by a Rhode Island buyer at neighboring livestock auction sales.

I am enclosing a copy of a statement presented by Dr. Thomas J. Grennan of our department to the United States Department of Agriculture Budget Review Committee on April 26, 1960 relative to appropriation requests for the Meat Inspection Division. I would direct your particular attention to paragraph four and to the last paragraph on page 2 of his statement. It was not intended to have carte blanche approval granted to any state service. The intention was to provide for acceptance by the United States Department of Agriculture of an over-all state program; to establish qualifications for state employed plant inspectors and to certify them. It is my understanding that this 1960 proposal is very similar to the contents of the present bill by Senator Joseph M. Montoya. At this time, however, I would extend the original suggestion to provide for federal inspection in any state whose service was not approved by a given date, and the expense of such service to be paid for by the state.

Miss Betty Furness, in support of the bill by Senator Walter F. Mondale, stated that the consumer should not have to wait for two years or three years for protection. Such statements imply that federal supervision is available immediately. This may or may not be true. The United States Department of Agriculture is presently attempting to recruit veterinarians for the Meat Inspection Division which must be assumed to meet present demands. Employees in our Division of Animal and Dairy Industry have recently been contacted by mail. Advertisements appear in such non-professional publications as "The National Provisioner." To imply that federal meat inspection can be provided overnight may not be in the public interest.

Much of the evidence presented during the current hearings was based upon investigations made in 1962. Since that time, many states have made a definite and conscientious effort to establish or to improve acceptable meat inspection services. Rhode Island can certainly be included in this latter category.

The present program offers a professional service to the extent of available personnel and financial support.

There is no doubt that those states with similar programs, aided by legislation providing for a federal-state cooperative program and supported by federal funds, would provide a service equal to that of the Meat Inspection Division of the United States Department of Agriculture.

Sincerely,

JOSEPH E. CANNON, M.D., M.P.H.

#### STATEMENT OF DR. T. J. GRENNAN ON THE MEAT INSPECTION DIVISION

The importance of, and the necessity for, the Federal Meat Inspection program is well known; and it is imperative that this program be in a position to keep pace with the needs of the industry which it serves, and of the public. The size of this division, and the services provided, are directly determined by the needs of the industry.

While the Federal Meat Inspection program is basically designed for the protection of the consumer health, it also serves as an adjunct to livestock disease control. It serves as an index of livestock health, and many times can call to the attention of livestock health personnel, conditions that otherwise might have gone undetected.

In addition to the above, it is a most important link, through the provisions of the original Meat Inspection Act, in the chain of livestock marketing.

The change in public buying habits has been markedly demonstrated in the marketing of meats and allied products. The small business merchant, who heretofore was able to provide an outlet for non-inspected products, is regularly being replaced by the large chain operator. This change in merchandising is directly affecting the needs of Federal meat inspection services, as inspected meats are increasing in demand.

The processed meat inspection program is daily assuming more and more attention. Its importance in the over-all inspection picture has been highlighted through the problems brought about by chemical additives to foods, as well as residues of chemicals ingested by livestock.

In common with all other service and business operations, operating costs have continued to rise. Increases in administrative costs should not deter the expansion of such an important service.

At the present time, inspection services are being granted to new plants at a higher rate than services are being withdrawn. The list of applicants requesting plant services continues to grow. In 1960, there are 3,274 people employed in 1,380 plants located in 571 cities and towns. By using current figures for grants, and applications, as well as estimated withdrawals, it can be assumed that in 1962 there should be a requirement for 3,366 persons in 1,474 plants located in 624 cities and towns.

The Meat Inspection Division is presently faced with the added responsibility of the provisions of the Humane Slaughter Act, and with the necessity of continuous residue investigations.

In order to meet the present requirements of industry, there is a need of 5½ men per month as a constant increase in personnel. This increase is in keeping with the normal growth and the requests of industry.

This committee requests that the possibility of acceptance of selected State meat inspection services be explored. Meat appears to be the only agricultural commodity restricted to Federal inspection to qualify for interstate and foreign commerce. It is not recommended that this be attempted on a state-wide basis, but rather that it be by selected approval.

In conclusion, the added responsibility of enforcing the Humane Slaughter Act; the



addition of a minimum of  $5\frac{1}{2}$  men per month, will, no doubt, result in a demand for increased funds. This committee urges that these adequate funds be provided.

Mr. PASTORE. Mr. President, does the Senator from New Mexico recall any testimony in his hearings contrary to the presentation made in the letter written by Dr. Cannon?

Mr. MONTROYA. I think the statement that Dr. Cannon made coincides with what we have discovered in the hearings. Rhode Island is one of the States which have good mandatory inspection laws.

Mr. PASTORE. I understand that under the program Rhode Island will still conduct its own inspections for 2 years, with a grace period of 1 year within the discretion of the Secretary of Agriculture, and that the Federal Government will make certain provisions in money grants in order to bring about a more cooperative effort.

Mr. MONTROYA. I am willing to go further in my answer. The State of Rhode Island, so long as it continues to enforce its mandatory provisions with respect to intrastate plants, may continue permanently to do so. That is provided in my bill.

Mr. PASTORE. But will Rhode Island be a beneficiary of the largesse which is being peddled out to the other 49 States?

Mr. MONTROYA. The Senator is correct. Each State will be entitled to financial and technical assistance from the Federal Government for aid in the inspection of meat.

Mr. PASTORE. My last question is: In Rhode Island, there are many independent butchers. They cut their own meat, all done within federally inspected meat conditions as a rule, but then they make sausages on their own. They buy the pork, add the condiments, and make the sausage. Would the small butcher shop come under the purview of this law?

Mr. MONTROYA. I refer the Senator to page 36, subsection 2 of the bill which reads as follows:

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).

Mr. PASTORE. I thank the Senator. I commend him for the excellent job he has done on behalf of the citizens of the country, particularly the consumers, and for the excellent job being done on the floor of the Senate today to protect the health of our people.

Mr. MONTROYA. I thank the Senator from Rhode Island.

Mr. President, I yield the floor.

Mr. CLARK. Mr. President, as a cosponsor of the original Montoya bill and as a supporter of the bill introduced somewhat later by the Senator from Minnesota [Mr. MONDALE], I should like to congratulate both Senators on their wisdom in coming to an agreement on the amendments which have resulted in

bringing to the Senate the present bill, S. 2147.

In my judgment, this Federal meat inspection bill, as revised and strengthened, will give to the housewives who shop for meat at the local supermarket, the millions of children who buy school lunches, and anyone who has ever ordered a meat dish in a restaurant, the assurance that their Government has done all it can to guarantee the purity and wholesomeness of the meat they eat.

This is a matter of particular concern to the Commonwealth of Pennsylvania because of the inadequacy of our State inspection program. Unfortunately our Governor has not requested, and our legislature has not appropriated sufficient funds to support an adequate State inspection program. On the whole, our meat inspection law has not been adequately enforced. Our meat inspection procedures have been haphazard at best.

Of the 1,263 meat processing or slaughtering plants in Pennsylvania, more than 1,000 receive no inspection other than for purposes of licensing. The result is that fully 25 percent of the fresh meat and 50 percent of the processed meat in the State of Pennsylvania comes from plants which are not inspected. Conditions in some of these plants, if they were known to the consumers of the meat they process, would be shocking news indeed.

With the passage of the bill now being considered, we shall set in motion new Federal procedures which will put an end, once and for all, to these distressing conditions. Although the States will be given 2 years to establish an adequate State inspection system, the consumers will not be left unprotected during that period. The bill, as amended, specifically authorizes the Secretary of Agriculture to take immediate action against any intrastate plant which endangers public health, by placing such a plant under Federal jurisdiction and inspection if the State, after notice, fails to eliminate such health hazards. I join in the judgment of President Johnson's consumer affairs adviser, Miss Betty Furness, that the bill, as amended, is a "strong, realistic, and practical bill that will assure the Nation's housewives that the meat they serve their families will be pure."

Mr. MONDALE. Mr. President, will the Senator from Pennsylvania yield—

Mr. CLARK. I yield.

Mr. MONDALE. I wish to congratulate the distinguished Senator from Pennsylvania for his courage and leadership on this issue. The conditions which he cites in Pennsylvania can be found in most States of the Union. As the Senator from Pennsylvania knows, a survey was made of intrastate plants in the so-called Clarkson report of 1962, and another survey was made in 1967. They showed that intrastate plants are being inspected in varying degrees depending on the State.

Eight States have no inspection system whatsoever. Others are in virtually the same situation. But the Department concluded that although many States, by the terms of their legislation, have adequate laws, in no State is the admin-

istration of the program up to Federal standards. In all States, specific examples of practices of all kinds were found that would never be permitted in federally inspected plants.

Mr. CLARK. I thank the Senator from Minnesota for that information. I should like to ask him, as a cosponsor of the bill, a question. On page 4 of the committee report, I note a series of committee amendments which, as I read the more important ones, would—

(1) provide for extension of Federal inspection to intrastate operations in any State upon request of the Governor, or upon a finding that the State has not within 2 or 3 years after enactment of the bill developed an inspection system at least equal to the Federal system;

(2) provide for extension of Federal inspection to particular intrastate plants found to be distributing adulterated products dangerous to the public health;

(3) preserve the Secretary's existing authority to exempt retail butchers and retail dealers in appropriate cases;

(4) strike out the provision giving the Secretary authority to make additional exemptions in the District of Columbia and unorganized territories.

Do not those committee amendments substantially strengthen the bill which the House passed, known, I believe, as the Purcell bill?

Mr. MONDALE. I do not think there is any question about it. The House-passed bill, known as the Purcell bill, contains many fine features. But there was one omission, in my opinion, that had to be corrected; namely, what could be required of a State which, despite the fact that, under the House bill, financial assistance was offered, nevertheless refused to establish a system which was adequate to protect the public from unwholesome meat, from the use of cheap fillers, from misleading labeling, and from color additives that concealed the true nature of the meat of the sausage? The answer was "nothing." We found not only that the States faced an economic problem, but that the entire mechanical function of intrastate regulation that had developed over the years had created tremendous economic problems for States within the Federal system, because of the powerful economic forces at work in all States. For that reason, we needed not only a carrot, but a stick, and that is supplied in the bill before the Senate.

Mr. CLARK. I congratulate the Senator from Minnesota and the Senator from New Mexico upon agreeing to insert these provisions in the bill. I hope very much that when the bills go to conference, as I assume they will, the Senate conferees will insist on these more rigorous standards.

Mr. ALLOTT. Mr. President, I have been on the floor now for over 2 hours in an attempt to be recognized by the various occupants of the chair, and have been unsuccessful up to now. Some 1 hour and 15 minutes ago I assured the leadership that I would do all in my power to try to get to a vote on this question by 3:30 p.m. It is now 3:32, and while I have no intention of talking at any great length, neither do I intend to quit until I have acquired all the information I wanted to elicit for the Senate.

First of all, I want to say that I con-



cur—wholeheartedly in the remarks of the distinguished Senator from Nebraska [Mr. HRUSKA]. It had been my intention to ask some questions along the same lines that he has propounded. However, I think some of the questions he has asked might stand further exploration.

As a preliminary remark, let me say that no one here holds any brief for anybody who produces meats that are of an inferior quality or which are not wholly fit for human consumption. However, many things can happen with Federal legislation. The distinguished manager of the bill mentioned a while ago, in reading from a Library of Congress report, that a great number of people were poisoned from bread which had become infected by insecticides. I do not know whether that is the recent case I read or not, which resulted in some 76 deaths, and which was a very tragic affair, since most of victims were children. The situation, as the Senate may know, involved a trucker, who was transporting bread, also put some insecticides of a very poisonous nature in the truck bed with the bread. The insecticide sacks became broken, and in being transported, blew around an infected bread. A great number of people lost their lives unnecessarily. The truckdriver later made the statement that he did not know it was poison.

So the only point that can be made out of this very sad affair is that even if there had been an inspector at every stage of the processing of the bread, even up to the time it left the bakery for delivery, it would not have avoided this tragic mistake. If the reference in the Library of Congress note refers to this same incident—it really has nothing to do with the subject we are discussing today.

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

Mr. ALLOTT. I yield.

Mr. HRUSKA. Was that the incident that happened in Bogotá, Colombia, which was reported in the press in the past few days?

Mr. ALLOTT. Yes.

Mr. HRUSKA. It is my recollection that it was not in the report, but was simply a statement of the Senator from New Mexico.

Mr. MONTROYA. Yes.

Mr. ALLOTT. Very well.

None of us is going to bring home putrid or impure meat or food for our families or ourselves, but incidents like the one in Bogotá can occur in a very peculiar way, and at least one of those incidents should be documented on the Senate floor.

We have a very enterprising farmer in the San Luis Valley in Colorado, who, over the years, has developed a brand-new type of spinach. Because of outstanding climatic conditions, and because of the strain which had been developed, this spinach brought a premium price wherever it was shipped. It happened that most of the spinach went to an eastern market.

Some 4 years ago, the Pure Food and Drug unit of the Department of Health, Education, and Welfare received an anonymous phone call from someone in

the east. On the basis of that telephone call alone, and acting under what we ordinarily call the pure food and drug law, the former Administrator tied up several carloads of spinach in the east. The farmer immediately lost that spinach. Worse than that, however, word got around the wholesale trade that this man might be shipping spinach which contained a very highly toxic form of drug used for the suppression of various bugs. After I had run it down it turned out that this company had sold this particular drug to only two people in the United States. Both of them were over 1,000 miles away, from Colorado.

The Pure Food and Drug Administration sequestered several carloads of this spinach. But then the word got around among the wholesale trade that this man's spinach was afflicted with this very highly toxic drug—when it was not—and his sales for that year were ruined. As a matter of fact, it took the farmer 3 or 4 years to rebuild his business. The actual loss to that one farmer was \$400,000. In order to get any relief for him, it was even necessary to get a special bill enacted by Congress permitting him to sue the United States in the courts. His suit against the United States was developed because of a telephone call to the Pure Food and Drug Administration from a competitor, causing him a loss of \$400,000. He does not know to this day whether he will be able to recover from the United States.

There can be no doubt about two things. The first is that the action was instituted as a result of a call from a competitor, or an agent of the competitor. Second, after examination or reexamination of the spinach which had been sequestered, the officials could not find one single trace of that particular drug in any of the spinach which they had sequestered.

So the concern of some of us for small businesses and how they may be affected by legislation such as this is a legitimate one.

I want to say, first of all, with respect to the merits of this legislation, that I am very appreciative to the manager of the bill for his help and assistance.

I understand also that there is a fever for adjournment in the air, and these bills have to be moved as rapidly as they can. I do not intend to imply anything except extreme good faith and cooperation on the part of the manager of the bill, who is the only member of that committee with whom I have discussed the matter.

I should like to address a question to him, if he will turn to page 44 of the bill, under section 407, which begins as follows:

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—

And the language which follows.

I do not know whether the Senator is aware of what the inclusion under the Federal Trade Commission provisions has done to this bill or not; but I refer

him to title 15 of the United States Code. I shall read from section 48 of that act, on page 2626. Here is what article 48 says:

§ 48. Information and assistance from departments.

The several departments and bureaus of the Government when directed by the President shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any corporation subject to any of the provisions of sections 41-46 and 47-58 of this title, and shall detail from time to time such officials and employees to the commission as he may direct.

It seems to me that what we have done here, by incorporating the provisions of article 48 of the Federal Trade Commission Act into this act, is to give the Department of Agriculture the right to call upon the Federal Trade Commission, Internal Revenue Service, or even, perhaps, other departments of Government for assistance with regard to the enforcement of this act. These agencies will, by the terms of the bill which incorporate these provisions, be required to furnish the Department of Agriculture whatever information is requested. Was the Senator aware of the implications of that provision?

Mr. MONTROYA. No, I was not aware of the implications of which the Senator speaks. As of the moment, I stand on the explanation given on page 18 of the committee report with respect to section 407, which reads as follows:

Section 407 incorporates, by reference, provisions (including penalties) of the Federal Trade Commission Act and the Communications Act of 1934, as amended, authorizing requirement of reports, authorizing administrative subpoenas, and conferring other investigative and hearing powers.

I am not aware that the quoted provision, by virtue of incorporation, would extend the powers of the Secretary of Agriculture beyond this concept.

Mr. ALLOTT. The measure under consideration very definitely includes this part of the Federal Trade Commission Act, under which other departments of the Government are required to furnish information to the Trade Commission. As a matter of fact, the distinguished Senator from Washington [Mr. MAGNUSON], who is chairman of the Subcommittee on Independent Offices Appropriations, of which I am the ranking minority member, and I discovered in our examination of the Federal Trade Commission 2 or 3 years ago that they not only had access to all of our income tax records, but they were actually keeping a staff of from 30 to 35 people in the Internal Revenue Service for the purpose of perusing the income tax returns of various individuals and corporations throughout the country, the secrecy of which we had always thought was sacred.

I think we succeeded in stopping that practice, unless they have renewed it since we have relaxed our vigilance this year.

So it can readily be seen how long the fingers of the Department of Agriculture grow by virtue of this seemingly innocuous inclusion, even though it is explained by the paragraph concerning section 407 on page 18 of the committee



report. It illustrates how far we bring the Federal bureaucracy into this measure.

I must say that when I consider the penal provisions found in the latter part of the bill, as in section 406, which provides for an imprisonment of not more than 1 year or a fine of \$1,000—

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

Mr. ALLOTT. May I finish with this point?

Mr. MONTROYA. Yes.

Mr. ALLOTT. In case it involves an intent to defraud, or distribution of an article that is adulterated—imprisonment of not more than 3 years, or a fine of not more than \$10,000, or both—I can see very little justification for including criminal provisions of other statutes in the pending bill also.

I yield now to the distinguished Senator from New Mexico.

Mr. MONTROYA. I say to my good friend from Colorado that it is not uncommon to make reference to that provision in other legislation. We already have, with respect to packers, under the Packers and Stockyards Act, a similar reference to the provision to which the Senator refers. I call the attention of the Senator to the cross-reference appearing under the specific provision which he has quoted and which we have been discussing, which reads as follows:

Jurisdiction, powers and duties of Secretary of Agriculture in enforcing the provisions of the Packers and Stockyards Act, application of this section to, see section 222 of Title 7, Agriculture.

I have that particular section here; namely, title 7, section 222. For the RECORD, it reads as follows:

§ 222. Federal Trade Commission powers adopted for enforcement of chapter.

For the efficient execution of the provisions of this chapter, and in order to provide information for the use of Congress, the provisions (including penalties) of sections 46 and 48-50 of Title 15, are made applicable to the jurisdiction, powers, and duties of the Secretary in enforcing the provisions of this chapter and to any person subject to the provisions of this chapter, whether or not a corporation. The Secretary, in person or by such agents as he may designate, may prosecute any inquiry necessary to his duties under this chapter in any part of the United States.

Mr. ALLOTT. Mr. President, I hope that I can at least get the assurance of the manager of the bill that it was not the intent that the Department of Agriculture under the color of this authority—and it is not merely under the color of authority, but it is an actual grant of authority in the bill to which I have just referred—would be given the right to go fishing all over the Government for every kind of information they can get about a particular plant, except as it relates to the primary purpose of the act, which is to see that only pure and wholesome meat products get into the hands of the people of this country.

Mr. MONTROYA. If my good friend, the Senator from Colorado, will yield a little further, I do not think that situation will ever occur because under the present system of Federal inspection, the Federal inspection personnel have been taxed to the gills, and they will not be able to have

any excursion into these particular areas about which the Senator has any apprehension.

They certainly must have power to go into an investigation of unwholesome food. The usual case comes about because the Federal Government actually knows where the unwholesome food is being produced. These Federal inspectors have a way of finding out in what plants these practices can and do occur.

Mr. ALLOTT. That is true. However, the distinguished Senator has based it upon the idea that the inspectors are busy, and they are. I happen to know a little about this personally. However, that does not mean that everybody in the Department of Agriculture is busy. And anybody else, even outside of the inspection bureau, could get a bee in his bonnet and decide he would rather like to zero in on some person and utilize this measure.

I want the record to be clear that the powers that are being written into the pending bill, by giving expressly to the Department of Agriculture the powers contained in the Federal Trade Commission Act, are restricted to the primary function of the bill which is to see that only pure and unadulterated meat products get into the hands of our public.

Mr. MONTROYA. That would certainly be my intention and certainly the intention of the committee. We would certainly expect the Secretary of Agriculture to exercise reasonable prudence in availing himself of this power because the premise upon which this power is granted to him is for the efficient administration and enforcement of this act. That is the premise upon which this power is given to him.

Mr. ALLOTT. I thank the Senator for his statements. I am sure they will be valuable in the interpretation of this matter.

I should like to return now to one of the first questions asked by the distinguished Senator from Nebraska relative to section 202. This relates to the keeping of records.

It reads:

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 . . .

I think we ought to clear up the legislative record. What bothers me about this is the meaning of "keep such records."

Does that language mean, for example, that essentially a one-man shop, a small slaughtering house run by one man with perhaps three, five, six, or 10 employees under him, having kept books for a number of years in a certain way, can have a bookkeeping system imposed upon him by the Department of Agriculture? As long as his books show and disclose fully and correctly all transactions involved in his business, would the Secretary have any power then to compel a change in the bookkeeping of that particular business?

Mr. MONTROYA. I would say to the

Senator from Colorado that the objective of this provision is to authorize the Secretary to promulgate such regulations with respect to the keeping of records as will subserve the objective of the bill.

I will give the Senator one example which comes to my mind. It was certainly discussed in the hearings. If one of the individuals coming within the provisions of the act should buy a deceased animal, he must have a record. The Secretary will certainly require him to have a record of when he bought this particular animal and what disposition he has made of it.

Mr. ALLOTT. I agree that all of that is proper.

Mr. MONTROYA. This would follow a pattern which the Secretary has outlined in actual practice with respect to the Federal inspection system. He has promulgated relations requiring this kind of recordkeeping under the Federal inspection system. And I certainly would not expect him to go beyond the present exercise of authority unless it would subserve, and only subserve, the objectives of the act—wholesome food and deterring the movement of unwholesome food into the consumer market.

Mr. ALLOTT. The language I have referred to appears on pages 27 and 28 of the bill. The question that I have asked concerns the meaning of "keep such records."

While I agree and would be the first to agree that if a man through inadvertence were to bring a deceased animal into his yard for slaughter and some disposition were made of the animal, his records should show what that disposition was.

If a man kills 20 or 100 head of beef in a month, his records should show where the beef came from, when the beef arrived, what was paid for the beef, and where it was sold.

What I am concerned about, however, is when the Senator says that they shall keep such records as will fully and correctly disclose all transactions involved in their business, does that language confer upon the Secretary the right to impose upon a particular person engaged in the slaughtering of meat animals a particular type of bookkeeping if this person's records already fully disclose all of the things of which the Senator has spoken.

Mr. MONTROYA. I do not think the Secretary would impose a special bookkeeping system which would force an individual to divert his operation from the usual practice that he has been adhering to.

With respect to the fear that the Senator from Colorado might have as to whether this authority may be abused, I would like to call his attention to section 401 of the Packers and Stockyards Act from which this provision was taken, cited in 7 United States Code, section 221, and it reads as follows, insofar as the pertinent provision of that section concerns us today:

SEC. 401. Every packer or any live poultry dealer or handler, stockyard owner, market agency, and dealer shall keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business, including the true ownership



of such business by stockholding or otherwise.

So that he has that authority already, and he has been exercising it. I do not know of any abuse of authority to which he has resorted.

Mr. ALLOTT. I am not concerned about the information. I am concerned about the imposition of a uniform system of accounts or bookkeeping upon these people. As I understand the Senator, he has said there is no such intention, so long as the books accurately reflect the complete transactions of the business, including diseased animals, what was done with them, what is done with the good animals, and where they were sold. Is that correct?

Mr. MONTROYA. I believe there are certain other aspects of the operation.

Mr. ALLOTT. There are other aspects, also.

Mr. MONTROYA. Which would be within the purview of this authority.

Mr. ALLOTT. But this is the main point: There is no intention in this bill to impose or to give the Secretary of Agriculture an opportunity to impose upon individuals a uniform system of accounting or keeping books?

Mr. MONTROYA. No, not so far as I can see.

Mr. ALLOTT. I believe the Senator perhaps answered this question very well on page 108 of the hearings, when he said:

Senator MONTROYA. I am assuming that the Secretary will only require the inspection of such records as may be germane to his main objective; namely, seeing that sanitary conditions and all other conditions under the law are adhered to by the licensee. And I would have no objection to establishing that and contributing the interpretation of the particular provisions to that objective and establishing it as legislative history.

So that I believe the Senator's remark in the record is as clear upon this matter as anything can be—namely, in seeing that sanitary conditions and all other conditions under the law are adhered to by the licensee. The Senator sees no reason to change his language in the hearing, does he?

Mr. MONTROYA. No, I do not.

Mr. ALLOTT. Another matter to which I wish to refer concerns the last paragraph on page 3 of the report down to the paragraph entitled "Committee Amendments" on page 4. This is an item that has concerned most people in this area, particularly the people with whom I have spoken. I have had time to communicate with only three of them. They all happen to be in the Arkansas Valley; they have all been east of Pueblo, in Colorado; they have all been in business many years. I have done business with one of them for at least 37 years. I have never heard of anybody being poisoned by a meat product from that plant nor from any of the others.

But one of the matters that concerns these people is that they are afraid that this bill would require physical standards which would cause them to reconstruct plants and all of their equipment in conformity with some formula or concept that was developed in the Department of Agriculture.

The manager of the bill and the Sen-

ator from Nebraska covered this matter pretty well, but I believe that the point that is basic with respect to this matter is contained in the portion of the report which reads:

However, the facts are that the eligibility of an establishment for Federal inspection is based upon a combined evaluation of the operating procedures used by the establishment and the building construction and physical facilities rather than upon a separate evaluation of these factors. Thus, if the operating procedures are patterned so as to insure the sanitary handling of product within the establishment and result in wholesome food, the establishment could be declared eligible for Federal inspection.

This language was part of the report that the distinguished Senator was kind enough to call to my attention last Wednesday when we first learned this bill was coming to the floor. As I read it the key words are "combined evaluation" and the test is whether all of the physical facilities and the operation, the combined evaluation of operating procedures, produces wholesome food which can be placed in the hands of retailers and in the hands of the consuming public. So that while a given plant might not conform to even the man's idea of what he would like to have in his own plant, let alone the Department of Agriculture, if his entire handling of the food, from the time of the slaughter to the time it is put in a truck and delivered to a grocer counter or meat counter, is such that it produces a wholesome and pure food, this is the criteria that would govern the combined evaluation, rather than the absence of a single feature or the lack of a single feature in the particular plant. Is that correct?

Mr. MONTROYA. That is my understanding—plus the information which I submitted in my colloquy with the Senator from Nebraska—namely, that the Department has not, as a matter of practice, exacted strict adherence to architectural requirements and does not intend to do so.

Mr. ALLOTT. I have one final question, and it arises from page 3 of the bill, subsection (h):

(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.

At a later place, on page 13 of the bill, appears this language:

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.

The words "substantially affect such commerce," with the exception of the exemption in the bill which exempts custom slaughterhouses—and there is such an exemption—is there not?

Mr. MONTROYA. Yes; there is.

Mr. ALLOTT. With that exception, the purview of these two together, as I interpret it, is to throw every small slaugh-

ter plant under the purview of this bill, whether or not it actually sells in interstate commerce.

Mr. MONTROYA. Well, I would not say it so literally. I would say "as contemplated by the provisions of this act."

Mr. ALLOTT. Well, there is a limitation, and I cannot find it.

Mr. MONTROYA. On page 13, as contemplated by the provisions of this act—namely, that the act assumes jurisdiction of intrastate shipments only under special circumstances—that is, under the triggering provisions by which the Federal Government can step in and take over a plant which is strictly engaged in processing or sales in intrastate commerce, but is violating the standards of wholesomeness and what is expected for the protection of the consumer if the State fails to act after the Secretary of Agriculture calls it to the attention of the State authorities.

That is the area which is contemplated by the embracing provision of this section.

Mr. ALLOTT. Mr. President, the State of Colorado, as the Senator knows, has an inspection act. I believe I can quote the Senator. He said that the State of Colorado had standards equal at least to the Federal Government in this respect.

Mr. MONTROYA. Unless they have done it lately, the State of Colorado is one of those States which has no mandatory inspection.

Mr. ALLOTT. Colorado only has voluntary inspection, and not mandatory inspection provisions.

Mr. MONTROYA. That is right, it does not come within those 29 States that have mandatory inspection.

Mr. ALLOTT. That do have mandatory inspection?

Mr. MONTROYA. That is right.

Mr. ALLOTT. I think the picture is clear. I conclude by saying to the Senator that I appreciate his clearing up various points for me. However, more than that, I wish to compliment the Senator for devoting his effort, great energy, and ability to this bill, which is much preferable to some of those which have preceded it and which I think is more realistic in terms of what our country actually needs and how food products are made and distributed.

Mr. MONTROYA. I thank the Senator for his valuable contribution and his kind words.

Mr. ALLOTT. I yield the floor.

Mr. MILLER. Mr. President, I wish to ask the Senator from New Mexico a question about the provision found on page 20 of the bill which reads:

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.

I take it from the language I have just quoted that our intention is that the consuming public in the United States



receive equal protection with respect to both imported and domestically produced meat and meat products. Is that correct?

Mr. MONTROYA. The Senator is correct. We are placing a provision in here which would enable the Secretary of Agriculture to impose equal rigidity, so to speak, upon the producer of meat that is imported for the consumers here in the United States.

The way in which this would work would be that the Secretary of Agriculture would not license for importation purposes or export to this country any plant which does not pass the test that would satisfy the maximum Federal standards.

In addition to licensing such plant for the purposes of exporting into this country, there is the additional requirement practiced on the part of the Secretary of Agriculture that he would take possession of these meat products the minute that he had the port of destination in the United States and there conduct another inspection to see that the meat was wholesome, and that it satisfied all requirements set out in the Federal inspection manuals and inspection laws.

Mr. MILLER. We have a twofold objective by this provision: To assure the consumers in the United States of equal protection as far as wholesomeness, quality, sanitation, and all other desirable features covered by the bill are concerned, with respect to not only domestically produced, but also foreign imported meat and meat products.

Mr. MONTROYA. The Senator is correct.

I wish to say to the Senator from Iowa, who worked very assiduously with us on most of these amendments and whose advice was most valuable, that heretofore the only regulation authority with respect to imports existed in a very fine and limited provision in the Tariff Act. That is the genesis of the regulation for imported meat that existed.

Now we have brought it under the Federal Meat Inspection Act with complete, comprehensive, and elaborate authority so that he can deal with this question and put imported meat on the same par with domestic meat in this country.

Mr. MILLER. I appreciate the background material which has been given by the Senator. It reemphasizes the intention behind the language, namely, as I have said and the Senator agrees, that we furnish to our consumers here equal protection, whether it be from domestically produced meat and meat products, or whether it be from foreign produced meat and meat products; and second, it would show that we would assure our domestic producers that they will not be undercut by foreign competition that does not meet equal standards. Is that correct?

Mr. MONTROYA. The Senator is correct.

Mr. MILLER. There is one thing that is bothering me and that is in the committee report on this point. I refer the Senator to page 12, the second paragraph from the bottom, where the legislative intention is somewhat spelled out on this point by stating:

It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country but it is intended that the Foreign country enforce inspection and other requirement with respect to the preparation of the products at least equal to those applicable to preparation of like products at federally inspected establishments in the United States.

The question is: How are we going to make sure of our intention that these foreign brands live up to this specification and all of these regulations we talk about if we cannot put a Federal inspector in over there at least on an export checking basis? I understand how we can check meat and meat products for quality when they come into the United States, but we cannot inspect plants to see that they live up to the standards for quality or in the slaughtering process.

I am wondering if we could not say with validity that the intention is that there be a means of control, even though it might not include a Federal Department of Agriculture meat inspector personally going into a foreign plant; that there be evidence that is most satisfactory to the Department of Agriculture that that particular foreign plant is, indeed, living up to the construction specifications, the slaughtering controls, and the sanitary requirements which our plants in this country must live up to.

Mr. MONTROYA. I think that the acting majority leader has a request to propound. Will the Senator yield?

Mr. MILLER. I yield.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, notwithstanding rule XII, the vote on final passage of the bill then pending, namely, H.R. 12144, with the Senate text substituted, occur on tomorrow afternoon at 2 o'clock; that all time on amendments be limited to 30 minutes, the time to be equally divided between the mover of the amendment and the distinguished Senator from New Mexico [Mr. MONTROYA]; and that the agreement be printed in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. HRUSKA. Mr. President, reserving the right to object, as far as this Senator knows, no amendments will be proposed that are in readiness for submission. However, we have the Senator from Iowa [Mr. MILLER] propounding very important questions on imports. The Senator from Wyoming wishes to be heard, and perhaps other Senators wish to be heard, with requests for yielding on the part of other Senators.

I am wondering what assurance there will be that there will not be foreclosure of discussion of the bill prior to the time we are called upon to vote. We are really conducting a committee hearing on the floor of the Senate, a procedure which I deplore greatly, but it is one forced upon us. What assurance can the acting majority leader give us in that regard?

Mr. BYRD of West Virginia. It was the intention of the leadership to come in on tomorrow at 11 a.m. It was the thought

that this would give those who wish to discuss the bill approximately 3 hours for such discussion.

If it is felt that this is not sufficient time, perhaps we can change the unanimous consent agreement to allow for a vote at 3 o'clock?

Mr. HRUSKA. Well, so often, respecting last-minute discussion, someone will get up on a very important aspect of pending legislation and we find ourselves cut off at a given hour, and we have to act not with deliberation and wisdom but because of the clock, and not in pursuance of the commonsense and wisdom we might be able to summon.

Mr. BYRD of West Virginia. Mr. President, I change my unanimous-consent request to read 4 o'clock for final passage instead of 2 p.m., with a half-hour on each amendment to be equally divided between each side.

Mr. MONTROYA. Why not make it not later than 4 o'clock?

Mr. BYRD of West Virginia. Mr. President, let me repeat my request:

I ask unanimous consent that, notwithstanding rule XII, the vote on final passage of the House bill, with the Senate text substituted, take place not later than 4 o'clock tomorrow afternoon, and that all time on each amendment, if any be offered, be limited to 30 minutes, the time to be equally divided between the mover of the amendment and the distinguished junior Senator from New Mexico [Mr. MONTROYA]; further, that the agreement be printed in its usual form, including the consideration of the House bill (H.R. 12144).

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent to amend the previous unanimous-consent agreement on the meat inspection bill to include the following: that if no amendment is pending, the time on the debate on final passage be equally divided and controlled by the majority and the minority leaders, or whomever they may designate.

The PRESIDING OFFICER. Is there objection? Without objection—

Mr. MILLER. Mr. President, reserving the right to object, do I understand that there is a time limitation on final passage?

Mr. BYRD of West Virginia. Yes.

Mr. MILLER. May I ask how much time?

Mr. BYRD of West Virginia. The Senate has agreed to vote on final passage no later than 4 o'clock tomorrow afternoon. It has agreed to limit time on all amendments to 30 minutes, but it is possible that at some point, no amendment will be pending, and, consequently, the request I am now propounding is to take care of that situation, so that the time on debate on final passage would be divided equally between the majority and minority leaders or whomever they may wish to designate.

Mr. MILLER. With the time for debate being left open within the framework of the previous agreement?

Mr. BYRD of West Virginia. Yes.



Mr. MILLER. I have no objection. I thank my colleague.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

The unanimous-consent request, subsequently reduced to writing, is as follows:

#### UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Tuesday, November 28, 1967, at the conclusion of routine morning business, during the further consideration of the 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, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the junior Senator from New Mexico [Mr. MONTROYA]: *Provided*, That in the event the junior Senator from New Mexico [Mr. MONTROYA] is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received: *Provided further*, That after the third reading of S. 2147, the Committee on Agriculture and Forestry be discharged from further consideration of H.R. 12144 and that the Senate proceed to its consideration, at which time the language of S. 2147, as amended, be offered as a substitute amendment for the House-passed language of H.R. 12144.

*Ordered further*, That the vote on final passage of H.R. 12144 shall take place at not later than 4 p.m., provided that if at that hour any amendment is pending to S. 2147, a vote be taken on the amendment before proceeding to the consideration and final passage of H.R. 12144.

*Ordered further*, That when no amendment is pending debate on the question of final passage shall be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them.

#### ORDER FOR ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

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

#### COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees may be permitted to meet during the session of the Senate tomorrow.

Mr. HRUSKA. Mr. President, reserving the right to object, does that mean beyond conclusion of the morning hour? That would put some of us in a pretty big box on a lot of these things.

Mr. BYRD of West Virginia. Very well, Mr. President, I ask unanimous consent that all committees may be permitted to meet tomorrow until the conclusion of the morning hour.

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

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 49) extending congratulations to the Parliament of Finland on the 50th anniversary of Finland's independence.

#### FEDERAL MEAT INSPECTION ACT

The Senate resumed the consideration of the 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.

Mr. MILLER. Mr. President, in referring to the question I asked of my colleague before I yielded to the acting majority leader, what I am getting at is, would it not be proper to expect that the Department of Agriculture, in implementing this part of the bill, for example, require that a proposed exporter of meat and meat products into the United States have on file with the Department a document setting forth the construction, specifications, quality, sanitary control, and operating procedures, so that the Secretary could determine whether they measured up; this, in turn, to be reinforced by a copy of the regulations under which the foreign country's plants are inspected, plus some assurance, say, from the minister of agriculture of the country concerned to the effect that the standards are being enforced. Would this not be what we would be expecting the Department to obtain?

Mr. MONTROYA. In answer to the inquiry of my good friend from Iowa, let me state that that is the practice now being adhered to by the Secretary of Agriculture. The reason we cannot provide for carcass by carcass inspection by Federal inspectors is that it would be most impractical. Right now, there are establishments in 38 countries licensed to export to this country by the Federal authorities here. The way this inspection has been supervised by the United States is in part through a sort of circuit-rider kind of inspection, where we have veterinary review officers who visit these foreign countries and the plants which have been properly licensed by the Secretary of Agriculture.

They go through a very rigid inspection by our Federal veterinary officers who ascertain that the plant is being operated under inspection conditions equivalent to the Federal inspection standards. In addition to such inspection by our officials, the foreign plant must be operating under continuous carcass by carcass inspection by inspectors of the foreign country. That is one of the basic requirements. A periodic review is made by our veterinary officers. There is sample checking, to see that there is no plant which says today that it is sanitary and tomorrow it practices methods which bring about unwholesome meat.

It is the opinion of the Secretary of Agriculture that the present inspection

methods which are resorted to are adequate to guarantee wholesome food to the American consumer when it is brought into this country.

In addition, I am told by the Department of Agriculture people that if the bill passes, with the new provisions we have inserted in the bill, they will implement the inspection service a little more and improve on it.

The point I want to make clear is that the Department of Agriculture does not license every applicant who wants to export meat to this country. The Secretary of Agriculture is very choosy about licensing establishments. The Department must satisfy itself that inspection standards equivalent to our Federal standards are adhered to in the processing or slaughtering of meat destined for export to the United States.

Mr. MILLER. Well, I appreciate that response from my colleague. Might I not say, not only should the Department of Agriculture be satisfied, but I certainly believe that Congress and the consuming public in this country should also be satisfied on it, too.

I am very much interested in the fact that it is proposed not only to continue but also to expand on the circuit kind of inspection of foreign plants to which my colleague made reference.

That clarifies the position I read in the committee report where it recited it is not intended that imported products be inspected by U.S. inspectors during their preparation in a foreign country. What we do intend, however, is that while each and every one of the carcasses, for example is not to be inspected, we will have some quality and sanitation control by having the Federal Government's veterinarians, or any other kind of qualified officer, make periodic visits to these plants, to satisfy themselves that they are well operated and constructed properly in accordance with the same standards that our own domestic plants have to meet.

I understand that is what the Senator's response was.

It seems to me, in order to satisfy Congress and the general consuming public, it would be expected that the Department of Agriculture would also have in its files in Washington some assurance, for example, that the foreign exporting plant is maintaining its standards at least of equal quality and sanitation control to our own Federal Government standards. We should have assurance from the exporter to that effect, plus a copy of the regulations of the country concerned and a statement from the minister of agriculture of that country of some comparable order, that they are enforcing those standards.

Mr. MONTROYA. It is my understanding that information is required by the Secretary of Agriculture at the present time, that there must not only be an inspection report by our own inspectors but there must also be proof of the stringency of the inspection on the part of the law in the exporting country; and there must also be some kind of certificate by that government that it will certainly enforce the provisions of the act, and that it is doing so.



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

Mr. MILLER. I am happy to yield to the Senator from Nebraska.

Mr. HRUSKA. Perhaps I do not understand this correctly, but it indicates to me, as a result of this colloquy, that there is a double standard here. On the one hand we are satisfied that there is a compliance with the inspection, building construction standards, and all other provisions of this act and regulations issued thereunder insofar as foreign plants are concerned, but we waive carcass-by-carcass inspection for them—

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

Mr. HRUSKA. Not until I complete my sentence, because I may lose sight of my question.

That is one thing with respect to foreign plants, that we will have no carcass-by-carcass inspection; but here in this country we do not believe in the certificates given by the processor or the State departments within the United States certifying that these standards are being met. We say, "No; we are going to have carcass-by-carcass inspection of all the plants within the United States. We do not believe, when they give a certificate in Iowa, Nebraska, or New Mexico, that they are strictly complying with those standards which are provided for within a statute or by regulation. We are going to have a man standing by, stamping every carcass 'Passed, inspected, and approved' or 'Inspected and disapproved.'"

The trouble is that much of the import volume comes into this country as ground, boneless meat.

I cannot understand this point of double standard. Why do we accord all the satisfaction of heart and mind of the Secretary of Agriculture to foreign countries on the basis of certificate of a circuit rider, and yet in this country, when we deal with our own people and our own companies, why are they so suspect that we must have an inspector at the elbow of every worker, at every carcass, and at every step of the meat processing business?

Mr. MONTROYA. Mr. President, may I interject?

Mr. HRUSKA. I yield for a comment by either Senator.

Mr. MONTROYA. Will the Senator yield for that purpose?

Mr. MILLER. I yield.

Mr. MONTROYA. I might say to the distinguished Senator from Nebraska that I gave expression to that kind of reaction in the committee hearings. I made the same kind of reaction as to why there was a preference in enforcement given to foreign countries. There is information in the record now which I think adequately mitigates the fault or guilt or concession made by the Department of Agriculture to foreign producers.

We have to bear in mind that presently there are 1,800 foreign plants licensed to produce meats and meat products for export to the United States.

Mr. HRUSKA. In 38 nations.

Mr. MILLER. How many did the Senator say?

Mr. MONTROYA. 1,800 foreign plants.

To adhere to a carcass-by-carcass inspection by U.S. inspectors would entail a tremendous expenditure on the part of this Government.

Mr. HRUSKA. More than for 15,000 plants in the States of this country?

Mr. MONTROYA. Yes, when the expense of travel is considered.

Mr. HRUSKA. Shall we say, let us sacrifice wholesomeness and purity because it would cost too much to enforce wholesomeness and purity abroad, but not in the United States?

Mr. MONTROYA. I asked for an answer why.

Mr. HRUSKA. If it is only for the expense, this is one Senator who will not be happy with the explanation.

Mr. MONTROYA. The answer I received from the Department of Agriculture, appears on page 290 of the hearings.

Mr. HRUSKA. Mr. President, will the Senator yield further?

Mr. MILLER. I yield.

Mr. HRUSKA. I find no reference in that letter of November 16, 1967, which appears on page 290 of the hearings, to expense as being the reason why we should dispense with carcass-by-carcass inspection.

Mr. MONTROYA. I did not so state, and if I gave the Senator that impression, I am sorry I did. That was not my intention. I was merely citing page 290 as indicating that the Department has six veterinary review officers visiting these 38 foreign countries which have approval from the Secretary for meat exports to this country, with approximately 1,800 foreign plants being identified as eligible for shipment to the United States. I did not mean to convey any other impression.

Mr. HRUSKA. As far as the letter is concerned, the observation was a personal one with the Senator from New Mexico that the expense of a carcass-by-carcass inspection would be very large?

Mr. MONTROYA. Yes. It stands to reason that if inspectors are to go from country to country and try to spread out in 38 countries, it is going to be a very expensive operation.

Mr. HRUSKA. If the Senator will yield further, I read one sentence from the communication of the Department of Agriculture, contained on page 290 of the hearings:

Physical structure requirement acceptability of the plants is based on a combined evaluation of the building construction and facilities along with the actual operating procedures used by the establishment—with final judgment based on the assurance that product is handled in a sanitary manner so as to result in wholesome food.

Then a reference is made to the Purcell bill, in which the procedures are the same, but the Purcell bill is not before us.

I still ask why a double standard of wholesomeness is imposed upon the consumers of the Nation, one being on the basis of assurances by 38 foreign governments involving 1,800 plants. We accept their assurances. But in this country we will not accept the assurance of a sovereign State. We say, "No, we are not going to accept your assurance. We are going to have a Federal inspector stand by

every time an animal is slaughtered and during the process of breaking up the carcass. Federal inspectors will inspect the carcasses and approve them, and they will approve all the byproducts of the carcasses, regardless of the boneless beef or other meat that comes into this country from abroad. Although we do not know what is contained in the foreign packages, we know that the foreign governments have given their assurances of wholesomeness."

I know that the consumers of this country will happily receive the assurances of 38 nations that theirs is wholesome food.

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

Mr. HRUSKA. The Senator from Iowa has the floor. However, I should like to continue.

Why a double standard if we are possessed of such great concern for sanitary conditions and a guarantee of wholesomeness? Why a double standard?

Mr. MILLER. Mr. President, I shall be happy to yield to the Senator from Wyoming in a moment.

I think it only fair to say to the Senator from Nebraska that in light of a colloquy I had with the manager of the bill, the distinguished Senator from New Mexico [Mr. MONTROYA], I do not believe that the standards set forth in the letter set forth on page 290 of the hearings would satisfy the requirements of the bill or the committee report. In order to meet the test of the language in the bill, starting at page 20, which I quoted at the beginning of the colloquy, it is provided:

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.

It is intended that this actually be enforced by the Department of Agriculture, to insure our domestic consumers of equality of protection as between imported meats and domestically produced meats, and our domestic producers of equality of competition.

The Senator from New Mexico has pointed out that this is a new leaf in our law books; that heretofore the only handle we had on it was through some kind of tariff regulation, which has been implemented down through the years by provisions for USDA regulations and inspections, as set forth on page 290.

Mr. MONTROYA. Mr. President, will the Senator yield at this point?

Mr. MILLER. Yes, indeed.

Mr. MONTROYA. I am grateful to the Senator from Iowa for going into a discussion of this aspect, but I point out that the pending measure shows no discrimination in favor of importers or in favor of exporters. It is intended to apply equally to all concerned. If there is any discrimination, it might be enforcement of the provisions of the act, but the law specifically, as we have proposed it here, says that foreign meat must adhere to



standards equal to domestic Federal inspection requirements.

Mr. MILLER. Will the Senator permit me to interject a thought at that point?

Mr. MONTOYA. Yes.

Mr. MILLER. That being so, the policy set forth in the Department of Agriculture letter appearing on page 290, from which the Senator from Nebraska has quoted, which relates to final judgment based on the assurance that the product is handled in a sanitary manner, so as to result in wholesome food, is not the same as that.

It is very nice to say it is handled in a sanitary manner, and is wholesome food, but that is not the standard which we have set forth in this legislation, supported by the colloquy we have had; because our intention is that these standards be equal, and not just merely wholesome, and not just merely sanitary. We require the standards to be equal.

Mr. HRUSKA. I refer the Senator to the last full paragraph on page 12 of the committee report. That says—and this is the legislative intent, Mr. President—

It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country.

Then it goes on to state, in substance, "as is required in this country."

It is not intended that there be any inspection of the foreign product while it is being processed. That is required in this country. Therein lies the double standard.

Mr. MONTOYA. Mr. President, will the Senator yield further?

Mr. MILLER. I am happy to yield.

Mr. MONTOYA. Perhaps a little more legislative history will throw some light into the darkness that is setting in here. I might start by stating the genesis of this particular provision.

The committee adopted this provision from the Purcell bill, which the House passed and sent over to the Senate.

What is the legislative history of the Purcell provision?

I read from page 10 of the House committee report, which recites the provision with respect to importation, and then goes on to explain what the purpose of that provision is.

It reads as follows:

As can be seen by this comparison of the original and revised language, the committee intends to apply to foreigners the same high standards for meat inspection required of domestic firms. The committee does not intend to continue the present "substantially equivalent" policy in regard to foreign meat slaughtering and processing. The committee realizes that this provision will to some extent place an additional administrative burden on the Secretary but feels that U.S. consumers should be assured that foreign-produced meat, which in many cases is not readily identifiable, has been prepared under conditions as sanitary as meat produced in this country.

The committee is aware that sovereign foreign nations may not in some cases wish to conform their slaughtering and processing facilities to U.S. standards. This legislation does not force them to do so, but in the interest of American consumers, it simply establishes a standard that must be met in order to market foreign-produced meat in the United States.

Mr. HRUSKA. How is it determined whether there is such compliance? The report says they are not going to resort to having U.S. inspectors go into a foreign country to hold inspections during the course of preparation. Such inspections are required in this country. You can change it in the law if you want to, but here we complain that the States have not undertaken their share of the burden, and if they will not measure up to Federal regulation standards, we are going to go in there, and we will have a Federal inspector. But who will stand at the elbow of those foreign processors and slaughterers, and see that there is compliance?

That is not so in foreign countries. We will say to Australia, to New Zealand, to Ireland, or any other country that sends to this country, in quantity, boneless ground meat, "We trust you to comply with our standards."

Several Senators addressed the Chair.

Mr. MILLER. I had previously agreed to yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I wish to call attention to what I think is clear evidence that a double standard is being applied. Let me refer to the committee hearings, at page 290, in this letter from the Department of Agriculture. I refer to the third paragraph, which reads as follows:

Approximately 1,800 foreign plants have been identified to the Department as eligible for shipment to the United States. The reviewers have surveyed 612 of these plants and have had 42 plants removed from the accepted list because they were found not to be complying with the U.S. inspection program standards.

Mind you, there are only six people. I refer to the second paragraph of the letter, which reads:

Six veterinary review officers visit those foreign countries approved for the exportation of meats to the United States. There are currently 38 countries with this approval.

In other words, we have six people covering some 1,800 plants in 38 countries, which export to the United States, and we expect them to assure that the quality of their product coming into the United States will be equal to that processed in this country.

Now, in this country, in 29 of the States—of which Wyoming is one—we have antemortem and postmortem examinations; and 27 of the States—of which Wyoming is one—have processing inspections that take place continuously, to assure that all of the processes shall meet the high, rigid standards we expect, which can assure us of the wholesomeness of the product.

Yet we are turning around and saying to 38 other countries, with 1,800 plants, that we will depend upon six people—six people, mind you—to assure that the foreign imported meat coming to this country—and, as the Senator from Nebraska has pointed out, much of it is ground, and we do not know how it is handled—will be equal in quality and wholesomeness to that produced here.

I think it demonstrates very clearly that a double standard is applied.

Mr. MILLER. Mr. President, I want to add a footnote to what my colleagues, the Senators from Nebraska and Wyoming, have pointed out.

It is quite apparent that under the present proposals of the Department of Agriculture, there just cannot physically be very much assurance regarding the quality of the plants in which foreign meat is being produced to be shipped to this country. We do have quality control at this end of the pipeline, but not at the other.

It is for this very reason that I wanted to bring this matter out in my colloquy with the manager of the bill so as to point out that what has been the case is no longer going to be valid under the pending bill. What they have been doing before is not what they will be doing after the pending bill becomes law. This is ancient history.

It is very interesting reading on page 290, but as far as our intention is concerned, that is ancient history because we are starting out with a new act. We never had an act like this before. We have provided here that this will apply to the importation of meat.

We said in the committee report that it is not intended that we have Federal inspectors at each of these plants to look at the carcasses. However, we have said that it is intended that the foreign country will be enforcing standards of equal level and quality control, and that is our intention.

Beyond that we can have an issue as to whether something more should be done. However, I want to make it very clear that nobody overlooks the intention behind this legislation, that what has been done by way of quality control overseas, to which the Senator from Wyoming referred, is going to continue because it just cannot do so and meet our standards.

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

Mr. MILLER. I yield.

Mr. MONDALE. Mr. President, it seems to me that the Senators from the opposite side of the aisle are arguing both ways.

They are arguing first that the presently prescribed practices which are not embodied in the pending bill will be continued, and second that the practices will not be followed by the Department of Agriculture once the bill is passed.

I think we ought to have some decision on which the case should rest. The truth is that in the pending bill, which is a part of the House bill, we have adopted sweeping, sound, and substantial proposals.

We have provided that there will be equal and fair standards with reference to meat and meat products intended to be sold in this country.

We have given the Secretary an absolute standard that he can impose upon foreign meats before they can be admitted into this country.

The Secretary can require that animals be given antemortem and postmortem examinations to make sure that they meet our standards. The same requirement can be imposed on foreign products.

We do not intend to impose on the Federal taxpayers the cost of having in-



spectors go overseas to perform these examinations.

This measure intends to save money for the American taxpayers. It was not intended to reduce one iota the standards on foreign plants.

The Secretary has a very practical advantage with respect to those foreign plants. He can make them wait until they have convinced him beyond any doubt that they have reached the standards required under the law. So, instead of an exemption and an exception, we have written in strong provisions with respect to foreign and interstate plants. And the implication that we are trying to establish and adopt some kind of double standard to permit a foreign plant to have an easier time than a domestic plant is not consistent with this substantially new innovation in American law.

The emphasis, in my opinion, ought to be to make it clear that that is what we intended. And the real significance of this provision is not that it is an exception, but that it is a wholly new and substantial imposition. Up until today, if the Purcell bill had been passed, the only way to be sure of having wholesome meat would have been to buy meat with the inspection stamp on, whether it be foreign meat or interstate meat.

We are trying to establish a standard which is at least identical or equal on all meat sold for human consumption in this country.

That is what we propose to do. The suggestion that we are trying to open up a big floodgate for foreign meats through which they could escape these standards does not reflect the realities of the situation. It is obvious that the Secretary has been given the duty of protecting the American consumer from unwholesome meat. And he has the biggest stick of all. He can refuse to permit meat to come into this country until he is satisfied that it meets our standards.

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

Mr. MONDALE. I yield.

Mr. MILLER. I think that the Senator has been saying exactly what I was saying and was attempting to elicit from the manager of the bill as to the legislative intent.

I think the Senator intended to say, although he did not, that it is not our intention that the Secretary of Agriculture can do these things, but that it is our intention that the Secretary will do them. Unless it is our intention that he will do these things to assure equality of standards, I do not think the pending bill would be worth anything.

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

Mr. MILLER. I yield.

Mr. MONTOYA. Mr. President, when I was reading the testimony of the Secretary from page 290, I was relating the present practice and not what he was going to do.

Mr. MILLER. That is my understanding.

Mr. MONTOYA. I did state that the Secretary had told me he was going to have to implement his force for overseas inspection. I have no details about that. However, I want to bring out also the fact that this inspection of imported

meat really started taking place in the year 1966 in the manner it is conducted in now. This is a novel approach by way of inspection. It started in 1966. That is why we do not have a complete history on the inspection of foreign products. I wish we did. However, the point I want to emphasize also is that the bill as written creates mandatory inspection at least equal to Federal standards on foreign plants that wish to import meat into this country.

No advantage is given to the foreign plants in the pending bill. If any advantage is to be given to the foreign plant, it will arise from the administration of the provisions of the bill. However, if the Secretary of Agriculture gives such advantage to a foreign plant, he will certainly be violating the mandate in the provisions of the act.

Mr. MILLER. Mr. President, I appreciate very much the Senator's statement. And he is quite correct in saying that the standard set forth in the law is very firm. However, what caused me to raise the question was the language in the committee report which is a part of the legislative history, saying:

It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country.

As the Senator from Minnesota has just pointed out, the cost of having inspectors over there to do this would be quite excessive.

Mr. HRUSKA. Mr. President, we must save money. We cannot spend a large amount of money to assure the wholesomeness and purity and sanitation of plants abroad; however, we can do so in this country.

Mr. MILLER. Mr. President, I know that the Senator from Nebraska feels strongly on that point. However, I want to get the legislative history clear concerning what we have pending before us.

It may be that some language should be written into the pending bill along the line of the comments of the Senator from Nebraska and the Senator from Wyoming. However, whether it is written in the bill or not, I want to make sure that the legislative history of the pending bill is complete, so that when we say in the committee report, "It is intended that the foreign country enforce inspection and other requirements with respect to the preparation of the product at least equal to those applicable to the preparation of like products at federally inspected establishments in the United States," we intend not that the Secretary of Agriculture can put a good control on this, but that he will put a good control on this.

Mr. MONTOYA. Not only that, but we also have adopted the legislative history of the provision in the House bill, and it is already in the Record here.

Mr. HRUSKA. In the report?

Mr. MONTOYA. In the report, too. But, also, in the Record here. I read it a few minutes ago.

Mr. HRUSKA. But not in the report?

Mr. MONTOYA. Yes, in the House Committee on Agriculture report on H.R. 12144, Report No. 653.

Mr. HRUSKA. This is the legislative history. A letter from the Department of

Agriculture is not legislative history. This is legislative history.

With the Senator's permission, I should like to ask the Senator in charge of the bill whether it would be appropriate for the committee to reconvene and to say, "We take out of this report the last full paragraph on page 12 and substitute something else."

Certainly, so long as a U.S. inspector is not present during the preparation of meat products in foreign countries, there is a different standard applied than is applied to domestic meat producers and packers; because you are saying, "We do not require U.S. inspectors to be present at that time in foreign countries. We will take the certificate of the foreign nation that that has been done." That is not what we do here.

Mr. MILLER. Mr. President, let me say, in response to my colleague, the Senator from Nebraska, that I, for one, do not intend this to be a once-over-lightly deal, for the Department of Agriculture to just willy-nilly accept some certificate from another country. That is why I began this colloquy with the manager of the bill by saying that we intend that the exporting plant itself have on file a certificate setting forth the various manners in which it is meeting not only the construction specifications but also the operating requirements; that the foreign country itself have on file assurance from, say, its administrator of agriculture.

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

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

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). May we establish who has the floor?

Mr. MILLER. I believe I have the floor, Mr. President.

There should be some assurance from the minister of agriculture or a comparable public official, so that we will have it in our files and it will be available to the Senate or the House or the American people, not just that the Department of Agriculture be satisfied with respect to this matter. Otherwise, this bill will not mean anything.

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

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

Mr. MILLER. I yield to the Senator from Wyoming.

Mr. HANSEN. Mr. President, I do not believe we are in disagreement at all as to what we intend. I know that the Senator intends just as sincerely as we do that we bring about food as wholesome as possible in the United States for the American consumer. We are misunderstood if the Senator assumes that we are trying to be argumentative or that we are trying to take two sides of an issue and seemingly, in the Senator's interpretation, are arguing on both sides of it.

I wish to make this observation. I said earlier that I believe we are applying a double standard, and in support of that contention I call attention to page 233 of the hearings before the subcommittee. At the top of the page is a letter addressed to the Honorable Betty Furness,



written by Rodney E. Leonard. His first paragraph reads:

In response to your question as to the number of inspectors needed under the Mondale Bill—our estimates are that about 4,000 additional inspectors would be required to staff the approximately 15,000 plants brought under the Federal inspection program.

These are plants in the United States. These are plants now operating. These are plants that at the present time have no Federal inspection or any State inspection, I assume. In order to give these plants the type of inspection the Department of Agriculture believes will be required, they say it will take approximately 4,000 additional employees.

Mr. HRUSKA. One for every 3½ plants.

Mr. HANSEN. One for every 3½ plants.

Yet, we are trying to inspect some 1,800 foreign plants in 38 countries with six veterinary officers. Now, if that is not a double standard, I do not know how one would go about arriving at a double standard. They will be lucky to get there once a month, if they travel all the time, just as the Senator and I were traveling all the time during the past week. I do not see how they can do it.

I call attention to the fact that of the some 612 plants inspected under this system, just a hit-and-miss system—the inspectors are not there every day; they just drop in—approximately 7 percent have not measured up to the standards that were imposed by the Department of Agriculture and, as a consequence, have been denied their licenses to export.

So I suggest that it will take much more. I know it will be expensive. But if it is important that the people of the United States have wholesome meat, I believe we should be realists, as I am sure the Senator from Nebraska wants to be. We must see that we do a better job of insuring that these foreign plants comply with the proper standards which we chose to set in this country.

Just a few years ago, 11 percent of all the red meat that was consumed in the United States was imported into this country. We must insure that the Secretary has sufficient directive to strictly enforce the standards as set out in this bill, or we will not assure the high standards of excellence for our domestic consumers that I know the distinguished Senator from Minnesota desires just as much as I desire.

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

Mr. MILLER. I yield to the Senator from Minnesota.

Mr. MONDALE. In the first place, the figure of 4,000 inspectors, which was supplied by the administration, was with respect to my proposal, which was not recommended by the committee. This was a proposal that would extend Federal inspection by Federal inspectors to all meat slaughtered and processed in the United States. In one sense, the figure is misleading. More than that, we believe it is inflated. But that is irrelevant to today's debate.

Second, the letter to which the Senator from Wyoming referred refers to the present administrative practice of the Department of Agriculture in inspecting foreign meat slaughtering and processing plants, which is now being undertaken

before the present bill, which calls for adequate Federal standards on foreign meat, has been imposed. It is a highly informal system that began in 1966. It does not relate to and is not relevant to the type of system the Secretary would have to establish if the present bill were passed. There has been some suggestion that it is within his discretion. It is not. The Secretary, under this bill, is required to assure himself that all meat imported into this country is slaughtered, processed, refrigerated, and all the rest, in accordance with standards at least equal to the Federal system. The only difference is that we impose the cost of that inspection upon the foreign country. We do not impose it upon the American taxpayer.

I would contemplate that the Secretary, who has a duty, which he cannot waive, to protect the American consumer, would have supervisory personnel in Europe and elsewhere who would have to be satisfied that the inspectors paid by the foreign government were in fact doing an adequate job—antemortem and postmortem inspection, supervision over additives, and the rest. If the Secretary did not do that, he would not be discharging his responsibility under this bill.

I repeat that the suggestion that something in this act is weak in regard to foreign imports is illusory. It is not discretionary. The Secretary must satisfy himself, without any doubt, that the meat that comes into the United States, whether it is raw or processed meat, is of standards equal to Federal standards. Beyond that, he would have the ultimate weapon that he does not now have with respect to an intrastate plant. He could close the door on imports until he was satisfied.

Until he opens the door again no meat would be sold with respect to plant A, plant B, or plant C in a foreign land. Thus, it seems to me that we are really raising an issue that does not exist.

Mr. HANSEN. Will the Senator yield further for a question?

Mr. MONDALE. I will be glad to yield to the Senator.

Mr. HANSEN. I wish to raise two questions. My first question is: How many foreign countries have standards at least equal to ours at the present time?

Mr. MONDALE. Frankly, I do not have the slightest idea.

Mr. HANSEN. Do any countries have standards at least equal to ours at the present time?

Mr. MONDALE. Under this bill they would all have to or they could not send a pound of meat to this country.

Mr. HANSEN. Second, may I assume or infer from the Senator's response to my first question, namely, that he does not have the slightest idea how many foreign countries have standards at least equal to ours at the present time, that until it can be adequately demonstrated that they are equal to ours, the Secretary of Agriculture will permit no imports?

Mr. MONDALE. I gather from the report that no discretion is lodged in the Secretary to diminish standards applied to plants with respect to meat or meat products imported into this country.

Further, I say that I gather from this,

not only is that standard not compromised, but the Secretary has an implied duty to assure that those standards are being met before allowing the meat to come into this country.

Mr. HANSEN. I think my question is still germane. In our discussion here we have failed to identify a single foreign country that has standards equal to ours. That does not mean to say that there are none but the Senator from Minnesota did not respond to my question with respect to identifying a single country having standards at least equal to ours. I suggest that if the Senator cannot do that how do we know there are standards at least as high as our Federal standards, without having people over there on the job daily to watch what goes on so they can say to the Secretary, with the knowledge of having seen it firsthand, that the standards in foreign country A are equal to ours. Unless and until that can be done it would seem to follow that if it cannot be demonstrated that a foreign country has standards equal to ours, under this bill the Secretary would have no choice but to say to all 38 foreign countries, "Do not bring in any meat until you can prove your standards are equal to ours."

Mr. MILLER. I pointed out earlier in my colloquy with the manager of the bill the kind of evidence that should be required and which we intended to be required by the Secretary of Agriculture on this very point. That is why I included among the evidentiary items a certified copy from the country concerned of its regulations, along with a certificate from its Secretary of Agriculture or a comparable official, that these regulations are being enforced satisfactorily, because without that I do not see how the Secretary of Agriculture could comply with the bill.

Mr. MONDALE. Yes. I would expect that the Secretary's duty under this bill is greater. I think the Secretary might require a certificate of adequacy or some document of evidence of foreign plants. As I read the bill the Secretary has no discretion. He must be sure that the standards in foreign plants are at least as high as domestic plants. I would contemplate under this measure that he would have to have personnel in Europe and elsewhere to see that that is the case. It also requires that the inspector must inspect the meat under the same standard. The only difference is that we impose an additional restriction on foreign countries, that if they do not do it, the Secretary has the ultimate weapon which is slamming the door shut on meat imports. So we have more protection here than in any other category of meat inspection, Federal or State.

Mr. MILLER. I think the Senator from Minnesota has underscored what the manager of the bill said previously. I think we can conclude from what has been said that if any of these foreign countries do not have equal standards, the exports to the United States are going to stop right there and not to be resumed until they do have equal standards. It is the same level we are providing our own States must live up to. If our States do not live up to them they are going to have Federal inspection. If we



cannot control plants of foreign countries by sending Federal inspectors over there and demanding that they be permitted to look at the plant, we can say to them to let one of our inspectors in there on occasion, but, as the Senator from Minnesota pointed out, to do this on a comparable scale would involve an inordinate cost to the American taxpayer. However, the Secretary of Agriculture can provide evidence so that he can come here and look us in the eye and say, "I am satisfied that imported meat coming here from that plant and this plant is of equal quality and slaughtered under equal conditions." If he cannot do that he allows this meat to come in at his peril.

Mr. HRUSKA. It would not be at his peril, but at the peril of the consumer. It is not at his peril.

I ask the Senator from Iowa upon what proof will the Secretary depend to establish that there has been compliance with not only the existence of like standards as domestically produced and packed meat, but compliance with inspection and other requirements to assure their freedom from adulteration and misbranding at the time of entry. What proof will there be?

Mr. MILLER. I cannot answer that question. I am not a member of the subcommittee that prepared the bill.

Mr. HRUSKA. I would like to ask the Senator from Minnesota what proof can he offer?

Mr. MONDALE. The Secretary must satisfy himself and there must be evidence sufficient to satisfy him that the American consumer is protected from meat slaughtered and produced in foreign countries and imported to this country. He must establish a system that satisfies him of that.

The burden of proof is on the concern wishing to import the meat. Other than that it calls for inspection, ante mortem and post mortem that deals with preparation and additives, that are at least equal to the Federal system. I would contemplate he must have personnel in Europe overseeing inspectors appointed by foreign countries and that that personnel would report to the Secretary, so that they were certain the standards were reached. I think we are chasing a strawman here today.

Mr. HRUSKA. I see no strawman. The bill, on page 20, states there will be no such importation unless they comply with all inspection standards and provisions of the act.

We do not intend that the imported products be inspected by U.S. inspectors during their preparation in the foreign country. This is what the intention will be. It is not what the Senator from Minnesota, in all good conscience, said. I do not intend he shall have inhibitions on him, but the committee report said to the Secretary, "Do not send inspectors there like you require in America but do something," and I do not know what, to prove these imports are in compliance with all of these standards.

What proof will he be allowed to accept?

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

Mr. MILLER. I yield.

Mr. MONDALE. The Senator from Nebraska has a good point if one assumes that he cannot exercise some common sense and some standards of implementation, and cannot act without our detailing every comma, semicolon, and exclamation point.

It is clear that the Secretary of Agriculture is being directed by a mandatory requirement that before foreign meat can be sold to consumers in the United States he must assure himself that the meat is produced, slaughtered, and processed according to standards equal to those imposed upon domestic plants operating under Federal standards. The Senator from Nebraska assumes that the Secretary of Agriculture would take false information and would settle for foreign standards.

Mr. HRUSKA. The Senator from Nebraska assumes no such thing and said no such thing. I asked a question, if the Senator from Minnesota will permit one.

Mr. MONDALE. I am answering it, if the Senator from Nebraska will permit me to.

Mr. HRUSKA. What kind of proof would the Secretary of Agriculture have?

Mr. MONDALE. If I were the Secretary of Agriculture, I would take the language to mean that a mandatory responsibility was imposed upon me. I would take it in that way, because that is what the language says. I am not dreaming up anything. The language is, "He shall."

Mr. HRUSKA. I do not see anything about "He shall."

Mr. MONDALE. Will the Senator show me the words "He may"?

Mr. HRUSKA. The bill provides, on page 20, line 15:

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.

That language does not say that the Secretary of Agriculture must satisfy himself. It says that these articles shall not come into the United States unless they comply with these standards.

Mr. MONDALE. Is it the position of the Senator from Nebraska that that provision is discretionary with the Secretary?

Mr. HRUSKA. No, it is not discretionary. The bill provides that these goods shall not be eligible for importation unless they comply with the standards set forth. I ask the manager of the bill, what is considered proof of compliance with the standards?

Mr. MONDALE. There is only one difference: Under the bill, the same standards are imposed upon every foreign plant as are imposed upon any domestic plant. The only difference is that the cost of inspection in foreign countries is imposed upon the foreign governments, and the Secretary is not only possessed of responsibility but is also required to see to it that the foreign meat is slaugh-

tered and processed according to U.S. standards.

The Senator from Nebraska apparently seeks to write a bill that would set forth everything in great detail, and not assume that the Secretary has a sense of responsibility to fulfill what is clearly required of him in the bill. I think we are chasing a straw man.

Mr. HRUSKA. Not at all.

Mr. MILLER. Mr. President, I do not think we are chasing a strawman, either. I do not think there is any discretion given to the Secretary at all. What got us off the track, I am afraid, and I will take the responsibility for, is that I raised the point originally of the language in the committee report on page 12 which, without being explained, without having the colloquy I had with the Senator in charge of the bill, could possibly dilute the mandatory language in the bill which the Senator from Nebraska has been so concerned about.

No one is arguing about the language in the bill. That is perfectly acceptable to everyone. What has caused us some concern is when the committee report states:

It is not intended that the imported products be inspected by U.S. inspectors during their preparation in the foreign country but it is intended that the foreign country enforce inspection and other requirements with respect to the preparation of the products at least equal to those applicable to preparation of like products at federally inspected establishments in the United States.

That sounds fine, but while we intend that some foreign government is going to do this, that does not mean that it will. What we want to know is how are we going to satisfy ourselves, not just the Secretary of Agriculture, but Congress and the people of this country, that that foreign government is doing it?

We have made enough of a record here tonight, at least between the Senator in charge of the bill and myself, supplemented by the rest of us here, so that there should not be any doubt in the mind of the Secretary of Agriculture that we expect him to get very good evidence on this to satisfy not only himself but also Congress and the people of this country; otherwise, the bill will not be worth a tinker's dam.

About the same amount of meat is imported into this country as is produced by the 15,000 plants here. If we are going to nail down coverage on the 15,000 plants in this country and leave the floodgates open to the foreign importer, it is no use. We do not intend to leave the floodgates open. I hope that the legislative history made here tonight will make it abundantly clear that there will be no loopholes, that if necessary, all foreign meat imports are off—off for 6 months, 6 years—ad infinitum, perhaps, until the standards are met and in each and every one of the plants in the foreign country which wishes to export meat to the United States.

Mr. President, I yield the floor.

Mr. MONTTOYA. Mr. President, at this juncture, I should like to ask for consideration of the committee amendments and ask that they—

The PRESIDING OFFICER. Is the Senator asking unanimous consent for



the amendments to be considered en bloc?

Mr. MONTROYA. Yes; that was my next request as soon as they were brought up, and I ask that reading of the amendments be dispensed with.

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

(See CONGRESSIONAL RECORD of Nov. 22, 1967, pp. 33647-33644.)

Mr. MONTROYA. Mr. President, I ask that the committee amendments be considered en bloc and agreed to en bloc, and that the bill as amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc, and the bill as amended will be treated as original text for the purpose of further amendment.

Mr. MONTROYA. Now, Mr. President, I have a technical amendment to offer which does not change the substance of the bill. In its printing as reported by the committee, a typographical error was made on page 44 concerning language in the bill as reported by the committee.

In order to correct this, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 44, lines 21 and 22, strike out "The Secretary, in person or by such authority is exercised."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico.

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, I rise to speak in support of a bill which if passed will have a great impact on the health and satisfaction of people in all parts of our Nation.

The proposed legislation of which I have the honor to be a cosponsor is the Montoya-Mondale wholesome meat bill, S. 2147. Under the provisions of this bill, States will have 2 years to establish a meat inspection system, but can waive the waiting period and be subject immediately to the Federal inspection system. The Secretary of Agriculture can take immediate action against plants, including those operating only intrastate, if they endanger public health—and if after notice the State fails to eliminate the hazard. Furthermore the Secretary of Agriculture is authorized to conduct continuous review of State meat inspection procedures before and after the Federal inspections standards are in effect; he can assert jurisdiction if the State fails to maintain Federal standards.

The passage of this bill will be especially important to the 10.7 million people of my State since we are one of the 22 States without a mandatory meat inspection law. Texas law makes meat inspection purely voluntary with packing and slaughtering houses paying the costs. Some 60 Texas cities have their own inspectors operating under the general supervision of the State health department. Forty-six State inspectors and seven veterinarians maintain surveillance over the 42 plants that requested inspectors.

Yet in Texas it is possible for a housewife to buy meat packed at a plant that is never examined for disease or unsanitary conditions by a Federal, State, or city inspector.

Mr. President, I ask unanimous consent that three newspaper articles be inserted in the RECORD at the close of my remarks. These articles from the Dallas Times Herald of November 16, 1967, the Fort Worth Star Telegram of November 16, 1967, and the Houston Post of November 16, 1967, write dramatic examples of health hazards facing the consumer in Texas under existing conditions.

In these articles it is reported that staff evaluators of the Department of Agriculture have made several spot checks of Texas plants. Such health hazards were uncovered as employees wearing dirty clothes and the existence of rats, flies, dirt, and rust on the butchering floors.

I support protection of the consuming public who pay their dollars for safe food. Likewise, Mr. President, Texas is one of the largest meat producing States. Passage of this bill will have a beneficial effect on this large Texas industry as it will tend to strengthen confidence in red meat as a safe food, and increase the consumption of meat.

Mr. President, I applaud the efforts of Senator MONTROYA and Senator MONDALE in working to close the void in our meat inspection law; and I strongly urge passage of S. 2147 because it is necessary for the well-being of consumers and meat producers everywhere.

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

[From the Dallas Times Herald, Nov. 16, 1967]

#### TEXAS MEAT INSPECTION LAW LACKING

AUSTIN.—Texas is one of the 22 states without a mandatory meat inspection law, and it is possible for a housewife to buy meat that has never been seen by a government inspector.

The U.S. Senate Agriculture Committee is holding hearings on proposed legislation, to tighten meat inspection laws, including one that would extend federal inspection to all plants not covered by state regulations satisfactory to the U.S. Department of Agriculture.

Texas law makes meat inspections purely voluntary, with the packing plants and slaughter houses paying the costs of inspection.

In August, the compliance and evaluation staff of the U.S. Department of Agriculture's Dallas office made a spot check of nine plants—two each under city and state regulation and five that receive no inspection.

"Flies by the thousands outside and seen inside on meat," said the federal inspection report of its check of one plant not covered by any government regulations.

Forty-six state inspectors, supervised by seven veterinarians, maintain constant, day-to-day surveillance over the 42 plants that requested inspection. About 60 cities, including Dallas, Fort Worth, Houston and San Antonio, have their own inspectors who use checklists prepared by the state and who are supervised by the state health department.

The federal report also found things wrong with the plants covered by state or city inspection.

A state-inspected plant in South Texas has paint peeling from the boning room walls and ceiling, paint flecks were found on the boning table; rust flakes were found on meat, apparently from rusty hooks and trolleys; rat droppings and maggots were observed on

the drain board where tripe was fed from the kill floor.

[From the Fort Worth Star-Telegram, Nov. 16, 1967]

#### TEXAS MEAT CHECK EYED BY CONGRESS

AUSTIN.—In Texas, it's possible for a housewife to buy meat packed at a plant that is never examined for disease or unsanitary conditions by a state, federal or city inspector.

Texas is one of the 22 states without mandatory meat inspection laws that witnesses referred to in testimony this week before the U.S. Senate Agriculture Committee.

Congress is considering several bills to tighten meat inspection laws, including one that would extend federal inspection to all plants except those covered by state regulations satisfactory to the U.S. Department of Agriculture.

Since 1945, the state has had a voluntary meat inspection law. Owners of packing plants and slaughter houses pay the costs. About 60 cities—including Dallas, Fort Worth, Houston and San Antonio—have their own inspectors, operating under general supervision from the State Health Department. Forty-six state inspectors and seven veterinarians maintain constant, day-to-day surveillance over the 42 plants that requested inspection.

But there's a void, and according to a spot check by federal inspectors the conditions in the unregulated plants are bad.

Dr. George F. Kutch, Texas A&M-educated veterinarian who heads the Health Department's meat inspection division, says these are "small places, by and large, selling only locally. How many there are, we have no way of knowing."

Kutch said a few uninspected plants sell their products in more than one town. According to Kutch, even the small, uninspected plants are big businesses.

"Virtually all meat packers do \$250,000 or more business annually," he said.

"Anybody that kills an appreciable amount of meat is under some kind of inspection by the U.S. Department of Agriculture."

In August, the compliance and evaluation staff of the U.S. Department of Agriculture's Dallas office made a spot check of nine plants—five of them uninspected.

"Flies by the thousands outside and seen inside on meat," the report said of one uninspected plant. The report also said there was evidence of rats. Similar conditions were reported at other uninspected plants.

State and city inspected plants also were checked.

The report said a city-inspected plant in San Antonio had inedible meats packed in boxes with federal inspection markings, employees with dirty clothing, dirt and rust on edible meat drums, and flaked paint, hair, bruises and kill floor dirt on hanging beef fore shanks. At a state-inspected plant in South Texas, the report said, paint was peeling off the boning room walls and ceiling and flecks of paint were seen on the boning table; rust flakes were found on meat, apparently from rusty hooks and trolleys; rat droppings and maggots were observed on the drain board where tripe was fed from the kill floor.

"The deficiencies in state plants were corrected immediately," Kutch said.

Kutch expressed irritation that the report did not designate which plants were uninspected and which were under state inspection (two) or city regulation (two).

"The fallacy of the survey is that state inspected plants were listed with non-inspected plants, which made the slant of the whole survey unfair to the state inspection program," said Kutch, a soft-spoken, slightly built man who wears glasses and smokes a pipe.

"Everybody in the meat industry was perturbed about this inspection because of the unfairness of it."



Kutch said the state follows federal standards in its inspections, and provides checklists for city inspectors that also follow federal regulations.

[From the Houston Post, Nov. 16, 1967]

#### VOLUNTARY BASIS NOW—MANDATORY TEXAS MEAT LAW URGED

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Congress is considering bills to tighten inspection laws, including one that would extend federal inspection to all plants except those covered by state regulations satisfactory to the U.S. Department of Agriculture.

Since 1945, the state has had a voluntary meat inspection law. Owners of packing plants and slaughter houses pay the costs. About 60 cities—including Houston, Dallas, Fort Worth, and San Antonio—have their own inspectors, under general supervision of the State Health Department. Forty-six state inspectors and seven veterinarians maintain constant surveillance over 42 plants that requested inspection.

But there's a void, and a spot check by federal inspectors shows the conditions in the unregulated plants are bad.

Dr. George F. Kutch, Texas A&M-educated veterinarian who heads the health department's meat inspection division, says these are "small places, by and large, selling only locally. How many there are, we have no way of knowing."

Kutch said a few uninspected plants sell their products in more than one town. Kutch says even the small plants are big businesses. "Virtually all meat packers do \$250,000 or more business annually," he said.

"Anybody that kills an appreciable amount of meat is under some kind of inspection by the U.S. Department of Agriculture."

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"Flies by the thousands outside and seen inside on the meat," the report said of one uninspected plant. It also said there was evidence of rats. Similar conditions were reported at other uninspected plants.

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"The deficiencies in state plants were corrected immediately," Kutch said.

"The fallacy of the survey is that state-inspected plants were listed with non-inspected plants, which made the slant of the whole survey unfair to the state inspection program," said Kutch.

Kutch said the state follows federal standards and provides checklists for city inspectors that also follow federal regulations.

There are several differences. One, of course, is that a Texas plant that does not produce any meat for sale outside the state does not have to be inspected. Another is that the state will inspect plants that are substandard and work to bring them up to par, while the federal agency requirements before it will stamp their meat. The reason for this is that a "grandfather clause" was written into Texas law.

Federal inspection is withdrawn from plants that have substandard conditions

that cannot be corrected immediately. Andrew M. Scheidt of the USDA Dallas office said.

"We need a mandatory meat law—that is what it boils down to," he said. "We are one of 11 states with a voluntary meat program."

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MONTROYA. 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 11 A.M. TOMORROW

Mr. MONTROYA. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 28 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, November 28, 1967, at 11 a.m.

#### NOMINATIONS

Executive nominations received by the Senate November 27, 1967:

##### FOREIGN CLAIMS SETTLEMENT COMMISSION

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1967 (re-appointment).

##### IN THE COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of lieutenant commander:

|                          |                       |
|--------------------------|-----------------------|
| Irving G. Sauer          | Edwin J. Roland, Jr.  |
| Jan R. Dazey             | John A. Schmidt       |
| Robert F. Melsheimer     | Richard W. Zins       |
| Karl F. Wassenberg       | John E. McCarty       |
| Theodore E. Deming       | Martin J. Moynihan    |
| Robert W. Davis          | Charles L. Keller     |
| Lloyd R. Lomer           | Merlin G. Nygren      |
| Robert A. Ingalls        | James D. Partin       |
| Paul D. Russell          | Jerome M. Myers       |
| LeRoy G. Krumm           | Hugh D. Williams      |
| Jack W. Lewis            | James W. Haugen       |
| Robert J. Finan          | Manuel Josephs, Jr.   |
| Terry L. Lucas           | Michael B. Dunn       |
| Robert A. Burt           | William H. Hall, Jr.  |
| Ian S. Cruickshank       | Robert G. Williams    |
| Michael R. Johnson       | Paul R. Lewis         |
| Roderick Y. Edwards, Jr. | James F. Butler       |
| Allen J. Taylor          | Merrill C. Louks      |
| Harry E. Obedin          | Donald A. Naples      |
| Neal F. Herbert          | David F. Cunningham   |
| Kenneth M. Rapoport      | William H. Hayes, Jr. |
| Robert J. Cheney, Jr.    | Leon E. Beaudin       |
| Gerald F. Corcoran       | Lawrence A. Kidd      |
| Robert A. Creighton      | Daniel F. Bobeck      |
| Robert A. Schwartz       | James H. Parent       |
| James T. Leigh           | Jerome P. Foley       |
| William T. Troutman      | William E. Ecker, Jr. |
| Richard E. Haas          | Eugene M. Kelly       |
| John T. McKean           | Carl M. Brothers      |
| David H. Freese, Jr.     | Kenneth C. Cutler     |
| Robert A. Ginn           | Robert S. Bates       |
| Robert E. Isherwood      | Alexander E. Tanos    |
| David S. Smith           | Charles F. Reid       |
| Ralph E. Giffin          | Gerald F. Hotchkiss   |
| Joseph S. Blackett, Jr.  | William E. Neal       |
| John R. Sproat           | Charles H. King, Jr.  |
| James G. Williams        | John N. Faigle        |
| Alfred D. Utara          | John H. Hill          |
| Eugene J. Hickey, Jr.    | Richard W. Long       |
|                          | Jan D. Long           |

|                         |                        |
|-------------------------|------------------------|
| Richard O. Buttrick     | Allen R. Turner        |
| James E. Margeson, Jr.  | Richard A. Lenassi     |
| Donald R. Casey         | Ralph W. Lawrence      |
| John F. Otranto, Jr.    | Robert L. Phelps       |
| George F. Ireland       | Kenneth R. Ball        |
| Gary F. Crosby          | Kenneth R. Gard        |
| Walter T. Leland        | George J. Seney        |
| William C. Park III     | Lafayette J. Harbison  |
| Ronald C. Pickup        | William H. Wilson, Jr. |
| David L. Parr           | Robert P. Jamerson     |
| Thomas B. Irish, Jr.    | Karl E. Stansell, Sr.  |
| Kyle A. Shaw            | Robert E. Peterson     |
| David E. Ciancaglini    | Dale R. Schmidt        |
| Thomas Y. Lawrence, Jr. | Joseph A. Underwood    |
| William J. Campbell     | George M. Simpson      |
| William J. Ecker        | Robert G. Ruger        |
| Gregory A. Pennington   | Anthony J. Nigro, Jr.  |
| Gary J. Boyle           | James F. Ronan         |
| Keith P. Pensom         | Richard N. Howard      |
| Leo N. Schowengerdt     | Harry J. Cougan        |
| Jr.                     | Richard H. Graham      |
| Arthur C. Foster        | Richard E. Ahrens      |
| Robert A. Burjole       | David W. Reineke       |
| John M. Deaver          | Arthur E. Sharkey      |
| Louis C. Snell          | Charles B. Pitcock     |
| Cecil M. Morris         | Glenn B. Littlefield   |
| Frederick H. Muesse     | Walter R. Glenning     |
| Robert W. Talley        | Clayton D. Morrison    |
| Andrew L. Holeman       | William H. Tydings     |
| Warren H. Madson        | Glen M. Larsen         |
| Herman J. Jacobs, Jr.   | Donald A. Feldman      |
| John I. Yagerline       | David A. Sandell       |
| George E. Jackman       | Keith C. Edgecomb      |
| Thomas J. Vento         | Aylmer R. Trivers      |
| Loren D. Gordon         | Robert E. Ettie        |
| Richard E. Somers       | Kenneth H. Carey, Jr.  |
|                         | John L. Linnon, Jr.    |

The following-named officers of the Coast Guard for promotion to the grade of captain:

|                        |                       |
|------------------------|-----------------------|
| Arthur A. Fontaine     | Randolph Ross, Jr.    |
| Leo M. Bracken         | David E. Perkins      |
| Louis N. Donohoe       | Robertson P. Dinsmore |
| Robert N. Rea          | Alfred J. Tatman      |
| Marc Welliver II       | Malcolm E. Clark      |
| Theodore L. Roberge    | Charles M. Mayes      |
| Robert P. Chirnside    | Donald C. Davis       |
| Stanley L. Waitzfelder | John H. Bruce         |
| Harold D. Muth         | James H. MacDonald    |
| Rubin E. Young, Jr.    | Donald R. Vaughn      |
| Wesley J. Quamme       | Thomas W. Powers      |
| Donald D. Davison      | Archibald B. How      |
| Franklin J. Miller     | Michael B. Lemly      |
| James G. Norman        | Glenn M. Loboudger    |
| Russell W. Lentner     | Vincent A. Bogucki    |
| Robert D. Parkhurst    | Robert A. Lee         |
| Otto F. Unsinn         | Lloyd W. Goddu, Jr.   |
| Verne D. Finks         | Donald J. McCann      |
| William L. Aitkenhead  | John B. Hayes         |
| James P. Stewart       | Clarence S. Hall      |
| Shirley J. Stephany    | Walter F. Guy         |
| Leslie D. High         | Carroll T. Newman     |
| G. H. Patrick Bursley  | Walton D. Alley, Jr.  |
| William F. Tighe, Jr.  | George W. Hardy, Jr.  |
| Roy K. Angell          | William A. Mayberry   |
| William J. Kirkley     | Philip A. Hogue       |
| Robert W. Johnson      | Edwin L. Knowles      |
| Charles S. Marple      |                       |

##### IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

|                     |                    |
|---------------------|--------------------|
| Wood B. Kyle        | William K. Jones   |
| Joseph O. Butcher   | Raymond G. Davis   |
| Norman J. Anderson  | Charles J. Quilter |
| Keith B. McCutcheon |                    |

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

|                    |                       |
|--------------------|-----------------------|
| Earl E. Anderson   | Oscar F. Peatross     |
| Michael P. Ryan    | Edwin B. Wheeler      |
| Frank E. Garretson | James E. Herbold, Jr. |
| George E. Dooley   | Webb D. Sawyer        |
| Regan Fuller       | Robert P. Keller      |
| John R. Chaisson   | Alan J. Armstrong     |

##### IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers



are subject to physical examination required by law:

CAPTAIN TO MAJOR  
Line of the Air Force

Abell, John T., 0047613.  
Abolia, Paul A., 0031300.  
Adamcik, Frank J., 0053683.  
Adams, John A., 0047240.  
Adams, Leland L., 0053625.  
Adams, Robert L., 0047090.  
Adams, Robert N., 0060436.  
Adams, Roderick B., 0032145.  
Addington, Vernal E., 0031476.  
Addison, Belmer J., 0053532.  
Addison, James M., 0047459.  
Ahls, William L., 0032177.  
Ahmann, James H., 0025949.  
Albach, John S., Jr., 0053734.  
Albright, William F., Jr., 0025950.  
Alcock, Nolan C., 0055069.  
Alewine, Martin A., Jr., 0060502.  
Alexander, Frank G., 0047698.  
Alker, Philip R., 0047771.  
Allen, Fred R., 0028814.  
Allen, Lawrence C., Jr., 0047365.  
Allen, Owen W., Jr., 0028863.  
Allred, Elmer G., 0025951.  
Alm, David C., 0031571.  
Alsperger, Eugene J., 0025952.  
Amelio, Gilbert N., 0065097.  
Andersen, Stanley A., 0047077.  
Anderson, Alvord V. P. III, 0028924.  
Anderson, Jack R., 0025956.  
Anderson, Marian G., 0047495.  
Anderson, Robert B., Jr., 0032128.  
Anderson, Sidney E., 0056754.  
Anderson, Theodore G., 0060378.  
Anderson, Theodore M., 0032120.  
Anderson, William D., 0047496.  
Anderson, William G., Jr., 0047701.  
Anderson, William J., 3022614.  
Andrae, Cornelius T., 0032847.  
Anonsen, Charles E., 0053623.  
Anstine, Gale B., 0053626.  
Antoszek, Henry T., 0028818.  
Archibald, Robert G., 0047514.  
Arias, Roger F. A., 0074136.  
Armer, Samuel F., 0032807.  
Armstead, Claude F., 0047119.  
Arnet, John E., 0025958.  
Arnold, Raymond L., 0053622.  
Arnold, William B., 0053549.  
Arthur, Harold F., 0047535.  
Artman, Joseph T., Jr., 0025959.  
Askenasy, Eugene K., 0032781.  
Asseff, Sam E., 0047467.  
Aufdemorte, Lewis G., Jr., 3036412.  
Auld, Harry E., 0032785.  
Aurand, Kenneth F., 0031446.  
Austin, Ronald R., 0059508.  
Avallon, Donald J., 0053566.  
Ayres, Don, 0025960.  
Backs, Ralph W., 0053556.  
Bacon, Merle D., 0056670.  
Baginski, James I., 0065060.  
Bailey, James E., 0074140.  
Bain, Hubert L., 0028806.  
Baker, Jack T., 0053567.  
Baker, James E., 0025961.  
Baker, Jay E., 0047123.  
Baker, Kendall J., 0053470.  
Bal, Eugene, Jr., 0065053.  
Balden, Harold A., 0053787.  
Balderston, Robert E., 0032146.  
Ball, George A., 0053597.  
Ballard, William L., 0074142.  
Balogh, John C., 0025962.  
Barber, Paul A., 0047371.  
Barfknecht, Harold A., 0047089.  
Barinowski, Robert E., Jr., 0060340.  
Barnett, Warren W., 0053643.  
Barnicoat, William J., Jr., 0053753.  
Barrett, Lowell A., 0031442.  
Barrows, Ralph E., 0047669.  
Barth, Marvin J., 0025964.  
Basham, Robert R., 0031971.  
Bass, Donald C., 0053480.  
Bass, Williamson G., 0053713.  
Bassett, William W., 0032804.  
Bates, Robert L., 0059507.  
Bathurst, William D., 0026317.  
Battaglia, Joseph H., 0060457.  
Baugh, David S., 0028959.  
Bayless, Ovid L., 0047247.  
Beals, Gordon A., 0032182.  
Beard, Harry R., 0060415.  
Beaver, William G., 0074148.  
Beck, Edward M., 0053448.  
Beck, Stanley C., 0025965.  
Beckwith, Charles A., Jr., 0028968.  
Beckwith, Wayne K., 0047605.  
Beene, Reagan H., Jr., 0028919.  
Beggs, Conrad L., 0056645.  
Belford, Willis A., Jr., 0028848.  
Bell, Edward J., III, 0028849.  
Bell, Kenneth H., 0025966.  
Bell, Robert K., 0047169.  
Belmonte, Francis J., Jr., 0056647.  
Bennett, Arthur C., 0053692.  
Bennett, James B., 0053681.  
Benson, Frederick J. R., 0032765.  
Benson, Kenneth A., 0053561.  
Benson, Vernell C., 0047381.  
Bentz, Richard H., 0026319.  
Berg, Waldo G., 0060385.  
Berkowitz, Jerry G., 0056770.  
Berman, Leonard J., 0047066.  
Berretta, Robert E., 3037228.  
Berry, Charles W., 0047399.  
Bethany, Glenn A., 0047621.  
Beynon, Glenn E., Jr., 0032798.  
Billingsley, Franklin A., 0074150.  
Bills, Walter B., 0031612.  
Bina, Melvin J., 0056683.  
Binford, Donald D., 0032142.  
Bingham, William A., Jr., 0060388.  
Birch, Charles P., 0032059.  
Bissell, Evert R., 0047731.  
Blivona, Charles S., 0031445.  
Bjorneby, Walter E., 0047228.  
Black, James D., 0032822.  
Black, Walter A., 0074151.  
Blair, James A., 0060440.  
Blaisdell, Charles F., 0053568.  
Blake, Charles R., 0065066.  
Blevins, Thomas E., 0031394.  
Bloodworth, James O., III, 0031541.  
Blunck, Kurt G., 0060414.  
Boardman, Henry W., 0047338.  
Bodenhausen, Max G., 0047691.  
Boehm, John A., 0053472.  
Bohne, Derwin L., 0031987.  
Bohren, Joseph F., 0053776.  
Bohrer, Ronald R., 0074154.  
Boiko, William, 0025973.  
Bolls, Dillard D., 0060382.  
Bonadies, Alphonse G., 0031614.  
Bones, James R., 0047282.  
Bonham, John L., 0025974.  
Bonning, William J., 0032047.  
Bonner Otis L., Jr., 0060420.  
Bond, Richard J., 0053565.  
Boone, George T., 0028963.  
Boren, J. Donald, 0047264.  
Borgen, William D., 0031993.  
Bornstein, Joseph B., 0025004.  
Boibyl, George W., 0025977.  
Bott, Donald H., 0047575.  
Bouchard, Richard M., 0028947.  
Boucher, William A., 0025978.  
Bounds, Lowery K., 0053499.  
Boverle, Richard T., 0025979.  
Bowden, William P., 0047593.  
Bowen, Joseph A., Jr., 0047220.  
Bowen, Ralph K., 0053754.  
Bowling, Melvin G., 0053781.  
Boyd, William P., 0025980.  
Boyer, Joe C., 0028936.  
Boyer, Ronald J., 0047607.  
Boyette, Robert T., 0056709.  
Bozik, Edward F., 0032160.  
Bradberry, Harold E., 0056620.  
Bradbury, Robert J., 0047603.  
Bradley, Charles W., 0053551.  
Bradley, Thomas B., 0053647.  
Bradshaw, Robert D., 0032826.  
Brady, Perry B., 0053576.  
Bramlett, James D., Jr., 0031429.  
Branch, William E., Jr., 0028921.  
Brandon, William W., II, 0053741.  
Brandt, David D., Jr., 0047212.  
Brant, Kenneth E., 0072250.  
Brantley, Milton L., 0028930.  
Branz, Michael H., 0028825.  
Brashear, John A., 0025981.  
Bratcher, Wayne R., 0031565.  
Braun, Richard J., 0031391.  
Brazell, Leroy A., 0053736.  
Brazile, Floyd J., 0046791.  
Brendel, Jo, 0025982.  
Bresee, Don K., 0053613.  
Brevard, William N., 0074157.  
Brewer, James E., 0025983.  
Brewster, Philip L., 0025984.  
Bricker, John C., 0025985.  
Briggs, James E., Jr., 0032104.  
Bright, Boris E., 0028928.  
Bristow, Billy E., 0074158.  
Brittain, Charles J., 0027970.  
Broderick, George T., 0060450.  
Bromley, Robert D., 0031975.  
Broom Phillip W., 0053525.  
Brougher, John D., 0047451.  
Broughton, Robert N., 0053635.  
Broussard, Whitney J., 0032043.  
Brown, Alfred D., Jr., 0032073.  
Brown, Bill V., 0028850.  
Brown, Curtiss E., 0031572.  
Brown, Francis J., 0060470.  
Brown, Ivan D., 0031463.  
Brown, James T., 0025987.  
Brown, Joseph R., 0053462.  
Brown, Larry H., 0031478.  
Brown, Lawrence A., 0032045.  
Brown, Robert M., 0047408.  
Brown, Sheldon L., 0047545.  
Brown, Thomas C., Jr., 0071883.  
Brown, Thomas S., 0065093.  
Brown, Van L., Jr., 0053684.  
Browning, Bob D., 3018572.  
Brubaker, Richard E., 0025988.  
Brubaker, Robert D., 0056617.  
Bruder, Alvin H., 0056675.  
Bruha, Harlan L., 0047103.  
Brundage, Harold L., Jr., 0053440.  
Bruno, America P., 0074159.  
Bruns, Willis J., 0046157.  
Brunson, James E., 0053451.  
Brusini, Andrew R., 0056654.  
Bryant, Herbert M., 0053760.  
Bryant, Louis L., 0025990.  
Bryant, Ray H., 0047600.  
Bublitz, Robert W., 3037044.  
Buchanan, John E., 0032130.  
Buck, Theodore R., 0031462.  
Buckingham, Jack L., 0047263.  
Buckman, Louis C., 0056610.  
Buechele, Charles L., 0065072.  
Buechley, Jay F., Jr., 0032208.  
Bullington, Robert J., 0025992.  
Bullock, Fulton G., Jr., 0047306.  
Bullock, Jerry M., 0032072.  
Bulmer, Ronald L., 0053516.  
Bunting, Joseph O., Jr., 0047511.  
Burgert, Colin R., 0032119.  
Burke, Walter J., Jr., 0031546.  
Burnett, Chester E., 0031610.  
Burney, William J., 0065077.  
Burns, Kenneth D., 0025994.  
Burns, Robert C., 0031386.  
Burns, Samuel T., III, 0031477.  
Burris, Thomas A., 0031973.  
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Buster, Gerald O., 0047448.  
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Callas, Nicholas P., 0025997.  
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 Choate, Stanley F., 0026008.  
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 Christian, Daniel R., 0028953.  
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 Tenerello, Guy A., 0047555.  
 Terhune, Burke C., 0056649.  
 Terry, Jay D., 0076675.  
 Terry, Ronald W., 0053658.  
 Thatcher, Robert W., 0032139.  
 Thedford, Jack L., 0060373.  
 Theiling, Herbert B., Jr., 0032814.  
 Thenhaus, Duane L., 0031986.  
 Theochares, Nicholas, 0060281.  
 Thoden, Richard M., Jr., 0053728.  
 Thomas, Marshall W., 0060374.  
 Thomas, Noel R., 0032140.  
 Thomas, William R., 0026278.  
 Thompson, James K., 0028962.  
 Thompson, Jerald H., 0031966.  
 Thompson, Richard M., 0031608.  
 Thompson, Robert G., 0056605.  
 Thompson, Robert S., 0055094.  
 Thompson, Thomas C., 0047579.  
 Thomson, James F., 0047687.  
 Thorpe, Roscoe P., 0060363.  
 Thurman, William E., 0026280.  
 Tiggeman, Ralph D., 0060469.  
 Till, Jerald J., 0047385.  
 Tillett, Herbie C., 0056727.  
 Tillman, Edward C., Jr., 0047533.  
 Timmons, Lloyd S., Jr., 0031545.  
 Tindall, J. D., 3034443.  
 Tippin, Stanley L., 0032185.  
 Titus, Jack B., 0060286.  
 Todd, Donald D., 0047594.  
 Todd, Edward L., 0047258.  
 Tolley, Donald G., 0056625.  
 Tondl, John A., Jr., 0047330.  
 Tonz, John J., 0028952.  
 Topper, Arlyn F., 0065081.  
 Towles, Billy G., 0056586.  
 Trachte, Byron W., 0031543.  
 Tradup, Jean M., 0047111.  
 Trahan, Whitney J., Jr., 0060356.  
 Trautmann, Albert R., 0026282.  
 Trekel, Leslie W., 0056678.  
 Trias, Jesus A., 0053750.  
 Trow, Robert E., 0053460.  
 Troxell, Robert J., 0060297.  
 Truscott, James J., III, 0026283.  
 Tuck, James E., 0047665.  
 Tucker, Carle F., 0047509.  
 Tull, Joe A., 0047515.  
 Turley, Ernest C., 0047689.  
 Turner, Alvin R., 0028915.  
 Turner, Billy C., 0027971.  
 Turner, George W., 0046418.  
 Turner, James E., 0056662.  
 Turner, James O., 0053510.  
 Turner, Joseph G., Jr., 3008539.  
 Turner, Walter J., 0060291.  
 Tuttle, Jacob T., 0047217.  
 Twede, Herman L., 0047435.  
 Twedt, Kermit O., 0047102.  
 Twohey, Francis G., 0045956.  
 Tyner, Lawrence D., 0053749.  
 Tye, Pallas L., Jr., 0032838.  
 Tyler, Joseph R., 0031593.  
 Tyra, Joseph B., 0056763.  
 Ullman, George F., Jr., 0053610.  
 Unangst, Gilbert, 0053746.  
 Underwood, William E., III, 0060285.  
 Uptmor, Robert E., 0032194.  
 Utecht, Ronald E., 0056710.  
 Uzdavines, Edmond J., 0026284.  
 Vachino, Rinaldo F., 0062060.  
 Vadnais, Raymond R., Jr., 0047172.  
 Valentine, Robert T., 0056717.  
 Vanausdal, Alton L., 0026342.  
 Vanbibber, Richard A., 0047571.  
 Vandegrift, Leroy F., Jr., 0032193.  
 Vandenack, Thomas R., 0031561.  
 Vanderhoof, Rodney D., 0028904.  
 Vandeursen, Ferdinand W., Jr., 0053691.  
 Vanek, Gerald L., 0047202.  
 Vanhorn, Boyd L., 0047208.  
 Vanloan, Jack L., 0065085.  
 Vanvliet, Gerrit H., Jr., 0032215.  
 Vartanian, George M., 0032212.  
 Vaughan, James E., 0028861.  
 Vaughan, Kenneth E., 0047769.  
 Vcsowate, David P., 0047256.  
 Vclyopek, John A., 0032817.  
 Vibrock, Charles H., 0047291.  
 Vickers, Douglas B., 0060455.  
 Vickrey, Luster A., Jr., 0031620.  
 Vipraid, William J., 0026286.  
 Vivona, Alexander A., Jr., 0031503.  
 Vlach, William R., 0060352.  
 Vollmann, Phillip D., 0026287.  
 Volpone, John F., 0026288.  
 Voss, Henry D., Jr., 0028824.  
 Wachowski, Thomas J., 0026290.  
 Wacker, Jerome, 0047743.  
 Wacker, Rudolph F., 0026291.  
 Wadman, John F., Jr., 0060409.  
 Wadsworth, Gene P., 0065082.  
 Wagner, Donald C., 0038978.  
 Wagner, Louis C., 0026292.  
 Wagner, Robert E., 0047068.  
 Wagus, Raymond W., 0047572.  
 Wainwright, Robert D., 0047331.  
 Waite, Lawrence A., Jr., 0060489.  
 Waits, Kenneth D., 0060462.  
 Waitt, Donald F., 0028912.  
 Walden, Ray Y., Jr., 0032151.  
 Walin, William J., 0032757.  
 Walker, Jack K., 0060311.  
 Walker, Keith L., 0026293.  
 Walker, Richard C., 0047368.  
 Walker, Robert E., 0053714.  
 Walker, Roe E., 0053766.  
 Walker, Walter E., 0047356.  
 Walker, Warren M., 0060252.  
 Walker, William L., 3037384.  
 Walkup, Ernest E., Jr., 0031991.  
 Wall, Carl D., Jr., 0047343.  
 Wall, Jerry D., 0060334.  
 Wallace, Robert T., 0065052.  
 Wallace, William J., 0047099.  
 Waller, Archibald S., Jr., 0032086.  
 Waller, Philip L., 0047185.  
 Waller, Robert C., 0047658.  
 Waller, Robert E., 0028905.  
 Walsh, Donald R., 0031113.  
 Walsh, James P., Jr., 0032065.  
 Walsh, Ronald C., 0074300.  
 Walsh, Venice L., 0060506.  
 Walters, Harry G., Jr., 0031460.  
 Walters, Robert A., Jr., 0047645.  
 Walters, Roscoe E., Jr., 0031441.  
 Walthall, Harold R., 0047806.  
 Wargo, John Jr., 0047230.  
 Warnshuis, Adrian P., 0047573.  
 Warrell, Edwin S., Jr., 0047536.  
 Washofsky, Meyer A., 0056585.  
 Watkins, Donald L., 0060487.  
 Watson, Laddie R., 0047574.  
 Watson, Marion R., 0047641.  
 Watson, Paul W., Jr., 0031569.  
 Watson, Richard J., 0053461.  
 Waxstein, Bernard A., Jr., 0059728.  
 Wayson, Kenneth A., 0032768.  
 Weatherford, Dwayne L., 0056705.  
 Weaver, Ralph W., Jr., 0031529.  
 Webb, Gerald L., 0031409.  
 Wedgeworth, Roy M., Jr., 0060398.  
 Weed, John R., 0047534.  
 Weeks, Wendell L., 0053574.  
 Weems, Joe F., 0060393.  
 Wehling, George E., 0028889.  
 Weigart, Adrian, 0047692.  
 Weigman, Richard J., Jr., 0053485.  
 Welland, David W., 0053618.  
 Weller, John N., 0026296.  
 Weingarz, William E., Jr., 0056667.  
 Weis, Carl G., 0060273.  
 Weiss, Jerald E., 0047136.  
 Welch, James D., 0047311.  
 Welch, Thaddeus B., Jr., 0047541.  
 Welsh, Jerome F., 0047107.  
 Wencil, Frank E., 0031466.  
 Wendt, Phillip J., 0032179.  
 Wesner, John A., 0026297.  
 West, James H., 0056753.



Westby, Kenneth L., 0028877.  
 Wetmore, Bruce B., 0047639.  
 Wetzel, Emery S., Jr., 0026345.  
 Wharton, John F., 0047276.  
 Whatley, James C., Jr., 0026298.  
 Wheeler, Lyman E., 0031377.  
 Wheeler, Raymond D., 0047114.  
 Wheeler, Roy M., 0053560.  
 Wheelless, Robert A., Jr., 0047556.  
 Whelan, Robert E., 0053679.  
 Whinery, Clarence E., 0047125.  
 Whipples, Ted G., 0047727.  
 Whitacre, Roger L., 0054129.  
 White, Dawson N., 0060294.  
 White, Joe M., 0053584.  
 White, Otis P., Jr., 0047633.  
 White, Robert B., 0047458.  
 White, Roy T., 0032207.  
 Whitener, Robert P., 0047442.  
 Whitmore, Joe I., Jr., 0060491.  
 Whitney, Lloyd D., 0047382.  
 Whitney, Richard A., 0056644.  
 Wicks, Oliver G., 0047583.  
 Wiemann, Alfred H., Jr., 0031967.  
 Wiggins, Jesse P., 0032002.  
 Wigington, John H., 0047401.  
 Wilde, Rodney C., 0056773.  
 Wilfong, Charles E., 0046358.  
 Wilhelm, John A., 0060389.  
 Wilkinson, Charles T., 0031405.  
 Willard, William K., 0047527.  
 Williams, Bill C., 0060343.  
 Williams, Billy J., 0047163.  
 Williams, Clark E., 0047512.  
 Williams, Donald R., 0031992.  
 Williams, Ernest W., 0028955.  
 Williams, Robert W., 0056622.  
 Williams, Roger L., 0028833.  
 Williams, Zeke D., 0047126.  
 Williford, Mitchell L., 0047151.  
 Williford, Richard E., 0047737.  
 Willis, Giles W., Jr., 0032144.  
 Wilson, Charles E., 0026347.  
 Wilson, Conrad L., 0047444.  
 Wilson, Donald F., 0053763.  
 Wilson, Dwight V., 0047618.  
 Wilson, Herbert G., Jr., 0028880.  
 Wilson, Jack W., 0047106.  
 Wilson, Kenneth E., 0030434.  
 Wilson, Lewis R., Sr., 0028843.  
 Wilson, Mac F., 0047504.  
 Wilson, William K., 0031461.  
 Wilson, William R., 0047475.  
 Wilson, William T., 0032809.  
 Wilt, Darrel E., 0056737.  
 Wiltgen, Joseph N., 0056437.  
 Windle, Edward W., Jr., 0026302.  
 Windrath, Donald C., 0031570.  
 Wingate, Douglas W., 0060314.  
 Winkler, William W., 0032152.  
 Winkelman, Arnold H., 0026303.  
 Winkle, Davy L., 0047480.  
 Winn, Robert M., 0060280.  
 Winslow, Joe G., 0056761.  
 Winstead, Guy H., Jr., 0047348.  
 Winstead, Jack A., 0047709.  
 Winter, Malcolm D., 0056628.  
 Winters, Robert C., 0060256.  
 Wish, George V., 0074304.  
 Wisneski, Frank R., 0047617.  
 Wizoreck, Thomas E., 0074305.  
 Wolf, Raymond E., 0060381.  
 Wolfgang, Stephen W., 0026305.  
 Wolfsberger, Richard F., 0028906.  
 Wood, Carl E., 0060392.  
 Wood, Charles M., 0060262.  
 Wood, Ernest M., 0060369.  
 Wood, Richard W., 0047768.  
 Woodward, Reagan N., 0032843.  
 Woodbury, John B., 0031339.  
 Woodruff, Robin M., 0047626.  
 Woodruff, Wesley D., 0047238.  
 Woodward, Seabrook W., Jr., 0047303.  
 Woody, Jack D., 0053702.  
 Woolington, Gerald L., 3034062.  
 Wootton, Robert J., 0047281.  
 Worden, Roy F., Jr., 0053705.  
 Workman, Theodore E., 0028846.  
 Worzech, Delmar G., 0047719.  
 Wotring, John T., 0031514.  
 Wright, Alan J., 0060274.  
 Wright, Dade M., 0056583.

Wright, Harley D., 0047395.  
 Wright, Joseph W., 0065084.  
 Wright, Kenneth D., 0026307.  
 Wundermann, Charles R., 0060397.  
 Wustner, Lorenz F., 0047304.  
 Wyrick, Donald M., 3037181.  
 Wyrick, Doyal L., 0047133.  
 Yacobi, James R., 0047597.  
 Yahanda, Alfred M., 0053524.  
 Yannacone, Clement A., Jr., 0032078.  
 Yantis, Richard P., 0026308.  
 Yanuzzi, Nicholas, 0060498.  
 Yarbrough, Robert L., 0047774.  
 Yates, Douglas B., 0060479.  
 Yelton, Frank M., 0047526.  
 Youatt, Don W., 0032118.  
 Young Charles G., 0047463.  
 Young, Richard J., 0065057.  
 Young, Wayne C., 0060327.  
 Youngflesh, Richard D., 0026310.  
 Yunk, Robert J., 0056648.  
 Zahm, John E., 0047505.  
 Zalewski, Leonard A., 0047190.  
 Zambenini, Robert L., 0032001.  
 Zander, Frank H., 0060282.  
 Zar, Allan G., 0053528.  
 Zartman, John R., 0026311.  
 Zeiler, Burton D., Jr., 0032802.  
 Zieg, James E., 0060461.  
 Ziehe, Gerald D., 0060383.  
 Zink, H. Jay, 0065045.  
 Zinke, Henry, 0047354.  
 Zook, David H., Jr., 0047101.  
 Zuber, Albert J., 0047629.  
 Zulauf, Elmer J., 0047586.  
 Zumwalt, James T., 0047274.  
 Zvetina, Edmund J., 0060380.

## CHAPLAINS

Auer, Robert F., 0060003.  
 Bartone, Donald E., 0070896.  
 Branham, Mack C., Jr., 0064348.  
 Cain, James J., 0055206.  
 Chapman, James W., 0064349.  
 Cole, Newton V., 0056424.  
 Fetherston, Richard J., 0064347.  
 Grimmer, Philip E., Jr., 0060004.  
 Haley, William J., 0070983.  
 Hall, William S., 3046071.  
 Hemkens, Edward B., 0070984.  
 Howard, John L., 0064350.  
 Jacobs, William H., 0048697.  
 McConnell, Francis P., 0055200.  
 McGrory, John R., Jr., 0060002.  
 Meade, Henry J., 0064346.  
 Narron, John E., 0055203.  
 Ward, Lawrence E., 0055205.

## DENTAL CORPS

Abrams, Herbert, 0080975.  
 Andrews, Roy W., 0077280.  
 Aronovitz, Robert, 0051023.  
 Best, Harvey T., Jr., 0031964.  
 Binzer, William C., 0051020.  
 Boyd, Russell C., II, 0071123.  
 Brendlinger, Darwin L., 0059493.  
 Crosthwaite, Harold J., 0056556.  
 Davis, Earl W., 0069749.  
 Delorimier, Jacques A., 0051029.  
 Derricotte, Eugene A., 0082056.  
 Dubois, Robert M., 0051017.  
 Giertych, Henry A., Jr., 0056555.  
 Gust, Richard S., 0075305.  
 Hall, Paul C., 0079993.  
 Hawkins, Benny F., 0082101.  
 Helder, John C., 0059560.  
 Hendon, Gene E., 0069621.  
 Jewson, Leonard G., 0051019.  
 Kramer, Donald C., 0064234.  
 Lambert, Ralph L., 0069751.  
 Leinweber, Alfred D., 0069747.  
 Mary, George G., 0082154.  
 Metzger, Donald E., 0063480.  
 Nadeau, James E., 0051012.  
 Nichol, Harold W., 3089137.  
 Norwood, Ralph F., Jr., 0082191.  
 Powell, Joseph M., 0069748.  
 Richardson, James E., 0051016.  
 Schell, Jerome, 0075307.  
 Shaw, Fred A., Jr., 0059960.  
 Shell, Jack A., 0082243.  
 Taylor, Carroll C., 0061157.  
 Testa, William J., 0082262.

Turner, Donald C., 0069750.  
 Wardle, William L., 0078085.  
 Westin, Richard P., 0051028.  
 Wettlaufer, Robert K., 0059722.  
 Willis, Samuel R., 0059492.  
 Wilson, Brice N., 0056554.  
 Zwick, Harold H., 0076441.

## MEDICAL CORPS

Alexander, John H., 0063408.  
 Armstrong, Raymond G., 0055813.  
 Ashby, Richard H., 0066024.  
 Barber, Dennis D., 0062920.  
 Bauer, Charles R., 0064222.  
 Beering, Steven C., 0056053.  
 Bonner, Robert H., 0055865.  
 Brandt, Robert J., 0061147.  
 Brekken, Alvin L., 0066023.  
 Camp, Frank A., 0055769.  
 Collins, Calvin J., 0069734.  
 Conley, Russell R., 0069732.  
 Costin, Ronald E., 0055863.  
 Cristian, Albert R., 0063062.  
 Curtis, Sidney H., 3075061.  
 Daniel, Thomas G., 0064217.  
 Derby, Dennis R., 0059952.  
 Deverell, William F., 0055922.  
 Evangelist, Felix A., 0080970.  
 Flinney, Billy A., 0059479.  
 Fite, Fulton W., 0055814.  
 Fitzrandolph, Raymond H., 0062816.  
 Fuqua, William R., 0076574.  
 Gills, Raymond E., 0069736.  
 Graves, Raphael K., 0055768.  
 Griffin, Robert P., 0055817.  
 Griggs, George A., 0078106.  
 Hale, Albert S., Jr., 0076228.  
 Harris, Richard C., 0055818.  
 Hayden, Gould D., 0064221.  
 Healy, Francis E., Jr., 0076231.  
 Henneberger, George M., 0055766.  
 Herrington, Alan G., 0055919.  
 Hightower, James D., Jr., 0063407.  
 Hill, Richard P., 0075299.  
 Hoffman, James F., Jr., 0078107.  
 Holl, Carl W., Jr., 0078108.  
 Jackson, Francis M., 0078110.  
 Johnson, John A., Jr., 0063018.  
 Jones, David R., 0062817.  
 Jones, Frederic G., 0071066.  
 Jones, Frederick R., 0071120.  
 Kandel, George E., 0069733.  
 Keeler, George E., III, 0078270.  
 Key, Frederick M., Jr., 0061146.  
 Kiplin, Lydell C., 0069735.  
 Kremchek, Edward J., 0079959.  
 Laman, Muryl L., 0076507.  
 Landew, Melvin, 3110709.  
 McGowan, Ronald L., 0078272.  
 Meader, Willard L., 0078882.  
 Moralespereira, Antonio, 0064216.  
 Neisler, James W., 0071121.  
 Ordiway M. V., 0069806.  
 Perry, Carlos J. G., 0055866.  
 Peterson, Emil W., 0056051.  
 Pollard, Richard A., 0080200.  
 Pollock, Joseph J., 0070878.  
 Preator, Richard F., 0076366.  
 Pryor, Boyce B., Jr., 0079620.  
 Ramos, Edwin D., 0078113.  
 Randall, George E., 0062819.  
 Reinbold, William B., 0075317.  
 Richardson, Jesse F., 0076241.  
 Richmond, Lewis H., 0063061.  
 Roberts, Perry T., 0062818.  
 Savage, Hilbert B., Jr., 0076432.  
 Schultz, R. J. Black, 0056397.  
 Secrest, Charles R., 0063063.  
 Shallow, James T., 0070881.  
 Shepherd, Virgil J., 0063406.  
 Shortley, Howard F., Jr., 0055869.  
 Speicher, Carl E., 0055816.  
 Spencer, Herbert B., 0055920.  
 Spinelli, Francis R., Jr., 0075756.  
 Stecker, Raymond H., 0063019.  
 Stowe, Fred R., Jr., 0055864.  
 Thomas, Charles N., 0056052.  
 Thurston, Charles S., 0062815.  
 Tilles, Jerome, 0076246.  
 Wachs, Theodore J., 0078116.  
 Wahle, William M., 0055767.  
 Warren, Bruce H., 0055923.  
 Wolfe, Richard D., 0076728.



## NURSE CORPS

Beaton, Frances A., 0066031.  
 Borgwardt, Doris L., 0076284.  
 Bourquein, Rita C., 0032604.  
 Bruno, Helen, 0051384.  
 Carey, Eleanor M., 0032609.  
 Carson, Rita D., 0082297.  
 Coombs, Bertha L., 0082302.  
 Delaney, Shirley J., 0070389.  
 Donahue, Shirley M., 0082307.  
 Duffy, Edna L., 0076517.  
 Felder, Alice E., 0056056.  
 Gajan, Thressa L., 0082320.  
 Glasgow, Mary J., 0077293.  
 Holmoe, Eleanor J., 0064253.  
 Hutton, Sallie M., 0082336.  
 Johnson, Betty L., 0059971.  
 Kidd, Jane, 0066033.  
 Kneer, Lillian F., 0055388.  
 Krause, Patricia L., 0063414.  
 Lacharite, Rose Y., 0082344.  
 Legalle, Barbara L., 0056398.  
 McGuirk, Mary D., 0066032.  
 Meredith, Helen M., 0032599.  
 Morgan, Lois J., 0032610.  
 Nelson, Joan L., 0082353.  
 Noble, Nell, 0055387.  
 Noel, Mary J., 0082354.  
 O'Toole, Joann B., 0056564.  
 Owens, Ruth M., 0069817.  
 Paddock, Helen L., 0082356.  
 Patnychuk, Irene, 0051383.  
 Pavilkey, Mary H., 0032607.  
 Peek, Lillith J., 0051385.  
 Pratt, Ruth A., 0028019.  
 Pulliam, Gladys C., 0076386.  
 Reid, Mary L., 0076610.  
 Richardson, Marinel, 0064252.  
 Richardson, Rosemary, 0032469.  
 Studer, Joan R., 0051597.  
 Taketa, Happy S., 0032470.  
 Wilhite, Mary F., 0076581.

## MEDICAL SERVICE CORPS

Barfield, Aaron H., 0049085.  
 Barfield, Acie C., 0049086.  
 Bellow, James R., 0032492.  
 Blakeney, Joe F., 0028011.  
 Carter, Jackie D., 0076445.  
 Christianson, James D., 0032491.  
 Currie, William D., 0049074.  
 Deramus, Charles E., Jr., 0056449.  
 Finn, Joseph J., 0028006.  
 Fisher, Jackie V., 0028007.  
 Flaughner, Earl W., 0055356.  
 Frezza, John, 0055351.  
 Holman, Dean S., 0049084.  
 Illsley, David B., 0049078.  
 Insley, Richard L., 0056445.  
 Jackson, Thames F., Jr., 0049087.  
 Kehoe, Francis J., 0032496.  
 Koehler, John W., 0055359.  
 Leduc, Robert W., 0049077.  
 Marcotte, Victor H., 0049090.  
 Marschall, Barton R., 0032490.  
 Martin, Everett E., 0049058.  
 Martino, Charles W., 0056441.  
 Mayhugh, Thomas R., 0055350.  
 McIntyre, Robert T., Jr., 0056450.  
 Mullen, Paul E., 0032493.  
 Myers, Charles G., 0028009.  
 Newton, Richard W., 0049076.  
 Newton, William H., 0029339.  
 Peterson, Dean L., 0029512.  
 Podkin, Albert, 0056442.  
 Rolfs, Robert R., 0076447.  
 Rutten, James M., 0055357.  
 Schlefer, Alfred C., 0028008.  
 Seal, Daniel H., 0056444.  
 Shelton, Jack L., 0056448.  
 Simmons, Billy F., 0032495.  
 Skinner, John A., 0056447.  
 Soto, Carlos A., 0049079.  
 Thomas, Paul V., 0049073.  
 Wedding, James R., 0056446.  
 Williams, Benjamin H., 0027656.  
 Williams, Walter H., 0029340.  
 Wood, James F., 0049089.  
 Zimmerman, Rodney J., 0055352.

## VETERINARY CORPS

Cable, John W., 0061205.  
 Dixon, Dock F., Jr., 9965984.  
 Jensen, James P., 0055208.  
 King, Charles C., Jr., 0056485.  
 Pace, William E., 0061203.  
 Page, Norbert P., 0061206.  
 Richardson, Ted M., 3043592.  
 West, Joe E., 0056486.

## BIOMEDICAL SCIENCES CORPS

Aroud, Ellis G., 0055358.  
 Baldwin, Bart A., 3003120.  
 Bousser, James E., 0029338.  
 Curry, Charles J., 0055355.  
 Ebberts, Robert W., 0032589.  
 Fisher, Elwood E., 0029341.  
 Hodges, James M., 0028010.  
 Jacobsen, William G., 0056443.  
 Jones, Lauris T., 0049082.  
 Kinsley, Earl L., 0049071.  
 Kittilstad, Owen H., 0049083.  
 Louis, Arthur, 0055354.  
 Lucchesi, Rudolph A., 0032494.  
 Page, James T., Jr., 3000014.  
 Penikas, Vincent T., 0029513.  
 Reardon, Joan A., 0032612.  
 Rooney, Patricia J., 0056174.  
 Wexler, Seymour, 0055353.

## SECOND LIEUTENANT TO FIRST LIEUTENANT

## Line of the Air Force

Aarni, John C., Jr., 0080201.  
 Abbott, Robert A., 0081453.  
 Adams, Ralph W., Jr., 0081307.  
 Adams, Robert D., 3153062.  
 Adams, Stanley L., 0080202.  
 Aicale, Ronald R. J., 0080203.  
 Alexander, Jon R., 3152643.  
 Alldredge, Charles H. S., 0080205.  
 Allen, Charles C., 0080206.  
 Allgood, George L., 0080207.  
 Alme, Marvin L., 0080208.  
 Almquist, David W., 0080209.  
 Alsobrook, James E., Jr., 0080210.  
 Alton, Stuart L., 0080211.  
 Amdor, Stephen L., 0080213.  
 Anderson, James R., 3155187.  
 Anderson, Maxwell L., 0080212.  
 Anderson, Norman S., 3161130.  
 Anderson, Tim G., 0080214.  
 Angell, John E., Jr., 0080215.  
 Archey, Walter J., Jr., 3163540.  
 Armstrong, Edwin L., 0081308.  
 Armstrong, Henry M., 0080218.  
 Arnold, Larry A., 0080217.  
 Arnold, Wayne F., 0080219.  
 Arthur, Ernest R., 3133712.  
 Ashcraft, Boyd L., 3134096.  
 Askew, Alvin C., Jr., 0080220.  
 Astor, Wally G., 3168941.  
 Atwood, Argyle P., Jr., 3148836.  
 Auer, Bernard J., 0080949.  
 Austin, Charles D., 3148607.  
 Bagwell, Dennis P., 0080223.  
 Bain, James D., 0080224.  
 Balch, Henry J., Jr., 0081382.  
 Ball, James A., 3161598.  
 Ballard, Michael A., 0081399.  
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 Olsen, Richard E., 0080571.  
 Olson, Theodore E., 0080572.  
 Osborne, Otto L., 3155973.  
 Osgood, Richard M., Jr., 0081347.  
 Ostro, Hans, 3152346.  
 Ough, James L., 0080573.  
 Ouye, Randolph K., 3158440.  
 Overall, Jesse U. IV, 0080574.  
 Owens, Thomas A., 0080575.  
 Pace, Charles M., 3152791.  
 Page, Roland J., 0080576.  
 Paldino, Nicholas A., 0081395.  
 Palmer, Michael E., 3147296.  
 Panke, Robert K., 0080577.  
 Parish, Jerry G., 3150698.  
 Parisi, Philip J., 3152555.  
 Parker, Philip M., Jr., 0080578.  
 Parsons, Jimmy D., 3152417.  
 Parson, Robert J., 3153020.  
 Paton, Thomas D., 3159564.  
 Patterson, Aubrey B., Jr., 3159874.  
 Patterson, Jock P., 0080580.  
 Pearson, James K., Jr., 3152461.  
 Pennycuff, John A., 3152230.  
 Penry, Robert L., 0080581.  
 Penton, Leonard W., 3168984.  
 Pepper, William L., 0080582.  
 Perkowski, Raymond P., 0080583.  
 Perry, James M., 0080584.  
 Peterson, Dwight G., 3152548.  
 Petritsch, Warren E., Jr., 3152840.  
 Petsch, Mark P., 3152274.  
 Petteway, Guy N., 3152253.  
 Petty, George K., Jr., 3160375.  
 Pfeifer, Ludvik, 3168876.  
 Pfendler, Peter G., 0080586.  
 Phillips, Michael A., 0080587.  
 Philard, James B., 3133740.  
 Pike, Dennis S., 3157512.  
 Pilsch, Thomas D., 0080588.  
 Piper, James R., Jr., 0080589.  
 Plank, Thomas H., 0080591.  
 Plotkin, Karl J., 0081348.  
 Plummer, Bentley V., 0080592.  
 Polich, Michael R., 0080593.  
 Pool, Albert Allen, 0081401.  
 Pool, Loren R., 0080594.  
 Potts, Roy V., 3158395.  
 Powell, Charles T., 3162315.  
 Powell, Lynn K., 0081255.  
 Powers, William A., 0080596.  
 Preston, Gerald E., 0080598.  
 Price, Robert H., Jr., 0080599.  
 Price, Simon G., 3149142.



Prokop, Frank J., 0081349.  
 Puhl, Gene T., 0080600.  
 Pullen, Richard E., 0081350.  
 Puster, John S., 0080601.  
 Putnam, John C., 3152524.  
 Pyrz, Anthony P., 0081351.  
 Raby, John M., 0080602.  
 Rademacher, John T., 0080603.  
 Ramlo, Orvin H., Jr., 0080604.  
 Ramsey, Boyd H., Jr., 3156406.  
 Rank, Larry L., 0080605.  
 Rasputnik, William B., 0080607.  
 Rausch, Leon L., 0080608.  
 Rawlings, George L., Jr., 3162010.  
 Rawlins, David H., 0080609.  
 Raymond, Paul D., 0080610.  
 Reed, Clyde S., III, 3168988.  
 Reese, George W., Jr., 3161236.  
 Reid, Frank L., 0080612.  
 Reiner, Errol G., 0080613.  
 Reitenbaugh, Howard T., 3159927.  
 Reynolds, James E., 3161320.  
 Rhodes, Kenneth R., 3161237.  
 Richardson, Phillip A., 0080614.  
 Richey, David M., 0080615.  
 Ridenour, Thomas A., 0081352.  
 Ridgeway, Dale N., 3152801.  
 Ridgway, James J., 0081474.  
 Ritter, David E., 3153078.  
 Roach, Douglas C., 0080959.  
 Robbins, Richard J., 0080617.  
 Roberts, Ross M., 0080618.  
 Roberts, William A., 0080618.  
 Roberts, William E., Jr., 3152409.  
 Robertson, Clinton B., 0080620.  
 Robertson, Martin L., Jr., 3163568.  
 Robison, Gary E., 0080619.  
 Robison, James T., Jr., 0080621.  
 Roche, James J., 3152208.  
 Rodman, Harry E., Jr., 0080623.  
 Rogers, Donald W., 0080622.  
 Rogers, Larry P., 0081444.  
 Rogers, Wayne R., 0080624.  
 Rolston, Reuel Y., 0080626.  
 Rose, Howard C., Jr., 0080625.  
 Rose, Lewis R., 3155845.  
 Rose, Perry T., 0080627.  
 Ross, Keith C., 0081462.  
 Rowe, Albert A., 0080628.  
 Roysden, Henry C., Jr., 3168937.  
 Russell, Rodney O., 3162963.  
 Rust, Harold L., 0080630.  
 Ryan, John D., Jr., 0080629.  
 Ryan, Michael E., 0080631.  
 Ryerson, Charles W., 0080632.  
 Sabin, Marc L., 0080633.  
 Sacher, Barbara A., 3152192.  
 Saletta, Charles A., Jr., 0080634.  
 Saline, Joseph P., Jr., 3154816.  
 Salisbury, Robert C., 0081463.  
 Sanborn, Larry K., 0080635.  
 Sanches, William A., 0080636.  
 Sanders, Van C., Jr., 0080637.  
 Santee, Joe F., II, 3161321.  
 Sawdon, William J., 3158741.  
 Scarborough, Dennis G., 0080638.  
 Schafer, Scott A., 0080639.  
 Scheibel, Robert L., 3163245.  
 Schilling, Terry L., 0080640.  
 Schlosberg, Richard T., III, 0080641.  
 Schmidt, Michael E., 3152320.  
 Schmidt, Jeffrey P., 0080642.  
 Schoeninger, John W., Jr., 3152658.  
 Schroeder, Leroy B., 0080643.  
 Seale, Benajah E., Jr., 3168884.  
 Seavers, Victor C., 3147719.  
 Seeler, Richard A., 0081475.  
 Sellar, Peter F., 3152998.  
 Seligman, David R., 0081000.  
 Sellers, Dennis J., 0081353.  
 Sellers, John C., 0080645.  
 Selser, James C., III, 0080646.  
 Severson, Terrance E., 0081445.  
 Seymour, John C., 3158744.  
 Shaffer, David H., 0081446.  
 Shallenberger, Edward L., 3152706.  
 Shannon, Bobby J., 0080647.  
 Shannon, Jack D., 3163423.  
 Shantz, Dennis A., 0081354.  
 Shaw, Charles F., Jr., 0081355.  
 Shaw, William F., 3152491.

Sheekells, Thomas R., 0081356.  
 Sheehan, Stephen D., 0080648.  
 Sheehy, Paul J., 3152395.  
 Shelton, Harvey W. C., III, 0080649.  
 Shepard, Gary D., 3157863.  
 Shinafelt, Donald J., 0080650.  
 Short, Michael C., 0080651.  
 Shuey, Richard W., 0080652.  
 Shulick, Michael T., 0081357.  
 Shulmister, Morris R., 3152795.  
 Sidor, John, Jr., 0080653.  
 Sijan, Lance P., 0080654.  
 Silence, Gary H., 0080655.  
 Silliman, Jeffrey D., 0080656.  
 Simmons, Ross L., Jr., 3158467.  
 Siner, Richard E., 0080657.  
 Small, Julius A., 0080659.  
 Smith, David C., 3152499.  
 Smith, Dennis A., 0080658.  
 Smith, Frederick C., III, 3161028.  
 Smith, Homer C., 0081447.  
 Smith, Joseph C. H., 0080660.  
 Smith, Joseph M., 3157161.  
 Smith, Lester E., 0080662.  
 Smith, Michael D., 0080664.  
 Smith, Michael W., 3168994.  
 Smith, Robert D., III, 0080960.  
 Smith, Rocky D., 0080666.  
 Smith, Ronald C., 3152695.  
 Smith, Victor A., 0080668.  
 Smith, Wayne D., 0080670.  
 Solstman, Edward C., Jr., 0080661.  
 Sonier, Robert S., 0080663.  
 Sosalla, Phillip M., 3163461.  
 Soulek, James W., 0080665.  
 Souza, George, 3158447.  
 Sower, William A., 3168995.  
 Specht, Charles W., 0080667.  
 Spittler, James E., Jr., 0080669.  
 Sroga, James J., 3152715.  
 Starling, Grover C., III, 0081358.  
 Starr, Richard F., Jr., 0081448.  
 Steinmann, James W., Jr., 3162222.  
 Stellbrink, Willi C., 3152488.  
 Stephenson, John R., 0080672.  
 Stetz, George A., 0080674.  
 Stevens, Richard L., 3163469.  
 Stevenson, David L., 3152487.  
 Stewart, Alvin E., 3168938.  
 Stewart, Dorothy L., 3152189.  
 Stewart, James M., 3152360.  
 Stigers, Joe D., 3152625.  
 Stockton, Jerry R., 0081359.  
 Stone, Lawrence A., 0080673.  
 Stone, Neil H., 0080675.  
 Strock, Vibert L., Jr., 0080962.  
 Sublett, Kenny W., 0080677.  
 Summerville, Rett S., 3152584.  
 Supp, Peter L., 0080679.  
 Suzuki, Roy N., 0080680.  
 Svob, Robert S., Jr., 0080681.  
 Swallow, James F., III, 0080682.  
 Swan, John T., 0080683.  
 Sweeny, Allan R., 0080684.  
 Swick, William A., III, 0080685.  
 Tait, John C., 0080686.  
 Talbott, Donald R., 0080687.  
 Talley, John S., 0080688.  
 Tankersley, John W., 0080689.  
 Tantalio, Francis P., 0081360.  
 Tedesco, Michael F., 0080690.  
 Teipe, Myrna R., 3152185.  
 Terhall, Jude H., 0080692.  
 Thomas, Charles A., 0080691.  
 Thomas, Furman E., 0081396.  
 Thomas, James L., 0080693.  
 Thomas, Paul R., 0080695.  
 Thompson, Howard C., 0080694.  
 Thompson, Jack E., 0080696.  
 Thompson, Thomas D., 0081361.  
 Thompson, Thomas N., 0080698.  
 Thurgood, John W., Jr., 3134137.  
 Tighe, Dennis H., 3168939.  
 Tiley, Paul L., 0081464.  
 Tindall, Robert R., 0080697.  
 Titmas, Gary W., 0080699.  
 Tober, Zoltan J., Jr., 0080700.  
 Torrez, Dennis C., 0081465.  
 Traynor, Patrick J., 3153018.  
 Treadon, Thomas A., 0080703.  
 Treuhart, Martin B., 0080704.

Turinetti, James D., III, 0080705.  
 Turner, Armond A., 0080706.  
 Turnley, Thomas E., Jr., 3152427.  
 Tutchings, Terrence R., 0081362.  
 Twitchell, Larry M., 0080707.  
 Umbarger, Richard L., 0080709.  
 Valente, George A., Jr., 3161683.  
 Valentine, Dennis E., 0080708.  
 Valentine, Jeffrey H., 0080710.  
 Vanderpool, Travis E., 3162767.  
 Vendetti, Jeffrey F., 0080711.  
 Verdict, Malcolm E., 0080712.  
 Vicente, Frank R., 3161684.  
 Vick, James L., 0080713.  
 Vickery, John M., 0080714.  
 Vinson, William T., 0080715.  
 Viviano, Joseph L., Jr., 3159289.  
 Vrettos, John D., 0080716.  
 Vrooman, Roger M., 0080717.  
 Wages, Brian E., 0080718.  
 Wagner, John C., 0080719.  
 Wall, Steven E., 3168808.  
 Wall, William F., 0080720.  
 Wallace, Bruce A., 0080721.  
 Wallace, Stephen L., 3133397.  
 Wallach, Steven E., 0080722.  
 Walsh, Robert E., 0080723.  
 Walton, Jerry T., 0080724.  
 Warden, John A., III, 0080725.  
 Warren, Gray D., 0080726.  
 Waterman, Robert K., 0080727.  
 Waterstraat, Craig K., 0080728.  
 Watts, Barry D., 0080730.  
 Wayne, William T., 0080731.  
 Weathers, Morris E., 3153033.  
 Webb, Michael S., 3152776.  
 Webber, Edward E., Jr., 0080732.  
 Welda, William J., 0080733.  
 Weidner, Douglas T., 0080734.  
 Wendt, Glenn W., 3148780.  
 Weston, Dale E., 3161204.  
 Wheeler, Timothy T., 0080736.  
 White, John F., 0080735.  
 White, Michael B., 0080737.  
 Whitehorn, Michael A., 0080738.  
 Wick, James R., 3163120.  
 Wilburn, Robert C., 0080739.  
 Wiley, Fletcher H., 0080740.  
 Wilke, Paul L., 0080741.  
 Wilkowski, Jerome S., 0080743.  
 Williams, Charles H., 0080742.  
 Williams, David M., Jr., 3161796.  
 Williams, Ronald W., 3163003.  
 Willis, Albert H., 3152710.  
 Wilson, Alexander G., 3157529.  
 Wilson, James S., 0080745.  
 Winchester, Robert D., 3168999.  
 Winter, James W., 3163409.  
 Wirth, Richard G., 0081364.  
 Wittel, Charles R., Jr., 3152518.  
 Witten, James P., 3152447.  
 Witty, Bruce A., 0080747.  
 Wodstrich, Daniel L., 3158926.  
 Wolfe, Curtis L., 0080746.  
 Wolfe, Timothy R., 0080749.  
 Wood, Charles P., Jr., 0080748.  
 Wood, James W., 0080750.  
 Wood, Ronald L., 3152635.  
 Wood, Wendell B., 0080752.  
 Woods, Paul T., 3152144.  
 Wortham, George E., 0081476.  
 Wright, Grady A., 0080751.  
 Wycoff, Earl N., 3146921.  
 Yabul, Alan E., 3130503.  
 Yonker, Dale B., 3152713.  
 Young, George O., III, 0080753.  
 Zabka, Adolph H., 0081365.  
 Zaleski, Andre A., II, 0081366.  
 Zebley, Frederick L., Jr., 3160868.  
 Zeller, Karl F., 3177041.  
 Zepecki, Robert G., 0080754.  
 Zimmy, Edwin T., Jr., 0080755.  
 Zucker, Richard A., 0080757.

## MEDICAL SERVICE CORPS

Anderson, James G., 3167408.  
 Boyd, Thomas D., 3168590.  
 Buscher, John R., 0080276.  
 Covey, Richard W., 3162794.  
 Dressler, Forrest G., Jr., 3166169.  
 Gainer, Philip W., 3183930.  
 Hamako, Herbert M., 3167429.



Healy, Keith E., 3167511.  
 Johnson, Gerald A., 3165443.  
 Lombardo, Raymond B., 3166216.  
 Lyons, John J., Jr., 3167476.  
 McClean, Raymond R., 3165621.  
 Mootz, John R., 0080539.  
 Nugent, Jerry J., 3167723.  
 Oatley, Theodore W., 3166413.  
 Phillips, Preston J., 3168163.  
 Sarbach, Douglas L., 3167105.  
 Schuknecht, Lowell A., Jr., 0080644.  
 Schumann, Thomas R., 3166396.  
 Squires, Darrell R., 3184323.  
 Stephenson, Robert L. II., 3159467.  
 Templeton, David W., 3167823.  
 Wiegand, Edwin E., 3167933.  
 Zurburg, Eric B., 0080758.

## BIOMEDICAL SCIENCES CORPS

Bullock, Charles W., 3160773.  
 Cumuze, Antonio G., Jr., 3168955.  
 Riccardi, Richard M., 3160315.  
 Rouland, Donald L., 3169005.  
 Smothermon, Sharo A., 3167446.  
 Trittschuh, John C., 3167943.

## IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

## To be colonels

Aaron, Harold R., 026207.  
 Abel, Carl M., 079720.  
 Abernathy, William, 037308.  
 Alexander, George L., 026021.  
 Allan, John C., 037298.  
 Althaus, Kenneth G., 041121.  
 Amacher, Aaron G., 027040.  
 Ancker, Jack P., 037217.  
 Anderson, Arnold V., 037666.  
 Anderson, Jonathan, 025820.  
 Anido, Victor M., Jr., 079727.  
 Antoniolli, Virginio, 025663.  
 Armstrong, John W., 025686.  
 Arnold, Edwin Y., 084045.  
 Atkinson, Quintus C., 026317.  
 Aud, James E., 027051.  
 Avery, Philip S., 036241.  
 Baatz, David C., 041048.  
 Baccus, George W., 035670.  
 Baden, Robert E., 025671.  
 Baen, Spencer R., 027005.  
 Baldwin, Clarke T., 026037.  
 Barber, Henry A., III, 025568.  
 Barbour, Alfred E., 037787.  
 Batson, Richard T., 025434.  
 Beightler, Robert S., 025642.  
 Belford, Jack F., 055279.  
 Bell, Benjamin C., 048708.  
 Bell, John C., 025937.  
 Bennett, Edward E., 025463.  
 Benson, Charles E., 026263.  
 Berenzweig, Marvin, 025811.  
 Bergsagel, Ralph M., 079739.  
 Berte, Samuel C., 048711.  
 Betts, James A., 079741.  
 Betts, James A., 025891.  
 Bielecki, Edward J., 025465.  
 Bishop, Raymond C., 079743.  
 Blake, Robert T., 025837.  
 Blewett, Rex R., 038030.  
 Blount, Leverne E., 025939.  
 Boatner, Mark M., III, 026248.  
 Bogan, Lucian D., Jr., 025810.  
 Bohannon, Frederick, 027057.  
 Bohnak, Joseph A., 027036.  
 Bolling, Alexander, 026066.  
 Bond, John B., 026077.  
 Booth, Reed A., 079748.  
 Bott, Fredric C., 079750.  
 Boyle, Harry F., 039258.  
 Boyle, Joseph F., 026347.  
 Brandt, Roland A., 025901.  
 Brier, John K., 026185.  
 Brooks, Waldo W., Jr., 054679.  
 Broudy, Harold, 024134.  
 Brown, Stephen O., 026105.  
 Brust, Robert P., 079759.  
 Buell, Kenneth E., 025772.  
 Buerger, Kenneth G., 080377.  
 Burdell, Frank E., Jr., 079760.  
 Burdett, Allen M., Jr., 026048.  
 Burgess, John F., Jr., 079761.  
 Burke, James T., 034575.  
 Burlin, Robert B., 025484.  
 Burr, Charles H., Jr., 025758.  
 Buser, George W., 079764.  
 Byrne, David B., 023181.  
 Cain, James W., 026208.  
 Call, William T., Jr., 037896.  
 Calnan, William M., 026120.  
 Camp, Eugene C., 037072.  
 Campbell, Elden C., 040817.  
 Cann, Richard T., 037799.  
 Cantlay, George G., 025979.  
 Carne, William B., 038011.  
 Carroll, Benjamin L., 037321.  
 Carter, John H., 033174.  
 Carter, William C., 037290.  
 Carter, William C., 034761.  
 Case, Frank B., 078689.  
 Chaplin, Neil M., 055006.  
 Charles, Alvin K., 079771.  
 Chase, David M., 026212.  
 Chegin, Thomas E., 079772.  
 Chilk, Samuel J., 053777.  
 Chmar, Paul, 037640.  
 Churchwell, Alvin M., 041055.  
 Cleary, Edward R., 026304.  
 Coachman, Francis G., 049618.  
 Coates, Harry R., 036067.  
 Cobb James J., 025629.  
 Cobb, John H., Jr., 026233.  
 Cobey, Earl J., 054909.  
 Cochran, John H., Jr., 054787.  
 Cochran, John H., Jr., 026115.  
 Coffman, Howard B., 025941.  
 Coggins, Samuel M., 037861.  
 Cole, Caleb A., 026171.  
 Cole, Charles B., Jr., 039304.  
 Cole, Jack N., 079775.  
 Collins, John W., III, 026079.  
 Collins, Rodney J., 055519.  
 Conard, David B., 025885.  
 Conarty, Roger L., 026067.  
 Conmy, Joseph B., Jr., 025645.  
 Conway, Marion L., 080388.  
 Cook, Harvey J., 079778.  
 Cook, Robert M., 025690.  
 Cooksey, Howard H., 037690.  
 Cover, William W., 026287.  
 Crawley, James J., 049218.  
 Croonquist, Arvid P., 025639.  
 Crumlish, William S., 045536.  
 Cullen, Joe C., 079786.  
 Cullinane, Daniel B., 026145.  
 Cumble, Walter P., 054718.  
 Cunningham, Hubert, 039303.  
 Cunningham, Robert, 037120.  
 Curtis, Wesley J., 025792.  
 Dale, Joseph W., Jr., 036144.  
 Dallam, Robert N., 049607.  
 Dalton, Charles H., 037943.  
 Danforth, Robert D., 026081.  
 Daulton, James O., 079792.  
 Davenport, Robert J., 026089.  
 Davis, Dan R., 040629.  
 DeBrocke, William, 025986.  
 Deaver, John Q., 054765.  
 Dennis, William J., 036151.  
 Dennison, Robert C., 049010.  
 Dettmar, Henry G., 037117.  
 Dexter, Robert B., 038383.  
 Dinsmore, Oliver R., 037806.  
 Dittmer, Robert E., 079798.  
 Donahue, Franklin W., 041071.  
 Donaldson, Thomas Q., 025480.  
 Doran, Edward A., 025782.  
 Douglass, John J., 049602.  
 Drackett, Ferris J., 049474.  
 Dring, John P., 037784.  
 Duke, Thomas A., Jr., 037062.  
 Dunn, James E., 036137.  
 Dunwoody, Harold H., 026197.  
 Durand, William H., 080401.  
 Dwan, Robert D., 026052.  
 Dyer, Joseph C., 079807.  
 Dysinger, William C., 054976.  
 Eaton, Robert L., 055596.  
 Eddy, George G., Jr., 054991.  
 Eddy, John H., 054004.

Edler, William C., 033725.  
 Edmond, Emil V. B., 034234.  
 Elliott, Dale T., 025022.  
 Elliott, Howard D., 025445.  
 Ellis, Rodney C., 034872.  
 Emerson, Edwin W., 049152.  
 English, Keith H., 055422.  
 Erdman, George W., 037350.  
 Ernst, Russell W., 037256.  
 Everton, Theme T., 041103.  
 Falck, William D., 025893.  
 Farley, Clare F., 025915.  
 Farnsworth, Frank A., 037216.  
 Fausset, Louis R., 034421.  
 Faust, Edmond L., Jr., 025450.  
 Fechtman, Robert H., 046262.  
 Ferriter, Richard H., 076837.  
 Finlayson, Harold C., 041028.  
 Finney, Perry S., Jr., 048263.  
 Fischgrund, Harold, 037183.  
 Fishback, Jesse L., 025858.  
 Flisen, Archibald D., 024868.  
 Fiss, Robert E., 025511.  
 Fitzgerald, Charles, 041098.  
 Flatley, Thomas W., 025638.  
 Flint, Brillsford P., 034146.  
 Francis, Gus C., 079815.  
 Fraser, Bruce H., 037276.  
 Fraunheim, Walter, 048978.  
 Frazier, Frank W., 037085.  
 French, Jack S., 048380.  
 Frost, Thomas G., 080411.  
 Fuller, Ellis L., 037366.  
 Fye, John H., III, 037715.  
 Gardner, Hamilton B., 036838.  
 Garten, Melvin, 048990.  
 Gates, Quinten L., 080413.  
 Gausman, Willis F., 079821.  
 Gendron, Thomas J., 045776.  
 Gibb, Edward F., Jr., 045769.  
 Gibson, Henry W., 080414.  
 Gibson, James M., 048730.  
 Giddings, Ralph L., 081900.  
 Glasgow, William M., 025905.  
 Glick, John R., 048877.  
 Glisson, Roy, Jr., 037078.  
 Glotzbach, Edgar N., 027011.  
 Godfrey, Hampton J., 037822.  
 Goforth, Robert C., 037670.  
 Goldenberg, Joseph, 080415.  
 Goldenthal, Mitchel, 025482.  
 Goodell, Henry W., 079832.  
 Goodman, Jess L., 047795.  
 Gordy, Stephen E., 026125.  
 Gorman, Vincent J., 041019.  
 Gottlieb, Arthur A., 044972.  
 Goudreau, Albert D., 046744.  
 Grady, Roman C., Jr., 025985.  
 Grant, Wilburn E., 035789.  
 Green, Charles W., 037744.  
 Greene, James F., Jr., 025900.  
 Greenwalt, William, 025998.  
 Gregg, Frank A., 037864.  
 Griffin, Bobbie A., 025908.  
 Grimm, Henry F., Jr., 025519.  
 Groom, Kenneth G., 054786.  
 Gunn, Arthur W., 024241.  
 Hahn, William R., 025566.  
 Hakala, Robert W., 048852.  
 Hall, Paul J., 055597.  
 Hamblen, Archelaus, 026187.  
 Hames, William E., Jr., 079839.  
 Hamilton, Howard E., 079841.  
 Hamlin, Jack I., 038004.  
 Hamlin, John I., 081903.  
 Handley, George E., 037294.  
 Hansard, Frederic E., 045303.  
 Hansen, Richard A., 079843.  
 Harding, Leslie B., 025512.  
 Hardy, Leslie B., 026003.  
 Harps, Joseph F., 053692.  
 Hatcher, Robert P., 053259.  
 Hawkins, Wallace E., 040969.  
 Hazam, Mitchell J., 083583.  
 Heltzel, Charles L., 025746.  
 Henry Gregg, 025574.  
 Herres, Fred W., Jr., 025996.  
 Heske, Richard F., 035641.  
 Hill, James A., 088735.  
 Hill, Ralph J., 026127.  
 Hillard, James R., 080420.



- Hipp, Macon A., O84047.  
 Hixon, Robert C., O37892.  
 Hoffman, Edgar F., O78666.  
 Hoffmeister, Donald, O33942.  
 Hoffmann, Ralph M., O25495.  
 Holder, Leonard D., O37267.  
 Holm, George P., O79858.  
 Holt, John B., Jr., O48996.  
 Hood, Burton F., Jr., O25729.  
 Hopkins, Truman A., O36057.  
 Howard, Charles E., O39153.  
 Hranicka, Joseph G., O80424.  
 Hughes, Algin J., O25630.  
 Hughes, Thomas K., O24449.  
 Hulsey, Alvin, O79861.  
 Hulsey, David D., O24411.  
 Humphrey, James B., O49620.  
 Hunt, Jay, O32789.  
 Hunt, Milton T., Jr., O33057.  
 Hunt, Paul E., O36910.  
 Hunter, William L., O49016.  
 Hyde, Radford D., O35949.  
 Hyle, Archie R., O37271.  
 Ingwersen, Glenn P., O25993.  
 Ireland, Thornton E., O37325.  
 Isaacs Alvin C., O48816.  
 Ivan Garbriel A., O25865.  
 Jemmott Arthur H., O37043.  
 Johnson Earle A., Jr., O26211.  
 Jones Alan W., Jr., O25868.  
 Jones Pearl F., O48423.  
 Jones Harry L., Jr., O48397.  
 Jones Ralph K., O26123.  
 Jones Randolph L., O35477.  
 Jones Robert E., O79872.  
 Jones, Russell G., O37213.  
 Jordan George B., O34644.  
 Jordan, William K., O55586.  
 Kalergis, James G., O79873.  
 Kampschroer, Felix, O80432.  
 Kapp, Ronald A., O37070.  
 Karrick Samuel N., O25446.  
 Kellogg Dimitri A., O25433.  
 Kendall, Maurice W., O27003.  
 Kennedy, Richard T., O48390.  
 Kennedy, Stanley Y., O37179.  
 Kenworthy, Max R., O76841.  
 Kidder, James D., O26227.  
 Kirchner, Alfred W., O36559.  
 Kittrell, Williams S., O49082.  
 Knight, Hale H., O55247.  
 Krueger, Herbert W., O39207.  
 Kyle, Edward H., O22981.  
 Lacouture, Arthur J., O26240.  
 Ladd, Jonathan F., O27041.  
 Lafield, William C., O37894.  
 Lail, James G., O79884.  
 Lance, John E., Jr., O38026.  
 Lang, Francis E., O45628.  
 Langstaff, James D., O26314.  
 Langston, Alex T., Jr., O55069.  
 LeClair, Joseph A., O79888.  
 LeFebvre, Henry E., O36358.  
 Leach, James H., O48718.  
 Lehman, Arthur M., O79890.  
 Lewis, Herbert S., O25734.  
 Lewis, Norman F., O48701.  
 Libby, Jack P., O37932.  
 Ligon, Lawrence R., O35154.  
 Linton, William M., O23728.  
 Longacre, David R., O33378.  
 Lothrop, James N., Jr., 26057.  
 Loughran, Joseph P., O37167.  
 Lucas, John P., Jr., O26159.  
 Lundberg, George B., O25679.  
 Lundelius, Maurice, O54864.  
 Lutz, George A., O37296.  
 MacVeigh, Charles, O25496.  
 Magathan, Wallace C., O25861.  
 Magruder, Lawson W., O36711.  
 Mahan, James J., O48988.  
 Maher, Thomas L., O48386.  
 Mahone, Nelson A., Jr., O38003.  
 Malone, William F., O80445.  
 Marshall, Ben F., O80448.  
 Masenga, Robert C., O54101.  
 Mathe, Robert E., O25878.  
 Mathews, Stanley R., O37737.  
 Mayer, Edward E., O79914.  
 McAdams, James O., O80449.  
 McBane, Robert B., O48890.  
 McCabe, Edward F., O25926.  
 McCabe, John T., O37126.  
 McCartin, George J., O79638.  
 McCoid, Chester B., O36251.  
 McDonnell, Patrick, O84391.  
 McGee, Dale E., Jr., O26253.  
 McGinnis, Norris D., O37232.  
 McIlwain, Bob A., O55346.  
 McKee, Henry H., O36190.  
 McKenzie, Donald, O80147.  
 McKenzie, William, O25929.  
 McLain, John V., O37662.  
 McLendon, George P., O37133.  
 McLeod, Charles A., O27047.  
 McMahan, Jack E., O37300.  
 McNeil, Samuel F., O49354.  
 McRae, John R., O55582.  
 Medinger, John N., O80453.  
 Mercer, Oliver L., O39382.  
 Merlo, William J., O80457.  
 Merrill, Clifford R., O79927.  
 Merritt, Charles A., O80459.  
 Metts, Albert C., Jr., O26091.  
 Miller, Adelbert E., O41085.  
 Miller, James C., Jr., O25961.  
 Miller, Maurice G., O23914.  
 Miller, Robert E., O37356.  
 Millhouse, Felix G., O36609.  
 Mitchell, John R., O25665.  
 Mitro, Michael P., O54862.  
 Mixon, Sidney T., O34281.  
 Moberg, Wesley O., O44973.  
 Mohl, John L., O37815.  
 Montesclaros, Meloc, O79934.  
 Moore, Clayton H., Jr., 48625.  
 Moore, Robert L., O79936.  
 Moore, Roy, Jr., O37063.  
 Moran, James J., O79937.  
 Morris, Charles A., O37730.  
 Morris, John W., O25992.  
 Motes, Marshall M., O46627.  
 Mowery, Lawrence L., O38023.  
 Murday, Stanley J., O79940.  
 Murray, Charles P., O41057.  
 Murray, Douglas B., O80466.  
 Murray, William H., O85396.  
 Myers, John W., O84824.  
 Nabors, George A., O80467.  
 Nash, Albert M., O37277.  
 Neale, William D., O25755.  
 Nechanicky, William, O33910.  
 Nelson, Oliver W., O37084.  
 Nett, Robert B., O41070.  
 Netterblad, Alvin T., 33971.  
 Newlands, George, O40606.  
 Newman, George E., O26015.  
 Newman, James W., O37751.  
 Norris, John J., O25713.  
 Oberg, Vincent G., O79944.  
 Ocallaghan, James P., O81919.  
 Odom, Robert E., O49363.  
 Odonnell, Charles F., O81920.  
 Ohalloran, John T., O55106.  
 Oldham, Leo G., O85227.  
 Osullivan, Michael, O37162.  
 Ott, Edward S., Jr., O25860.  
 Palos, Stuart J., O52797.  
 Parfitt, Harold R., O25914.  
 Parham, Douglas F., O26226.  
 Parker, Nicholson, O26193.  
 Parr, William R., O80473.  
 Patch, Lloyd E., O81921.  
 Patchin, John W., O40537.  
 Pavick, Pete D., O25699.  
 Peak, William O., III, O26025.  
 Pearson, Robert A., O79946.  
 Pehrson, Norman E., O25912.  
 Perkins, Del S., O26016.  
 Peyer, Gustave A., Jr., O82707.  
 Pfeiffer, Dewey T., O38031.  
 Phillips, James W., O26236.  
 Pickell, Wayne F., O46670.  
 Pigue, Paul E., O23990.  
 Pinnell, Samuel W., O25880.  
 Plett, Robert E., O25924.  
 Plunkett, Hubbard T., O36991.  
 Porter, Ray E., Jr., O37741.  
 Prince, Altus E., O25714.  
 Proctor, Fred B., O25990.  
 Pryor, Frank D., Jr., O33316.  
 Pumpfrey, A., T., O79960.  
 Quante, Frank Jr., O79961.  
 Raaen, John C., Jr., O25486.  
 Rael, Zacarias F., O79962.  
 Rantz, Richard C., O55168.  
 Rashid, Ralph J., O81924.  
 Rasper, Arthur H., Jr., O26121.  
 Rawls, Louie T., O55581.  
 Ray, Roger, O26035.  
 Ray, William J., O26139.  
 Reberry, Gerald V., O37359.  
 Redheffer, George E., O35672.  
 Reed, Charles S., Jr., O25944.  
 Reeder, Harry L., Jr., O26214.  
 Reid, Raymond T., O37925.  
 Reinert, Albert C., O24936.  
 Reiter, Nathan I., Jr., O80483.  
 Rhea, Frank W., O25876.  
 Richardson, Donald, O37160.  
 Ried, George H., O27032.  
 Riffe, James L., O54861.  
 Riggins, Jack F., O79967.  
 Riley, William T., Jr., O79969.  
 Ripley, Richard M., O37760.  
 Roach, Harold K., O25626.  
 Roberts, Robert A., O80485.  
 Roemer, William A., O37665.  
 Rogers, Bernard W., O25867.  
 Rogers, George, O79970.  
 Romanek, Henry, O25911.  
 Romstedt, Gerhart O., O55056.  
 Roos, William F., O25932.  
 Rowan, John V., Jr., O47374.  
 Royal, George S., O55598.  
 Royce, Herbert F., O79977.  
 Russell, Earl L., Jr., O37829.  
 Rust, Clayton A., O22916.  
 Ruyfelaere, Raymon, O25814.  
 Ryan, Albert J., O40631.  
 Sabel, August J., O79979.  
 Sawyer, Kenneth T., O25957.  
 Schockner, Lester F., O23182.  
 Schraeder, Gordon A., O25896.  
 Schroeder, Henry J., O26028.  
 Seaman, Harold D., O36616.  
 Seidel, Richard L., O39355.  
 Senior, William G., O46632.  
 Sewell, Donald M., O80491.  
 Sharp, John D., Jr., O46693.  
 Shaw, John M., O49362.  
 Sheffield, Paul R., O35569.  
 Short, James H., O26242.  
 Shultz, John J., Jr., O25550.  
 Sickler, Robert L., O37231.  
 Smith, Daugherty M., O25717.  
 Smith, Irvin D., Jr., O39399.  
 Smith, James F., O37046.  
 Smith, Vincent P., O36499.  
 Snead, George M., Jr., O27028.  
 Soler, Eduardo M., O26020.  
 Sommer, Harry A., O80192.  
 Sonstelle, Robert D., O26141.  
 Spahr, William J., O26177.  
 Spalding, Basil D., O26341.  
 Spann, Frederick C., O25561.  
 Splice, Donald C., O25989.  
 Spinney, Lewis C., O44357.  
 St. John, Adrian, II, O25583.  
 St. Sauver, Richard, O37658.  
 Stabler, Joseph P., O25647.  
 Stephens, Joel B., O24913.  
 Stevens, Wilmer B., O37079.  
 Stewart, John A., Jr., O37800.  
 Stewart, Lewis M., O46789.  
 Stiles, Robert B., O27000.  
 Strong, LeRoy, O48417.  
 Sullivan, Alden P., O41069.  
 Surkamp, Arthur T., O25935.  
 Sweers, Peter C., Jr., O39371.  
 Talbot, Max V., Jr., O26322.  
 Tansey, Hubert E., O26031.  
 Taylor, Carlisle C., O40150.  
 Taylor, Harry J., Jr., O80013.  
 Taylor, Leonard B., O83589.  
 Taylor, Warren L., O26068.  
 Taylor, William D., O81930.  
 Tenney, Duane P., O26000.  
 Terrel, Mark H., O24826.  
 Thebaud, Charles C., O38008.  
 Thompson, Howell B., O33385.  
 Thompson, Milton R., O49532.  
 Thompson, Shelden L., O35687.



Thomure, Richard F., O49440.  
 Tinari, Emanuel J., O80018.  
 Tomlinson, William, O26333.  
 Torgersen, Maxwell, O37083.  
 Townsend, Delbert L., O41062.  
 Townsend, Robert T., O48913.  
 Traver, Paul C., O80505.  
 Trevathan, Louis B., O86869.  
 Truog, John E., O55415.  
 Tucker, William O., O48880.  
 Turner, Julian, O40697.  
 Turner, Walter M., O37963.  
 Ulanowicz, Emil M., O80507.  
 Ursano, James J., O37890.  
 Vall, Robert E., O80508.  
 Vaughn, Clarke S., O48868.  
 Veach, Fletcher R., O26301.  
 Via, Harold F., O34635.  
 Vogt, Elaine O., O54699.  
 Wade, Arthur P., O25666.  
 Wade, Richard E., O32824.  
 Wade, William D., O83590.  
 Wadsworth, William O80515.  
 Walker, Charles S., O48299.  
 Walters, Gene A., O37805.  
 Ward, Ben H., O80516.  
 Watson, Foster B., O35665.  
 Weaver, Earl J., O80517.  
 Webster, Robert A., O55579.  
 Welsh, William J., Jr., O26339.  
 Wendel, Edmund, Jr., O36220.  
 Westbrook, Robert L., O37049.  
 Welrick, Joseph W., O26294.  
 Wheeler, Jesse L., Jr., O49154.  
 Wheeler, John P., Jr., O25824.  
 White, Arthur B., O54886.  
 White, Fred R., O49616.  
 Whitt, Ralph L., O80521.  
 Wild, Edward W., O39142.  
 Wiley, Harlon R., O37082.  
 Wilhelmy, John F., Jr., O37233.  
 Wilkins, Wallace W., O80522.  
 Wilkinson, Reading, O26257.  
 Williams Frank S., O34649.  
 Williams, Harry O., O37184.  
 Williams, Harry R., O84442.  
 Williamson, Joseph, O24476.  
 Willmann, William G., O81936.  
 Wilson, Charles A., O25907.  
 Wimert, Paul M., Jr., O48914.  
 Windsor, Thomas B., O25670.  
 Winfield, Richard M., O26117.  
 Wood, Carroll H., O27024.  
 Wood, Darrell G., O54196.  
 Wood, John S., Jr., O25655.  
 Woodard, Robert L., O34031.  
 Wright, Lucius F., Jr., O25966.

Young, Crawford, O25984.  
 Young, Curtis F., O37305.  
 Young, James R., O37365.  
 Young, Lelilyn M., O80528.  
 Young, Maurice, L., O36794.  
 Young, Ralph E., O26331.  
 Young, Robert M., O37803.  
 Yount, Harold W., O54875.  
 Zacharias, George A., O88536.

#### To be colonels, Chaplain

Goss, Charles A., O81862.  
 Hutchins, Gordon, Jr., O31291.  
 Krug, Clement, P. J., O76793.  
 O'Connor, William V., O78631.  
 Waldie, Thomas E., O80354.

#### To be colonels, Medical Corps

Aronstam, Elmore M., O56211.  
 Audet, Harold H., O85124.  
 Baker, Hinton J., O56897.  
 Beach, Prince D., O58753.  
 Bell, Robert F., O63470.  
 Bisaccia, Leonard J., O43238.  
 Clausen, Roy E., Jr., O57385.  
 Fairchild, John P., O57936.  
 Fitzpatrick, Jack C., O63832.  
 Hamilton, Longstreet, O60742.  
 Hamit, Harold F., O57980.  
 Hannum, William Y. C., O71798.  
 Hayes, George J., O57388.  
 Henderson, Warren S., O60739.  
 Hughes, Carl W., O58018.  
 Lindsey, Douglas, O43248.  
 Lockwood, Robert S., O37626.  
 Lukeman, John M., O61061.  
 Metz, Charles W., Jr., O49934.  
 Moncrief, William H., O37637.  
 Neel, Spurgeon H., Jr., O58688.  
 Neuman, Frank A., O52077.  
 Parmley, Loren F., Jr., O52087.  
 Protenhauer, Martin, O61066.  
 Richey, Carl B., Jr., O63147.  
 Rumer, George F., O43234.  
 Sheedy, John A., O59675.  
 Simmons, Ingalls H., O56857.  
 Tumbusch, Wilfred T., O58755.  
 Van Buskirk, Kryder, O57889.  
 White, John W., O58248.

#### To be colonels, Dental Corps

Bhaskar, Surindar N., O78570.  
 Boyer, Lea M., O43241.  
 Frost, John R., O56870.  
 Love, William D., O39325.  
 Mosgrove, Richard L., O38880.

#### To be colonel, Veterinary Corps

Davies, Frank J., O40126.

#### To be colonels, Medical Service Corps

Beaudry, Stephen J., O37503.  
 Blasleslee, Theodore, O56970.  
 Carr, Martin J., O83549.  
 Chitwood, Douglas C., O56248.  
 Cook, Dudley P., O38552.  
 Crosby, Leonard A., O49967.  
 Devolites, Milton C., O79650.  
 Epperson, Jordan L., O38550.  
 Erb, John J., Jr., O38538.  
 Foley, Joseph S., O38539.  
 Gwin, Jack W., O37598.  
 Holloman, Chester C., O41159.  
 Julian, Russell E., O37590.  
 Kaplan, Clarence, O79653.  
 Keating, Edward J., O37611.  
 Keenan, James W., O49972.  
 Knoblock, Edward C., O41158.  
 Lyons, Russell J., O84311.  
 Mathis, John E., O56251.  
 McCall, Robert G., O80277.  
 Morse, Warren C., O79657.  
 Piercy, Clarence H., O37603.  
 Prettyman, William, O38549.  
 Redmond, John Jr., O38542.  
 Snider, Albert H., O37493.  
 Strobel, Edward M., O37584.  
 Thompson, Elmer L., O37513.  
 Urbine, Anthony W., O80278.  
 Van Gilder, Robert, O80279.  
 Walsh, Glen M., O41156.  
 Williams, John R., O38533.  
 Youngs, Edward R., O38552.

#### To be colonels, Army Nurse Corps

Hays, Anna-Mae M., N905.  
 Johnson, Gladys E., N2201.

#### To be colonel, Army Medical Specialist Corps

Manchester, Katharine E., R10016.  
 The following named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

#### To be majors

Burghardt, Charles A., O76971.  
 Kirk, Harry G., OF110304.  
 Kramer, Stanley H., O89395.  
 LaFon, Leslie C., OF110579.  
 McMurray, Thomas, OF109228.  
 Meggison, Robert H., O69205.  
 Morano, Frank T., O67196.

#### To be captains

Breit, William M., OF110160.  
 Cruz-Casado, Hector, O91202.  
 Hoffmann, Ludwig C., O92552.

## EXTENSIONS OF REMARKS

### The Political Future of the Family of Man

#### EXTENSION OF REMARKS

OF

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 27, 1967

Mr. PUCINSKI. Mr. Speaker, last week Secretary of State Dean Rusk delivered one of the truly great speeches of our times.

Mr. Rusk bravely and boldly put into proper perspective the great challenge that lies ahead for civilization and how our involvement in Vietnam is helping us meet that challenge.

History will show that Secretary Rusk is one of the most prophetic people in the world today. We as Americans are fortunate that at this critical juncture in

our own history, we have had the good fortune of having a man like Dean Rusk carry the heavy burden of Secretary of State of the United States. His counsel and his wisdom are helping this Nation chart a course for man which will lead us to that magnificent day when hopefully we will war no more.

Dean Rusk carries a heavy burden and it would be my hope that this Nation someday will be able to fully appreciate the enormity of his contribution and personal sacrifice so that man will live in freedom.

I hope this speech which I am putting in the RECORD today will be carefully read by every American, for only then can he understand the immensity of the challenge which confronts America and the world and what our own Nation is doing to meet that challenge.

The Secretary's speech follows:

THE POLITICAL FUTURE OF THE FAMILY OF MAN (Excerpts and address by the Hon. Dean Rusk, Secretary of State, before the 50th anniversary celebration of the Foreign Policy Association, New York City, November 14, 1967)

It is a great personal privilege for me to return to the Foreign Policy Association and to be with you in marking the beginning of your Fiftieth year. For a half century you have earned the appreciation and respect of all of our Presidents and Secretaries of State because of your dedicated and imaginative efforts to bring about a better understanding of world affairs. Yours has been a public service of profound importance both to our own people and to the world beyond our borders. But "what is past is prologue"; I wish you strength, resources and resourcefulness as you prepare yourself for the decades ahead.

It is my hope this evening to reflect a bit upon the tasks which are in front of us. But, before doing so, it might be worth asking ourselves a question about your first fifty years. What have we learned since 1918? In