lice units to deal with it and only six had prosecutors specifically assigned to it.

The activities of organized crime are wide ranging, but gambling is by far its greatest source of income. Gambling lends itself to criminal conduct.

Loan sharking, often called shylocking or juice, is generally believed to be the second most significant source of income. Here, as with gambling, organized crime must deal with large numbers of people. To protect its interest and accomplish its purpose, as in collections, pressure and violence are used as necessary. The end justifies any means.

Extortion, blackmail, and shakedowns are frequent practices. Importation and wholesaling of narcotics engage many groups in organized crime though in recent years the retail trade is often left to the small time pusher. Prostitution, bootlegging and related alcoholic beverage violations are common enterprises.

Increased sophistication and affluence have led organized crime into many legitimate businesses, labor activities and government services and contracts, licensing and zoning. Here they bring all the strong-armed tactics, violence and unprincipled conduct they practice in illegal areas. Firms have been bilked of assets, fraudulent stocks issued, planned bankruptcies executed, trust funds and loan accounts manipulated, and competitors driven out by unfair trade practices and criminal acts.

Generally organized crime as distinguished from ordinary crime supplies goods or services wanted by a large number of people: the chance to gamble, the loan of money, narcotics, prostitutes. An aroused community leadership can do much to limit its sales.

Because it is an on-going business, with payrolls to meet, dealing with hundreds or thousands of people, organized crime cannot flourish without protection. At the very least local law enforcement must be neutralized because major organized crime activities cannot be effectively concealed. Significant continuing gambling, shylocking, narcotics traffic, prostitution, extortion and other widespread organized criminal acts cannot long escape the notice of law enforcement.

Perhaps the greatest harm to come from organized crime is the corruption of officials. This affects a community in ways well beyond the reach of the criminal activity itself. Where some police are corrupt, law enforcement generally is likely to be bad. Where government officials are bribed, the moral climate of the whole community is likely to be affected; public confidence is undermined, cynicism takes hold.

Organized crime is a major concern of federal law enforcement. For seven years the federal government has waged an intensive campaign against a tenacious and deeply rooted enemy.

The current drive is the most comprehensive and successful yet undertaken. The Organized Crime and Racketeering Section of the Department of Justice which, directly and through U.S. Attorneys' offices, handles organized crime cases, has the largest legal staff of its history now working exclusively in organized crime.

Indictments returned as a result of its efforts have risen from 19 in 1960 to 1,197 in 1966. Convictions over the same period have risen from 45 to 477. Between fiscal years 1964 and 1967, convictions or organized crime and gambling figures resulting from FBI investigations have risen 300 percent, from 64 to 197. Of 182 federal indictments and convictions of known members of the Cosa Nostra in the last 12 years, 66, more than one-third, have come in the last 12 months. Included are some of the highest ranking members of this major crime syndicate ever caught.

Criminal intelligence supplied to local law enforcement by federal agencies has had an even greater impact on organized crime. In fiscal 1967, the FBI disseminated over 250,000 items of intelligence regarding organized crime resulting in 3,600 arrests for violation of state law. Criminal intelligence supplied by the FBI has resulted in 174 raids of organized crime operations and 674 arrests in the past four months.

A new and highly effective technique already tested in a major northeastern city involves the "Strike Force" concept. A special team, the "Strike Force," staffed by Organized Crime and Racketeering Section attorneys and selected federal investigators from several key agencies, carefully coordinate with state and local law enforcement. An intensive correlation of intelligence guides special investigation, raids, grand jury investigation and action followed by prosecution. Superimposed on regular law enforcement and with no other assignment than to find and prosecute organized criminal conduct, the "Strike Force" can deliver major blows to organized crime and leave local law enforcement in control. A series of strike forces are being planned for centers of organized crime.

For better than a year now, the Department of Justice has conducted meetings in major cities across the country to alert local law enforcement and to intensify and better coordinate local, state and federal action directed at organized crime.

The Department will continue its efforts against organized crime in the months ahead. This is an area where the federal government must play a major role. The interstate nature of much of the more extreme organized crime activity and its ability to neutralize local law enforcement make this imperative.

But we must not look to the federal government to eliminate organized crime any more than we can look to it to control crime in the streets, or riots. Excellence in local law enforcement is the *sine qua non* of any effort to eliminate organized crime. Without this, little can be permanently accomplished. It is local police that patrol the streets and alleys and see and know the activities of the people. It is local police that are present in adequate numbers to deal with organized gambling, shylocking or prostitution. It is state and local laws that are violated by most organized crime activity. It is the duty of local police to enforce those laws.

Crime in the streets can only be controlled and reduced. Organized crime can be eliminated. There are whole nations and societies relatively free of its scourge. A key will be the professionalization of local law enforcement: raising standards, training officers to meet the varieties of criminal conduct committed, paying salaries that will attract the best among us, providing adequate force, research and development, organization and leadership to bring excellence to local law enforcement throughout the nation. It is a happy fact, though no coincidence, that fulfillment of this same great need will aid in the arrest and reversal of the trends toward lawlessness in the other faces of American crime.

Executive Briefing on United States-Russia Fisheries Agreement

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 29, 1967

Mr. DINGELL. Mr. Speaker, in October of last year the Congress passed a law which would prohibit foreign vessels from fishing within 12 miles of our coastal waters, except as expressly provided by an international agreement to which the United States is a party.

On Saturday of last week, the United States and Russia entered into a fisheries agreement concerning our Atlantic coast fisheries. Similar agreements concerning our Pacific coast fisheries were entered into between the United States and Russia and the United States and Japan, respectively, in February and May of this year.

On Monday, December 4, 1967, at 10 a.m., in room 1334, Longworth House Office Building, before the Merchant Marine and Fisheries Committee, there will be an executive briefing by representatives of the State Department and the Department of the Interior on the abovementioned agreements. There will also be a discussion on fishery negotiations between the United States and certain South American countries and the United States and Mexico.

Because of the importance of this meeting to our U.S. fishing industry, I would like to invite all Members of the Congress to attend this classified briefing.

SENATE

THURSDAY, NOVEMBER 30, 1967

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

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Father, we are grateful for the inner call of service to God and man. Be with these who have been called by the people of this Nation to lead. May they feel the call of the God of history as they make history today.

We are grateful for the solution to the conflict on the island of Cyprus. For those who were messengers of peace, we give Thee thanks. Give to this small nation the blessing of inner peace.

Give us guidance, O God, to new avenues of finding peace in the continuing conflict we face in Vietnam. May these worthy statesmen feel the strength of faith, hope, and love in this perplexing hour of history. We pray in the Master's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, November 29, 1967, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the

Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Commerce.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 271. An act to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts; and

S. 2565. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes.

The message also announced that the House had passed a bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 1085. An act to amend the Federal Credit Union Act to modernize the loan and dividend provisions;

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, to provide for construction aid for certain passenger vessels operating on the inland rivers and waterways; and

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

HOUSE BILL REFERRED

The bill (H.R. 5754) to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package, was read twice by its title and referred to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be permitted to meet today.

The VICE PRESIDENT. Without objection, it is so ordered.

ENROLLED BILL SIGNED

The VICE PRESIDENT announced that on today, November 30, 1967, he signed the enrolled bill (H.R. 8629) to amend the act of July 4, 1966 (Public Law 89–491), which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF PROPOSED MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense, Properties and Installations, transmitting, pursuant to law, the location, nature, and estimated cost of certain additional facilities projects proposed to be undertaken for the Army National Guard (with an accompanying report); to the Committee on Armed Services.

PROPOSED AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, relating to the disposal of foreign excess property and for other purposes (with an accompanying paper); to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RANDOLPH, from the Committee on Labor and Public Welfare, without amendment:

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex. (Rept. No. 822).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 269. A bill to authorize an exchange of lands at Acadia National Park, Maine (Rept. No. 825);

S. 1821. A bill to authorize the Secretary of the Interior to exchange certain property at Acadia National Park in Maine with the owner of certain property adjacent to the park (Rept. No. 826); and

S. 2452. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois (Rept. No. 827).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 4919. An act to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona (Rept. No. 829).

By Mr. FANNIN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 4983. An act to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona (Rept. No. 828).

REPORT ENTITLED "JUVENILE DELINQUENCY"—REPORT OF A COMMITTEE (S. REPT. NO. 823)

Mr. BURDICK. Mr. President, on behalf of the Senator from Connecticut [Mr. DODD], from the Committee on the Judiciary, I submit a report entitled "Juvenile Delinquency," the annual report of the Subcommittee To Investigate Juvenile Delinquency, pursuant to Senate Resolution 199, 89th Congress, second session, and I ask unanimous consent that the report be printed, together with the individual views of Senators HRUSKA and DODD.

The VICE PRESIDENT. Without objection, the report will be received and printed, as requested by the Senator from North Dakota.

AMENDMENT OF SECTION 13a(1) OF INTERSTATE COMMERCE ACT—REPORT OF A COMMITTEE (S. REPT. NO. 824)

Mr. MAGNUSON, from the Committee on Commerce, reported an original bill (S. 2711) to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes, and submitted a report thereon, which report was ordered to be printed and the bill was read twice by its title and placed on the calendar.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Paul G. Clark, of Massachusetts, to be an Assistant Administrator of the Agency for International Development.

Mr. FULBRIGHT. Mr. President, from the Committee on Foreign Relations, I report favorably sundry nominations in the Diplomatic and Foreign Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Arch K. Jean, of Pennsylvania, and sundry other persons, for appointment and promotion in the Diplomatic and Foreign Service.

BILLS INTRODUCED

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

By Mr. MILLER:

S. 2706. A bill for the relief of Yung Ran Kim; to the Committee on the Judiciary.

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

By Mr. RIBICOFF:

S. 2707. A bill to provide for the free entry of certain operating tables imported for the use of the Newington Hospital for Crippled Children; to the Committee on Finance.

By Mr. TALMADGE:

S. 2708. A bill for the relief of Nguyen Van Hue; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. MANSFIELD, Mr. BURDICK, and Mr. MCGOVERN):

S. 2709. A bill to authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PROUTY:

S. 2710. A bill to amend the Service Contracts Act of 1965; to the Committee on Labor and Public Welfare.

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

By Mr. MAGNUSON:

S. 2711. A bill to amend section 13a(1) of the Interstate Commerce Act, as amended, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. MAGNUSON, which appears under the heading "Reports of Committees.")

By Mr. McCARTHY (for himself and Mr. MONDALE):

S. 2712. A bill to amend the act entitled "An act authorizing the Village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minn.," approved December 21, 1950; to the Committee on Public Works.

By Mr. BURDICK:

S. 2713. A bill for the relief of Dr. Amado Chanco, Jr.; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

INITIATION OF ACTION TO ESTABLISH AN INTERNATIONAL EDUCATION YEAR

Mr. RIBICOFF (for himself, Mr. BAKER, Mr. BENNETT, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CASE, Mr. COOPER, Mr. FANNIN, Mr. FONG, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HICKENLOOPER, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. LAUSCHE, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MCGEE, Mr. MCINTYRE, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. PELL, Mr. PERCY, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SYMINGTON, and Mr. YARBOROUGH) submitted a concurrent resolution (S. Con. Res. 52) to initiate action to establish an International Education Year, which was referred to the Committee on Foreign Relations.

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

RELIEF OF YUNG RAN KIM

Mr. MILLER. Mr. President, I introduce a bill and ask that it be printed in the RECORD and appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, in accordance with the request of the Senator from Iowa, the bill will be printed in the RECORD.

The bill (S. 2706) for the relief of Yung Ran Kim, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2706

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Yung Ran Kim may be classified as a child within the meaning of section 101 (b) (1) (F) of such Act, and a petition may be filed in behalf of the said Yung Ran Kim by Mr. and Mrs. Charles R. Kiner, Junior, citizens of the United States, pursuant to section 204 of such Act. Section 204(c) of such Act, relating to the number of petitions which may be approved, shall be inapplicable in this case.

PROPOSED AMENDMENT OF SERVICE CONTRACTS ACT OF 1965

Mr. PROUTY. Mr. President, I am introducing a bill which will amend the Service Contract Act of 1965 by excluding from its coverage any contract the principal purpose of which is the furnishing of architectural or engineering services.

Originally, I had intended to introduce a bill removing all contracts for professional services from the coverage of this act. I still feel that a broader exclusion of contracts for professional services should eventually be adopted in order to effectuate the congressional intent in enacting this law and to prevent an unintended and totally unnecessary burden being imposed on persons and firms providing professional services to the Federal Government on a contract basis.

It appears to me that the Department of Labor is attempting to use Congress' oversight in not specifically excluding professional services contracts from application of the Service Contract Act of 1965 as a loophole by which it can expand its domain.

However, partly because of certain correspondence which I have had with Secretary Wirtz, the bill which I am introducing today merely exempts contracts with the Government which are primarily for the furnishing of architectural or engineering services from the requirements of this act.

Mr. President, the Service Contract Act of 1965 was approved by the 89th Congress for the purpose of providing labor standards for "blue collar" workers employed by Federal contractors furnishing services to Federal agencies. This act requires every contract "the principal purpose of which is to furnish services through the use of service employees" to contain provisions specifying the minimum wages and fringe benefits to be paid various classes of service employees in the performance of the contract. Such wages and benefits must be no less than those prevailing in the locality, as determined by the Secretary of Labor.

"Service employees" are defined in the act as "guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement." Contractors and subcontractors to whom the act applies must make and maintain for 3 years detailed records for each service employee, and comply with other administrative requirements.

The legislative history of the act in both the Senate and in the House shows clearly that the intent of Congress in enacting this legislation was to protect poorly paid unskilled and semiskilled workers from exploitation during the performance of service contracts for Federal agencies. It obviously was not intended to apply to professional services contracts.

In describing the types of service contracts covered by the act, the House and Senate reports refer to "laundry and drycleaning, custodial and janitorial, guard service, packing and crating, food service, and miscellaneous housekeeping services." It was recognized by the drafters of the legislation that it would be unrealistic and burdensome—and that the legislation probably would not even be approved—if it were written to apply its requirements to every type of service contract. Accordingly, the act was written to apply only to contracts "the principal purpose of which is to provide services through the use of service employees," and to exclude contracts falling into seven specified categories.

Mr. President, as a member of the Subcommittee on Labor of the Committee on Labor and Public Welfare, I participated in the hearing on this legislation when it was before the Senate, and at no time was there any indication or intimation of any kind that the act would be or should be applied to contracts for architectural or engineering services or any other professional services, nor were such contracts considered or even mentioned.

The Department of Labor, however, in recent months has taken the position that the act covers many, if not most, professional services contracts. This matter was first brought to my attention by the National Society of Professional Engineers following a ruling by the Department that the act applied to a proposed contract for professional engineering services in the course of which a survey crew would be used. Several members of the survey crew, depending on the circumstances at the time the crew was used might have come within the act's definition of "service employee."

When I wrote to the Secretary of Labor raising a question about the applicability of the act to such a contract, he noted specifically in his reply that the act contains no exclusion for contracts for professional services. He stated that the Department would not assert coverage under the act for such contracts when the use of service employees is "only a minor factor" in the performance of the contract, but that the act would apply when a contract "to a significant extent" requires the use of such employees.

Mr. President, the Department of

Labor's attempt to apply the Service Contract Act to professional services contracts requiring the use of service employees "to a significant extent" is tantamount to reading the words "principal purpose" completely out of the law. It is clearly contrary to what Congress intended.

But more recently, Mr. President, the Department has gone even further. It has published a set of proposed regulations in the Federal Register which, in effect, would apply the requirements of the act to a contract if its principal purpose is simply to furnish services, and if any of the services will be furnished through the use of even one service employee. Section 4.113 of the proposed regulations—which were published by the Department on July 8, 1967—would require Federal contracting officers to impose the requirements of the act in all service contracts except where it is known in advance that the contractor in no event will use any service employee.

All of us, I am sure, know that it is a rare professional services contract, be it for engineering services, medical services, legal services or whatever, that does not require the use of support personnel, one or more of which might fall within the definition of "service employee." Thus, if the Department of Labor's position is permitted to stand, professional services contracts almost without exception will become subject to the requirements of the act and the regulations. This not only would place a needless and unintended administrative burden on firms providing professional services to the Government, but probably would work to the detriment of their support personnel as well. Subprofessional employees of professional firms, by the very nature of their work, generally perform a wide range of duties and, as a practical matter, do not fit within the rigid job classification system required by the Service Contract Act. In many cases, such employees are working for the firm with the intent and expectation of becoming professionals themselves. Since there has been no indication whatsoever that such employees need or want the minimum wage protection afforded "blue collar" workers under this act, I see no legitimate reason for the Labor Department to attempt to stretch the act to embrace them.

As I said, I had originally intended to introduce an amendment to the Service Contract Act excluding contracts for all professional services. In his letter to me of June 1, 1967, however, Secretary of Labor Wirtz took the position that—

> Since many contracts for professional services primarily involve the use of service employees in accomplishing the services called for, the Department could not support a blanket exclusion from the act for contracts for professional services.

Accordingly, Mr. President, the bill which I am introducing today is quite limited and applies only to contracts for architectural or engineering services.

The term "architectural or engineering services" is used in Federal procurement statutes. It is also used in the regulations of the various Federal agencies and has a well-established meaning. Such services are procured by the Federal agencies under their statutory authority to negotiate contracts for professional services.

Mr. President, I believe that amendment of the Service Contract Act of 1965 as I am proposing today will remedy Congress oversight in not excluding from the act contracts entered into by the Government calling primarily for architectural and engineering services. Furthermore, as there is no possibility that this amendment can raise the problem of inadvertently denying benefits under this act to any employees to whom Congress intended to give such benefits, it is my hope that this proposal will be supported by the Secretary of Labor.

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

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

The bill (S. 2710) to amend the Service Contracts Act of 1965, introduced by Mr. PROUTY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 7 of the Service Contract Act of 1965 is hereby amended by striking the word "and" at the end of subsection (6); changing the period at the end of subsection (7) to a semicolon and inserting immediately thereafter the word "and"; and by adding the following new subsection immediately following subsection (7):

"(8) any contract the principal purpose of which is the furnishing of architectural or engineering services".

INTERNATIONAL EDUCATION YEAR

Mr. RIBICOFF. Mr. President, I submit for appropriate reference a concurrent resolution urging the President to instruct the U.S. Ambassador to the United Nations to introduce a resolution in the General Assembly calling for an international education year in 1970, on behalf of myself and Senators BAKER, BENNETT, BYRD of Virginia, BYRD of West Virginia, CASE, COOPER, FANNIN, FONG, HARRIS, HART, HARTKE, HICKENLOOPER, INOUYE, JACKSON, JAVITS, KENNEDY of Massachusetts, KENNEDY of New York, LAUSCHE, LONG of Missouri, MAGNUSON, MCGEE, MCINTYRE, METCALF, MILLER, MOSS, PELL, PERCY, PROUTY, PROXMIRE, RANDOLPH, SYMINGTON, and YARBOROUGH.

Mr. President, education is necessary for constructive change in individuals and nations.

Yet, there are whole regions in the world where as many as eight out of 10 people can neither read nor write.

There are villages in Africa, Asia, and Latin America that would ransom all their possessions if they could have but one qualified teacher for their children. And there are other villages, whole towns, and capital cities that have some teachers. But these are all too often ill-equipped. The knowledge they teach is unrelated to the experience of the students. Their materials are unsuited to convey the knowledge they do or should impart. In short, they have no tools for learning.

It is clear that for developing nations education must be the bedrock of economic and social progress. Without education no nation can reap the benefits of modern science and harness implements of modern technology for carrying out the solutions their staggering problems demand. Leaders of the developing nations of the world realize this.

They know that the shackles of ignorance holding back their nations must be broken. But they also know their nations cannot break free alone.

The help of the advanced nations is essential.

The United States and the countries of Europe already give developing nations assistance in the education field both individually and through international organizations. But these current efforts are not enough.

They must be magnified manifold.

They must be coordinated.

Cooperative efforts are needed to design large-scale regional attacks on education problems where the momentum of determined self-help is already clear.

For this reason I propose that 1970 be designated as "International Education Year," a year for all nations of the world to fix their attention on the problems of education.

It will be a time to meet in conference, to ask the right questions about the place of education in the development process, and to find meaningful answers through shared knowledge, thought, and experience.

It will be a time to draw the energies and experiences of concerned people throughout the world to difficult problems and needed objectives. After all, the economist, political scientist, anthropologist and psychologist must help the educator make informed educational decisions and shape sound educational programs.

The most careful planning is essential if the opportunities afforded by an International Educational Year are to be turned to the fullest advantage. The efforts of competent and interested individuals, private educational foundations and organizations throughout the world must be enlisted. The Institute of International Education, with a long history of significant contributions in the field of international education, has already offered its assistance for planning the activities of International Education Year. The institute's own preparations for "Open Doors to Open Minds"—its 50th anniversary celebration in 1969—will be helpful in building the groundwork for an International Education Year in 1970.

For our purpose is clear. Our efforts must assure that all the countries of the world focus on the problems of learning that they set aside the differences dividing them and work together in the name of education, an objective common to all.

The economist Barbara Ward has written that "the chief key to change in Africa today lies in the schoolhouse." This statement holds true for every country on each of the continents of the

world. How a country's leaders and people are educated will go far to determine the direction change in that country will take.

For just as the most promising future for our own Nation rests on education of excellence for our children so the most promising future for all nations must be based on a solid foundation of worldwide education.

We hope that an international education year will lead to vastly enlarged educational opportunities for all the children of the world. For with more and better education, future generations will have a better chance to live together in tolerance and peace.

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

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 52) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 52

Whereas education is the foundation of economic and social progress, the key to individual growth, and forms the basis of strength and constructive change in nations; and

Whereas the development of many nations is held back by education and training that is obsolete, inadequate or unrelated to the experience and goals of both students and the society in which they live; and

Whereas cooperative efforts among nations are essential to define the problems of education, and to share ideas, resources and tools for learning, and forms the basis of strength and constructive change in nations; and

Whereas the development of many nations is held back by education and training that is obsolete, inadequate or unrelated to the experience and goals of both students and the society in which they live; and

Whereas cooperative efforts among nations are essential to define the problems of education, and to share ideas, resources and tools for learning; and

Whereas an International Education Year would offer an opportunity for all nations to focus attention on the needs of education, and to design and set in motion effective, coordinated efforts to improve education throughout the world: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President of the United States, through his representative at the United Nations, should initiate in the General Assembly of the United Nations a resolution designating 1970 as International Education Year.

CHANGE OF REFERENCE—S. 2269

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 807, S. 2269, be referred to the Committee on Foreign Relations with instructions to report back not later than Monday, December 11, 1967.

The measure has to do with the unlawful seizure of fishing vessels of the United States by foreign countries.

The measure was reported out of the Commerce Committee, and it has been agreed to.

The VICE PRESIDENT. Without objection, it is so ordered.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967—AMENDMENT

AMENDMENT NO. 483

Mr. ERVIN (for himself, Mr. COOPER, Mr. YARBOROUGH, and Mr. HOLLAND) submitted an amendment, intended to be proposed by him, to the bill (H.R. 7819) to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes, which was ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN NAVAL VESSEL LOANS NOW IN EXISTENCE AND A NEW LOAN—AMENDMENTS

AMENDMENT NO. 484

Mr. CLARK submitted amendments, intended to be proposed by him, to the bill (H.R. 6167) to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND, Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Thursday, December 7, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nominations:

John T. Curtin, of New York, to be U.S. district judge, western district of New York. New position, Public Law 89–372, approved March 18, 1966.

Morris E. Lasker, of New York, to be U.S. district judge, southern district of New York, vice Richard H. Levet, retired.

Winston E. Arnow, of Florida, to be U.S. district judge, northern district of Florida. New position, Public Law 89–372, approved March 18, 1966.

Harry Pregerson, of California, to be U.S. district judge, central district of California. New position, Public Law 89–372, effective September 18, 1966.

Gerhard A. Gesell, of the District of Columbia, to be U.S. district judge, District of Columbia, vice Spottswood W. Robinson III, elevated.

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

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MILLER:

Speech entitled "Defense Procurement" by the Senator from South Carolina [Mr. THURMOND] at a luncheon of the National Association of Manufacturers in New York City, November 16, 1967.

SECRETARY OF DEFENSE ROBERT S. McNAMARA

Mr. PASTORE. Mr. President, yesterday—Wednesday, November 29, 1967—Secretary of Defense Robert S. McNamara was formally offered and formally accepted the presidency of the World Bank, a position of great responsibility and challenging opportunity.

The initial approach was made to Secretary McNamara over 7 months ago—on April 18 of this year. But the Secretary's closest friends in the Senate did not know of the Bank offer until the press rumored it on Monday afternoon.

Tuesday, on the floor of the Senate, currency was given to these rumors. There were interpretations to the effect that the Secretary had not submitted his resignation but, by some means or other, had been transferred over to the World Bank.

At that time I cautioned against such innuendo. I said that Secretary McNamara was too independent, financially and intellectually, to accept humiliation in any way. I concluded by saying:

I am sorry that Secretary McNamara is leaving. I wish he would stay. But I know he must have reasons of his own—and I wait to hear what those reasons are.

Until that day, let us not by our speculations seek to make him a puppet nor President Lyndon Johnson a tyrant.

We did not have long to wait. Yesterday, following the formal offer and acceptance, the statements by President Johnson and Secretary McNamara cleared the atmosphere.

I ask unanimous consent that these statements, as they appeared in the New York Times this morning, be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PASTORE. This I do not to exalt any wisdom of restraint that I urged, but so that our legislative history may be complete.

EXHIBIT 1

TEXTS OF STATEMENTS ON THE NEW POST FOR MCNAMARA

International Bank: "The executive directors met today and unanimously agreed to offer the presidency of the bank to Mr. Robert McNamara."

President Johnson: "A few weeks ago, Secretary Fowler advised me that the World Bank had asked this Government to submit to the bank's board of directors its recommendations for president of the bank to succeed Mr. George Woods. He informed me that Mr. Woods had recommended Secretary Rob-

ert McNamara, and that he and Mr. Livingston Merchant heartily concurred.

"Some time ago, Mr. McNamara reported to me that Mr. Woods had talked to him about succeeding Mr. Woods as president of the bank. Mr. McNamara said that he was interested in the World Bank post as an opportunity for continued service. He assured me of his willingness to remain as Secretary of Defense so long as the President considered it to be necessary, but he believed the service would benefit from the appointment of a fresh person.

"Mr. McNamara is obviously qualified for the presidency of the World Bank by background, skills and interest, and he is certainly entitled to appointment to any appropriate post in which he is interested and to relief from the extraordinary burdens that he has been carrying as soon as the national interest will permit. He deserves no less from his President and his country.

"Accordingly, I told Secretary Fowler that I concurred in the submission of Secretary McNamara's name to the board of the World Bank, and I am informed that upon inquiry by representatives of the board, Secretary McNamara today has indicated his availability, subject to the President's consent and agreement as to the time when he will assume his post.

"I do not minimize the loss to the Government and to me personally that will result from Secretary McNamara's departure from the Cabinet and the post of Secretary of Defense.

"He has been a great administrator of the defense establishment. He has been a wise, resourceful and prudent originator and collaborator with respect to policies and programs of vital importance to this nation and the world.

"His service as a member of my Cabinet and as a wise counselor in matters of domestic as well as foreign policy has been excellent.

"The nation as well as its President owe him a debt of gratitude and the highest honors which can be bestowed. I shall miss him greatly as a member of my Cabinet, as one of my closest colleagues and as my valued friend. He has richly earned relief from the arduous labors and stress of the position which he has so well occupied; and I am glad that he will continue to render service to the nation and the world in the important post to which he has been named.

"But I could not justify asking Secretary McNamara indefinitely to continue to bear the enormous burdens of his position, nor could I in justice to him and to this nation's obligations to the World Bank refrain from recommending that he be selected as president of the bank.

"The course of our participation in the war in Vietnam is firmly set; major defense policies are clearly defined, and it will be possible for Secretary McNamara's successor to continue his able and effective administration of the defense establishment and our program without loss of momentum or effectiveness.

"No precise date has yet been fixed for Secretary McNamara's departure, but I have asked him to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969."

Mr. McNamara: "I should like to tell you of the events that have led up to my nomination as president of the World Bank. In less than 60 days I will have served seven years as Secretary of Defense. No one of my predecessors has served so long. I myself did not plan to. I have done so because of my feeling of obligations to the President and the nation, although I have felt for some time that there would be benefits from the appointment of a fresh person.

"On the 18th of April Mr. George Woods, president of the World Bank, told me that he wished to recommend me to the executive directors as his successor.

"He asked whether I would be interested. I replied that I had not thought of the possibility before he mentioned it to me, but that I was interested in the economic development of the less-developed countries and believed that the work of the bank in this respect was vital to the stability of relations among all nations.

"I emphasized to him, however, as I have to at least 20 others in the past two years, that I have never believed in considering any future job before completing a current one, and that I felt deeply obligated to serve the President as Secretary of Defense as long as necessary.

"Mr. Woods replied that it was not necessary to make any decision then, that although his own term was scheduled to end on Dec. 31, 1967, he had been considering with the executive directors the possibility of staying on for as long as another year. I reported this conversation to the President and told him of my interest in the post. I reiterated that I would serve as Secretary of Defense as long as he felt it necessary.

"About the middle of October, I was informed by the President that nominations to succeed Mr. Woods would soon have to be made, and he asked me if I was still interested in serving as head of the bank. I answered in the affirmative, repeating, however, that I would not leave the post of Secretary of Defense until he felt he could release me.

"The President told me, as he has said to me before, that he believed I deserved whatever I wanted in or out of Government, and he would do whatever he could to help me get it.

"We discussed the state of the defense program and the names of potential successors. I have greatly valued the opportunity to serve my country as Secretary of Defense, and I am profoundly grateful to the President for his unfailing support and friendship. I have worked with him in complete harmony and with the highest regard.

"No date has been set for my departure from my present post and the assumption of my new duties. The President has asked me to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969."

Mr. Woods: "Secretary Henry Fowler and Mr. Livingston Merchant, as United States representatives on the board of governors and the board of executive directors, respectively. on the World Bank, agreed with me that Secretary McNamara should be recommended to the executive directors for the post of president of the World Bank.

"This followed conversations which I had had with Secretary McNamara earlier this year about the post, in which the Secretary had tentatively indicated interest. Secretary Fowler told the President of our desire and subsequently reported that the President said he wanted Secretary McNamara to have any post in which the Secretary was interested, and Secretary Fowler authorized that his name be placed before the board of executive directors.

"Mr. Merchant thereafter communicated the recommendation of Mr. McNamara to the executive directors. I heartily supported it, and the executive directors today unanimously approved it."

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. Mr. President, following the Senator's most eloquent statement the day before, I spoke to the same effect on yesterday.

I should like to identify myself with the Senator's position. I believe that a man who has served as nobly as has Secretary McNamara should not have his passing from one great job to another bedeviled by suspicions, speculations, rumors, bad motives, and so forth. The matter should be let alone, and great restraint would show the respect in which we hold this extraordinary and able man.

Mr. PASTORE. I thank the Senator.

CYPRUS

Mr. PASTORE. Mr. President, in view of the prayer that was delivered to the Senate this morning, which was so uplifting in spirit, I should like to express a hope myself. I hope that all those individuals who have been so prone to criticize President Johnson with respect to Vietnam will find it in their hearts to thank him and to appreciate the masterly statesmanship of President Johnson with respect to Cyprus.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 795 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

SPECIAL COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

The resolution (S. Res. 188) continuing the Special Committee on the Organization of the Congress through January 31, 1968, was considered and agreed to, as follows:

Resolved, That the Special Committee on the Organization of the Congress, established by S. Res. 293, Eighty-ninth Congress, agreed to August 26, 1966 (as amended and supplemented), is hereby continued through January 31, 1968.

SEC. 2. The special committee is hereby authorized to exercise the powers conferred upon it by section 2 of S. Res. 311, Eighty-ninth Congress, agreed to October 17, 1966, through January 31, 1968. The expenses of the special committee from January 1, 1968, through January 31, 1968, shall not exceed $10,000, and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 810), explaining the purposes of the resolution.

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

Senate Resolution 188 would provide that the Special Committee on the Organization of the Congress, established by Senate Resolution 293, 89th Congress, agreed to August 26, 1966 (as amended and supplemented), be continued through January 31, 1968. The special committee would be authorized through January 31, 1968, to exercise the powers (to make expenditures and to employ personnel) conferred upon it by section 2 of Senate Resolution 311, 89th Congress, agreed to October 17, 1966; and from January 1, 1968, through January 31, 1968, to expend

not to exceed $10,000, which expenditures would be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the special committee.

The Special Committee on the Organization of the Congress was established by Senate Resolution 293 of the 89th Congress, agreed to August 26, 1966, "for the purpose of receiving and considering a bill, when introduced, and germane amendments relating thereto, having for its purpose the carrying out of the recommendations contained in the report of the Joint Committee on the Organization of the Congress, Report No. 1414, July 28, 1966."

Senate Resolution 311 of the same Congress, agreed to October 17, 1966, reiterated that authority, and authorized expenditures by the special committee of not to exceed $15,000 through January 31, 1967. This action had been requested by Senator A. S. Mike Monroney, chairman of the special committee, since it appeared that the Senate would not have an opportunity to consider S. 3848, the reorganization bill reported by Senator Monroney, before adjournment of the 89th Congress.

The Special Committee on the Organization of the Congress was reactivated and continued from March 31, 1967, to June 30, 1967, during the first session of the 90th Congress by Senate Resolution 106, agreed to April 11, 1967, for the purpose of considering any House amendments to S. 355, the reintroduced reorganization bill, which had passed the Senate on March 7, 1967. No funds were provided the special committee under Senate Resolution 106. The special committee was continued through December 31, 1967, by Senate Resolution 133, agreed to June 12, 1967, since House action on S. 355 was still pending. The instant proposal, Senate Resolution 188, would continue the special committee through January 31, 1968.

The Senate members of the Joint Committee on the Organization of the Congress, who also compose the Special Senate Committee on the Organization of the Congress, contend that it would adversely affect the cause of congressional reform if the legislative status quo is not maintained over the adjournment of the first session of the 90th Congress. Continuation of the special committee would permit staff assistance to its members, who will possibly serve as Senate conferees in the event that House-approved amendments to S. 355, the Legislative Reorganization Act of 1967, should not prove acceptable to the Senate.

PRINTING OF THE CONSTITUTION OF THE UNITED STATES, AS AMENDED, AND THE DECLARATION OF INDEPENDENCE

The concurrent resolution (H. Con. Res. 557) to provide for the printing of the Constitution of the United States as amended to February 10, 1967, together with the Declaration of Independence was considered and agreed to.

PRINTING FOR THE COMMITTEE ON HOUSE ADMINISTRATION OF THE HOUSE OF REPRESENTATIVES, AND THE COMMITTEE ON RULES AND ADMINISTRATION OF THE SENATE

The concurrent resolution (H. Con. Res. 519) authorizing certain printing for the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate was considered and agreed to.

STUDY OF THE U.S. OFFICE OF EDUCATION

The concurrent resolution (H. Con. Res. 487) providing for printing as a House document the study entitled "Study of the U.S. Office of Education" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 813), explaining the purposes of the concurrent resolution.

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

House Concurrent Resolution 487 would provide that a study prepared by the House Committee on Education and Labor entitled, "Study of the U.S. Office of Education" be printed as a House document. The concurrent resolution further would authorize the printing of 10,000 additional copies of such document, of which 4,580 would be for the use of the House Committee on Education and Labor, 4,390 would be for the use of the House of Representatives (10 per Member), and 1,030 would be for the use of the Senate (10 per Member). After 60 days any copies remaining from those prorated to Members of Congress would be assigned to the respective House and Senate Document Rooms for general distribution.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$19,890.44
10,000 additional copies, at $804.85 per thousand	8,048.50
Total estimated cost, H. Con. Res. 487	27,938.94

PRIVILEGE OF THE FLOOR

The resolution (S. Res. 191) to amend rule XXXIII of the Standing Rules of the Senate so as to extend the privilege of the Senate floor to the Commissioner of the District of Columbia was considered and agreed to, as follows:

S. RES. 191

Resolved, That rule XXXIII of the Standing Rules of the Senate is amended by striking out: "Commissioners of the District of Columbia." and inserting in lieu thereof: "The Commissioner of the District of Columbia.".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 814), explaining the purposes of the resolution.

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

Senate Resolution 191 would effect a pro forma amendment of rule XXXIII of the Standing Rules of the Senate, which rule specifies the persons who may be admitted to the floor of the Senate while in session. Since June 13, 1884 (Senate Journal 762, 48–1) the Commissioners of the District of Columbia have been included among those accorded that privilege.

Pursuant to Reorganization Plan No. 3 of 1967, the three Commissioners of the District of Columbia have been superseded by a single Commissioner. Senate Resolution 191 would simply conform rule XXXIII to the present situation.

JOSEPHINE BELLIA

The resolution (S. Res. 190) to pay a gratuity to Josephine Bellia was considered, and agreed to, as follows:

S. RES. 190

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Josephine Bellia, widow of Domenick Bellia, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

LEASING FOR THE GILA RIVER INDIAN RESERVATION

The bill (H.R. 2154) to provide long-term leasing for the Gila River Indian Reservation was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 816), explaining the purposes of the bill.

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

PURPOSE

H.R. 2154, would amend the Indian Long-Term Leasing Act to authorize leases of lands of the Gila River Indian Reservation for a period up to 99 years.

NEED

Enactment of H.R. 2154 would permit the lands of the Gila River Reservation of Arizona to be leased for terms of 99 years. This reservation, which lies south of the rapidly expanding city of Phoenix and which will be crossed by Interstate Highway 10, is a highly desirable location for potential industrial, commercial, recreational, and residential development. Existing leasing authority, however, would generally be inadequate to attract such development because of current minimum legal requirements pertinent to financing. In addition, with current leasing limitations, reservation lands are subject to keen competition with non-Indian lands where fee title can be made available for prospective development.

Basic general leasing authority presently permits Indian reservation lands to be leased for various purposes for terms up to 25 years with authority to include an option permitting renewal for not to exceed 25 additional years. While this leasing authority is sometimes adequate, occasions arise when beneficial development of Indian lands is precluded because the limited leasehold interest is inadequate to meet established requirements of many financial institutions. For this reason, the Congress has enacted legislation authorizing 99-year leases for the Agua Caliente, Dania, Colorado River, Fort Mojave, Navajo, Pyramid Lake, Salt River Pima-Maricopa, San Xavier, and Southern Ute Reservations.

COST

No expenditure of Federal funds would be required by enactment of this legislation.

JUDGMENT IN FAVOR OF THE IOWA TRIBES OF KANSAS AND NEBRASKA AND OF OKLAHOMA IN INDIAN CLAIMS COMMISSION

The bill (H.R. 2828) to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes

of Kansas and Nebraska and of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 818), explaining the purposes of the bill.

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

PURPOSE

The purpose of H.R. 2828 is to provide for the disposition of funds appropriated to pay two judgments recovered by the Iowa Tribe of Kansas and Nebraska and the Iowa Tribe of Oklahoma in Indian Claims Commission dockets Nos. 138 and 79.

NEED

The act of April 30, 1965 (79 Stat. 81), appropriated funds for the payment of the judgment recovered in docket No. 138, in the sum of $1,372,267.50, as compensation for lands in western Iowa and northwestern Missouri ceded to the United States by treaties in 1836 and 1837. Funds were also appropriated by the act of October 27, 1966 (80 Stat. 1057), for the award in docket No. 79, which represents a recovery on three accounting claims in the sum of $11,394.67. The funds covering both awards are on deposit in the U.S. Treasury drawing interest at the rate of 4 percent per annum.

Legislation is required to dispose of judgment funds awarded after the tribes develop plans and programs for the utilization of such funds.

H.R. 2828 will provide for the disposition of the present funds by dividing them between the two Iowa Tribes based on the relative number of persons in each group whose names appeared on rolls prepared in 1889 and 1891 plus 28 Indians of the Iowa Tribe of Kansas and Nebraska who were entitled to an allotment of land but did not receive the allotment. Representatives of both groups met jointly on July 14, 1966, and thereafter each tribal group adopted a resolution endorsing the disposition of funds on this basis. The bill provides that the Iowa Tribe of Kansas and Nebraska shall receive an amount equal to 61.29 percent of the judgment funds and the Iowa Tribe of Oklahoma shall receive 38.71 percent of the awards.

H.R. 2828 provides that such funds may be invested or expended for any purpose authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Both groups have functioning governing bodies and the Iowa Tribe of Kansas and Nebraska is organized under the Indian Reorganization Act and the Iowa Tribe of Oklahoma under the Oklahoma Indian Welfare Act.

The Iowa Tribe of Oklahoma will program $12,000 of its funds for the administration of the Iowa Community House; the remainder will be distributed in per capita payments to members whose names appear on a current membership roll. The Iowa Tribe of Kansas and Nebraska proposes to distribute all its funds in per capita payments subject to a deduction for the nonpayment of tribal land fees where applicable and payments to the 28 members entitled to allotments who did not receive the original land allotment.

Approximately 2,150 individual Indians will share in the distribution of these funds—1,500 members of the Iowa Tribe of Kansas and Nebraska, and 650 members of the Iowa Tribe of Oklahoma. Per capita payments will not be subject to State or Federal income taxes.

COST

No additional expenditures of Federal funds are contemplated under the terms of H.R. 2828.

LEASES OF INDIAN LANDS ON SAN CARLOS APACHE RESERVATION IN ARIZONA

The bill (H.R. 4920) to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the San Carlos Apache Reservation in Arizona was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 817), explaining the purposes of the bill.

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

PURPOSE

H.R. 4920 would amend the Indian Long-Term Leasing Act to authorize leases of lands of the San Carlos Apache Reservation of Arizona for a period up to 99 years.

NEED

Existing law authorizes leases of Indian lands for various purposes for periods up to 25 years, with an option to renew for one additional term of not more than 25 years. Where it has been deemed appropriate, the Congress has, from time to time, authorized leases for a period up to 99 years. At the present time, nine reservations (the Agua Caliente, Dania, Colorado River, Fort Mojave, Navajo, Pyramid Lake, Salt River Pima-Maricopa, San Xavier, and Southern Ute Reservations) are authorized to negotiate such long-term leases.

The basic reason for authorizing longer leases for these reservations rests on the fact that existing leasing authority has sometimes been inadequate to meet current minimum legal requirements pertinent to financing substantial improvements. The committee has been advised that the San Carlos Tribe has received several development proposals for industrial and recreational projects; however, to date, the limited leasing authority has prevented consummation of agreements in these instances.

Benefiting from its prime location in east-central Arizona, the 1,800,000-acre San Carlos Apache Reservation is crossed by two major highways—including the link between Phoenix and El Paso. Combining this location with the recreation and scenic attractions arising from the existence of the San Carlos Lake behind Coolidge Dam creates a real potential for substantial development which would benefit the tribe. Such development is anticipated if the tribe is authorized to negotiate leases for terms exceeding the present 50-year limitation. Enactment of H.R. 4920 will enable the tribe, where appropriate, to enter long-term leases which will maximize the returns for the use of their lands.

COST

No expenditure of Federal funds would be required by enactment of this legislation.

CONTRACTS FOR DELIVERY OF WATER FROM NAVAJO RESERVOIR IN NEW MEXICO

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 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That such contracts are hereby approved by the Congress. The Secretary may enter into amendments thereto which would in his judgment be in the interest of water conservation, but the total water depletion shall not exceed the estimates set forth in this joint resolution.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 821), explaining the purposes of the joint resolution.

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

PURPOSE OF THE LEGISLATION

This measure will grant authority to the Secretary of Interior to enter into two repayment contracts for the sale of water for industrial purposes from the Navajo Reservoir in New Mexico.

NEED FOR THE LEGISLATION

Normally such congressional approval is not required when the Department of the Interior markets water from Federal projects. However, when Public Law 87-483 authorizing the Navajo Indian Irrigation project and the San Juan-Chama project as participating projects of the Colorado River Storage project was enacted in 1962, the Secretary of Interior was also authorized 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.

The act provided that before the Secretary shall enter into a repayment contract he should submit the hydrologic determination to Congress and the Congress must approve the contracts.

Such a determination has been submitted to Congress along with two contracts and the joint resolution would grant approval. One hundred thousand acre-feet has been determined to be available for annual depletion through the year 2005. The present contracts would deplete 16,250 acre-feet of this amount.

This is the first instance the committee is aware of where Congress has had to approve repayment contracts for the sale of water from a Bureau of Reclamation project. Although the law only requires the approval of Congress it was felt advisable to submit a joint resolution which will require Presidential signature.

PRESENT CONTRACTS

By letter of November 21 the Secretary of Interior advised Congress of his determination of water availability and submitted contracts signed by two New Mexico corporations. These two companies and the uses to which they will put the water are as follows:

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

Senate Joint Resolution 123 provides authority for the Secretary to enter into amendments to these contracts, if necessary, but only for the purposes of water conservation. In any event no amendment could be made which would cause the total water depletion to exceed the estimates set forth above and embodied in the joint resolution.

The preamble was agreed to.

SALE OF REAL PROPERTY TO LAWTON, OKLA.

The Senate proceeded to consider the bill (S. 1699) to permit negotiation of a modification to a contract for sale of certain real property by the United States to the city of Lawton, Okla., which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the word "of", where it appears the second time, strike out "$2,800" and insert "$2,880"; and on page 2, line 2, after the word "Interior" insert "and the Secretary of Health, Education, and Welfare"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of an indenture signed by the Secretary of the Interior on June 11, 1926, which conveyed to the city of Lawton, Oklahoma, two hundred and seventy acres of Kiowa, Comanche, and Apache reserve lands in consideration of the payment of $2,880 and a promise to furnish without cost to the Government a sufficient supply of water for the domestic use of the Fort Sill Boarding School and the Kiowa Indian Hospital, the Secretary of the Interior and the Secretary of Health, Education, and Welfare may negotiate with the city of Lawton and execute an agreement to pay for such water at rates specified in any such agreement.

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 819), explaining the purposes of the bill.

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

PURPOSE

The purpose of S. 1699, introduced by Senators Harris and Monroney, is to permit the adjustment of an inequitable situation now existing as the result of an indenture executed June 11, 1926, which conveyed to the city of Lawton, Okla., 270 acres of Kiowa, Comanche, and Apache reserve lands in return for the payment of $2,880, provided a sufficient water supply for domestic use of the Fort Sill Boarding School and the Kiowa Indian Hospital would be furnished at no cost to the Government for as long as the school and hospital were maintained as Government institutions.

BACKGROUND AND NEED

The conveyance was made pursuant to the act of June 30, 1913, which authorized the Secretary of the Interior, in his discretion, to sell certain unneeded lands upon such terms and under such rules and regulations as he may prescribe. The city of Lawton was the moving party in the transaction because of its desire to acquire the tract for protection of its water supply.

After approximately 2 years of negotiation, the transaction was completed upon passage of a resolution by the mayor and councilmen of the city of Lawton, approved on April 6, 1926, approving, accepting, ratifying, and confirming the sale of the land, conditioned on supplying water for the domestic use of the school and hospital. At that time the value of such water service was estimated at $1,000 per year. To date the city of Lawton has met its commitment despite the fact that during the last 40 years the population of the school and hospital has increased more than 100 percent and the combined water consumption of the school and hospital has increased more than 500 percent.

It is understandable that in 1926 there was nothing tangible upon which to base a prediction as to the possible growth in population of the two facilities or the increase in the number of gallons of water which would be required to service the facilities. As a result, the city of Lawton has been under a definite handicap in meeting the commitments agreed upon in the 1926 indenture. It therefore appears that a modification of the 1926 indenture would be proper in order to provide a means of correcting this situation.

AMENDMENTS

The Department of the Interior, in its report, has recommended two amendments. The bill as introduced cites the payment for the land conveyed to be $2,800 and the Department's amendment recommends that the figure be changed to read $2,880, the correct amount of the payment. The second amendment will permit the Secretary of HEW and the Secretary of Interior to jointly negotiate a modification of the contract with the city of Lawton since the Department of HEW will be required to pay the proportionate share of the domestic water consumed by the hospital.

COST

Following the modification provided for by the bill, it is to be expected that the furnishing of water to these Federal facilities will add some costs to the agencies involved. However, such costs will be negligible.

PUBLIC LAND LAW REVIEW COMMISSION

The Senate proceeded to consider the bill (H.R. 12121) to amend the act of September 19, 1964 (78 Stat. 983) establishing the Public Land Law Review Commission, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, after line 14, insert a new section, as follows:

SEC. 2. Section 8 of the Act of September 19, 1964 (78 Stat. 986), is amended to read as follows:

"SEC. 8. The authorizations and requirements of this Act shall expire six months after the final report of the Public Land Law Review Commission has been submitted to Congress, except that any segregation prior to such time of any public lands from settlement, location, sale, selection, entry, lease, or other form of disposal under the public land laws shall continue for the period of time allowed by this Act."

And, after line 23, insert a new section, as follows:

SEC. 3. Section 7 of the Act of September 19, 1964 (78 Stat. 988), is amended to read as follows:

"SEC. 7. The authority granted by this Act shall expire six months after the final report of the Public Land Law Review Commission has been submitted to Congress, except that sales concerning which notice has been given in accordance with section 3 hereof prior to such time may be consummated and patents issued in connection therewith after such time."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 820), explaining the purposes of the bill.

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

PURPOSE

H.R. 12121 will extend the life of the Public Land Law Review Commission, which was established to make a comprehensive review of all laws and policies applicable to the use, management, and disposition of the public lands of the United States, by 1½ years. As amended, it will similarly extend two related acts, Public Law 88–607, the Classification and Multiple Use Act, and Public Law 88–608, the Public Land Sale Act. The bill, H.R. 12121, will also increase the amount authorized to be appropriated to finance the Commission's work by $3,390,000.

BACKGROUND

The Public Land Law Review Commission was established by the act of September 19, 1964 (78 Stat. 983) as a bipartisan commission supplemented by an advisory council made up of the many interested users of the public lands.

The Commission held its organization meeting in mid-July 1965 at which time a chairman, a vice-chairman, and a director were chosen. The Director assumed his full time work with the Commission on August 2, 1965, more than 10 months after the bill establishing the Commission had become law.

The Commission is composed of six Members of the Senate appointed by the President of the Senate and six Members of the House of Representatives appointed by the Speaker, divided equally between the majority and minority parties, plus six members appointed by the President from outside the Federal Government, and a 19th member chosen as Chairman by the 18 appointed members.

There is an advisory council made up of representatives of interested Federal departments and agencies, eight at the present time, and 25 individuals chosen by the Commission to be representatives of the major citizen groups interested in problems related to the retention, management, and disposition of the public lands. In addition, the Governor of each of the 50 States has named a representative to work closely with the Commission and its staff and with the Advisory Council.

The executive departments and agencies currently represented on the Advisory Council are the Departments of the Interior, Agriculture, Defense, Justice, and Housing and Urban Development, the Atomic Energy Commission, Federal Power Commission, and the General Service Administration.

Under the act of September 19, 1964, the Commission is required to submit its final report to the President and the Congress not later than December 31, 1968. The act also provides for dissolution of the Commission by June 30, 1969, at the latest and limits to $4 million the appropriations that may be made for all of the Commission's work.

NEED

The committee believes that if the Commission is to complete the comprehensive review envisioned when it was established, it will need additional time and funds beyond the existing authorizations. The committee is impressed with the able and dedicated staff personnel the Commission has been fortunate in recruiting. However, some members expressed concern over the lack of progress attained thus far.

During the committee's hearings on October 26, 1967, a number of specific questions were directed at the Commission's staff director concerning what appears to be slowness in getting study proposals activated into the contract phase. For example, al-

though some study proposals were completed and circulated for review late in 1966, they were not under contract as of the hearing date. Others completed 6 months ago are not even planned to be placed under active contract until March 1968, which seems to point up an unusual delay.

The staff director gave a detailed explanation of the Commission staff's procedures of making modifications of study proposals after the review, of systematically selecting organizations from which to solicit contract bids, evaluating each bid, and finally negotiating contract terms. He further explained that the Commission has expanded its list of study subjects from 25 to 34 fields. Several members of the committee are concerned that the Commission has expanded its scope of study far beyond that needed to meet the goals of Public Law 88–606. Specifically mentioned was that within the study proposal on timber there was a requirement to study timber sale policies within national parks. The committee urges the Commission to devote its whole energies to completing its review of the significant body of law affecting our public lands, rather than dissipating itself by delving into minor issues having hardly more than academic interest which should be easily resolved by Congress or the executive agencies.

The committee, while agreeing that completion of the review is necessary, and while recommending passage of this extending legislation, wishes to go on record as declaring that this extension of 18 months time and $3.39 million should be adequate to complete the Commission's task. If it becomes necessary for the Commission to revise its staff procedures or to pare the study proposals to encompass only the most important facets of the study area, it should so act.

Also included in H.R. 12121 is a provision to permit the Commission, at its hearings, to take testimony or receive evidence under oath. The committee agrees that this authority may be necessary and desirable in certain circumstances.

AMENDMENTS

Public Laws 88–607 and 88–608 are closely related to the legislation establishing the Public Land Law Review Commission. The first of these, Public Law 88–607, provides legislative guidelines for the orderly classification and management of public lands during the period that the overall study of these lands is being made by the Commission. The second, Public Law 88–608, is for the sale of public lands, a public sale, and describes the procedures under which land classified for disposal may be sold.

The Department of Interior recommended, and the committee agreed, that these two laws should be extended to parallel the life of the Public Land Law Review Commission. Amendments prepared by the Department were adopted to accomplish this purpose. Several representatives of conservation organizations appeared at the Senate hearings on the legislation October 26 to urge these extensions.

COST

As indicated, enactment of H.R. 12121 will necessitate an increase in the budgetary requirements by a total of $3,390,000. Of the additional funds to be authorized, $1,790,000 will be for contract and related costs and general housekeeping expenses other than personnel; additional personnel costs are estimated at $1,600,000. A breakdown of additional personnel compensation is contained in a letter from the Director of the Public Land Law Review Commission supplementing the executive communication, both of which are set forth in this report.

THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, the strike in the copper industry which has deeply affected the economic situation in the State of Montana as well as the States of Utah, Nevada, Arizona, and New Mexico and also the copper fabricating plants in the Midwest and the east coast, especially in Connecticut, is now in its fifth month and I regret to say, with no end in sight.

There appears to be a reluctance on the part of both the unions and management to get down to bedrock in the matter of negotiations.

While there is a diminishing supply of copper in this country, it is my understanding that it is still far from the scarcity stage. Therefore, there will be no pinch on the part of the copper companies to enter into hard and fast negotiations. Furthermore, there is no tendency on the part of the Government to either release copper from the national stockpile or to invoke the Taft-Hartley Act.

In this respect, it might have been and, in my opinion, would have been, feasible to invoke Taft-Hartley when the strike began, but it is now too late to do so because if no agreement was reached within the 80-day limitation, it would mean that the critical situation which now exists would become much worse.

As a possible means of getting off dead center, my colleague, Senator METCALF, and I have, today, dispatched a letter to the President of the United States, asking him to set up a special board for the purpose of bringing the unions and the companies together and, if not successful in reaching an accord, to make recommendations for the settlement of this strike which is causing so much pain to so many people at this time.

We make this suggestion only because the dedicated efforts of the National Labor Mediation Board and the Department of Labor have been in vain.

We make it, further, because the efforts which Senator METCALF and I and many of our colleagues in the Senate have failed to bring the companies and the unions together on a daily around-the-clock negotiating basis.

We make this appeal because we know of no other means by which this situation can be met. And while we do not like the idea of the Government intervening in labor disputes, we see no other alternative at this time.

We make this request despite the fact that it is our firm conviction that all labor disputes, including the dispute in the copper industry, should be settled between the unions and the companies concerned.

This is the way this matter should be disposed of, but this is the way it is not being met at this time; hence, our appeal to the President for a Special Board of Inquiry into the copper situation.

Mr. President, I ask unanimous consent to insert the letter referred to above at this point in the RECORD.

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

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, D.C., November 30, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The copper strike is now in its fifth month and there is no possibility that we can see of an ending to it in the near future. Conditions among the miners and smeltermen in the States of Montana, Utah, Nevada, Arizona and New Mexico have reached a critical stage, and as of now, there have been very few meetings between the companies and the unions seeking to bring about a settlement, except on a haphazard basis.

While we feel that this strike must and should be settled on the basis of direct negotiations between the companies and the unions, to date there have been no results in that respect. We have nothing but praise for the efforts of the National Mediation Service and the Department of Labor in their many attempts to try and bring the parties together to achieve a possible settlement. However, all efforts to date have failed; winter is with us in Montana; the miners and smeltermen and their families are using up their savings, many of them are in dire straits and the need for action is long overdue.

We, therefore, most respectfully request that you appoint a Special Commission to look into the copper situation for the purpose of seeing what it can do to bring companies and the unions together on a "bedrock" basis and, if unable to do so, to make recommendations to you as to ways and means by which this threat to the economy of Montana and other states in the Union can be met and overcome.

We would deeply appreciate your most earnest and serious consideration of this matter.

Respectfully yours,

MIKE MANSFIELD,
LEE METCALF,
U.S. Senators.

ANACONDA AND THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, I call to the attention of the Senate an article in this morning's Wall Street Journal by Michael K. Drapkin entitled "Strike-bound Town." It tells the story of how the town of Anaconda, Mont., is tightening its belt in a grim struggle to survive the crippling effects of the nationwide copper strike. It is an excellent piece of reporting—but it does not make for pleasant reading.

Anaconda, namesake of the giant copper company which employed nearly 2,000 of its workers before the strike began on July 15, is a town in trouble. With 60 percent of its work force unemployed, overdue payments on installment loans have risen tenfold and those on real estate loans sixfold. The number of families receiving welfare payments has risen from 20 to approximately 500. A total of 700 families are receiving Federal food stamps. Fathers are being forced to forage for wild game in an effort to feed their families.

In all, some 50,000 workers in the West have been idled by the strike. The situation in Anaconda is grim but no more so than in other communities like Butte, East Helena, and the like. The companies have been similarly hard hit. Earnings of some major copper producers have fallen 60 percent from a year earlier. More copper customers contemplate switching to aluminum products as the price of the metal has already increased by 50 percent over its prestrike level.

Yet the unions and mining companies appear no closer to a settlement of the dispute than they did 3 or 4 months ago. It is safe to say that the two sides have

not even agreed yet on the central issue of the dispute.

This failure to communicate in head-to-head bargaining sessions is having serious repercussions far beyond the copper towns in which the mines and smelters are located. It is within the power of the disputants to sit down and work this thing out. It is not realistic, nor does it reflect well on the principle of the inviolability of collective bargaining, for either side to expect the Federal Government to bail them out. There is no "easy way out" in this matter.

Mr. President, some of my earliest memories are of the mines. I am intimately aware of the problems and responsibilities of both the unions and management, and I am very familiar with the particular problems of the city of Anaconda. All of the parties deserve better in this situation. If they will but sit down and work this out, the entire Nation will benefit.

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

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

STRIKEBOUND TOWN: HOW ANACONDA, MONT., SCRAPES BY AS WALKOUT PERSISTS AT COPPER FIRM—WORKERS HUNT GAME FOR FOOD AS CASH GOES, BILLS RISE—FAMILY LIFE DETERIORATES—AN AWFUL GLUM CHRISTMAS

(By Michael K. Drapkin)

ANACONDA, MONT.—This was once a boom town. Today it's a bust town.

Most men here are copper workers, and they have been on strike now for more than four months. A strike in the hills of Montana is not like a strike in Detroit or Pittsburgh or Newark. There, a resourceful striker can find ways—either work or play—to while away the time. Here, it takes infinitely more resourcefulness; there is some play, but little work. For many, life here has been reduced to merely existing.

The nationwide copper strike, which has dragged on since July 15, has had a major impact far beyond this town, of course. Many copper users have had to scrounge around to find supplies or to use substitute metals. Many copper companies fear they may lose some of their markets permanently as users switch to plastics and aluminum. In the first nine months, earnings of some major copper companies fell 60% and more from a year earlier. Dealers, meanwhile, have raised their price for the metal to 60 cents or more a pound, up 50% since the strike began. By now, 90% of the copper industry has been shut down, idling 50,000 workers in 22 unions.

The major economic consequences of the strike have been well publicized. But what has been the impact on the average worker in such a quiet, out-of-the-way place as western Montana? Certainly, most of the workers here who overwhelmingly voted for the strike last summer did not expect they would still be out at the end of November. Neither they nor their chief union—the copper division of the United Steelworkers of America—had set aside enough money to see them through a month-long strike. Some of the workers here—who represent 60% of the town's labor force—get $30 a week in strike benefits; others get nothing.

THE WORLD'S LARGEST SMOKESTACK

Even in the best of times, Anaconda is a rather stark town. It has a population of 12,500 and is about 25 miles from Butte (population: 46,000). Its main claim to fame is its copper smelter, which boasts "the world's largest smokestack," a 585-foot structure. It has one movie house (The Washoe, where John Wayne in War Wagon opens today). And it is cold (at noon yesterday, the temperature was 10 degrees, the first time it had risen above zero all week), with strong winds whipping out of the surrounding mountains. Now Anaconda often has the eerie look of a town in which everyone has suddenly died.

The pall isn't just a matter of economics, though the economic impact of the strike has been so severe that some families may never recover. Even more debilitating for some are the social and psychological problems that arise when a breadwinner is no longer winning bread. Some men become withdrawn, uncommunicative; some spend what little money they have in bars.

JUST SITTING AND STARING

Family life deteriorates. "In another hour," a woman sitting in the local welfare office tells a visitor, "I'm going to take an ax to our television set. My husband gets up in the morning, eats breakfast, then turns on the damn thing and watches it until the Star Spangled Banner comes on the next morning." Another woman says she and her husband have not spoken to each other for more than three weeks. And a welfare worker says, "At least one divorce has come out of the strike."

Just existing is a problem for many. Overdue payments on instalment loans have risen tenfold since the strike began, and the overdue total on real estate loans has risen sixfold, says Calvin J. Crowe, executive vice president of the only bank in town. (The bank hasn't foreclosed on a single loan, he says.) The local telephone company estimates that more than half the 5,638 phones in the area have been either disconnected or limited to outgoing calls, which costs less than full service. The Methodist Church, short on contributions, has quit publishing its weekly bulletin.

Arlow Hancock can't afford to give his five oldest children money for hot lunches at school any longer. "They're toting the old brown bag," he says. And he adds, "It'll be an awful glum Christmas for the kids." Mr. Hancock, a 41-year-old smelter worker with a wife and 10 children to support is living on welfare payments of about $5 a day. Like many other strikers, Mr. Hancock hunts deer and other game for food.

The Hancocks are one of about 500 families receiving welfare payments, a figure that is up from only 20 families just before the strike began. A total of 700 families are getting Federal food stamps.

The welfare payments range from $70 to about $150 a month, depending on family size, and the burden has become so heavy that Deer Lodge County has had to increase its property taxes to cover the payouts. The increase, to $17 per $1,000 of assessed valuation from $9, further hurts the strikers, since most people here own their own homes.

"WE'LL BE OUT OF MONEY SOON"

Why has the strike dragged on so long? One reason could be that the two sides can't even agree what the issues are. Anaconda Co. implies that the strike is really part of a drive by the Steelworkers to organize more workers and achieve industry-wide bargaining.

Nonsense, say Steelworkers officials. The union insists all it wants is money. "All these soothsayers need do is put some money on the table, and we'll prove rather quickly that it's an economic strike," says Joseph Molony, a vice president of the Steelworkers. The various companies say they are offering about 50 cents an hour over three years; the union says it is seeking 99 cents. Each questions the other's calculations.

The situation is deadlocked, and it may be several more months before any settlement is reached.

Before long, townspeople here say, the economic pinch is going to get even worse as more strikers use up all their savings. "We'll be out of money soon," says Lloyd Walund, a smelter worker with seven children who had built up an $1,800 account in a credit union before the strike. "And then I suppose, I'll have to leave my family here and find work in some other town."

That may be easier said than done. The 50,000 men idled by the strike are mainly here in the West—in Montana, Colorado, Utah and Arizona. Early in the strike, some men found jobs on construction projects, but now that winter is here these jobs no longer exist.

STRIKES ARE NOTHING NEW

About the only solace to the workers is the conviction that they can survive, if only because they have done so in the past. Strikes are almost routine here. This is the sixth consecutive year that Anaconda Co., operations in Montana have been affected by strikes, though this year's strike now is about as long as the strikes of the past five years combined. In 1959 and 1960, the workers here were out for six months.

"We've been through this before," says Mr. Crowe, the banker, explaining why the bank isn't foreclosing on anyone. "They'll make good once the strike ends." But history also indicates it may take some time for things to return to normal. Jennie Jacobson, owner of a ready-to-wear store here, says that not until this year did she begin to get over the effects of lost sales and of higher costs stemming from extended credit in the long 1959–60 strike. "And now we're caught in another strike," she says.

The situation is actually grimmer this time because the town has been suffering from a year-long decline in fortunes as a result of automation and a cutback in operations at the smelter. Employment at Anaconda Co. facilities here had dropped from 3,500 in 1957 to 1,902 at the beginning of the strike.

Even before the strike, a visitor could count eight empty storefronts among the five dozen or so stores on the three business streets here. There may soon be more. "A couple of retailers have told me they will probably close up if the strike continues much longer," says Howard Shinrock, director of a southwest Montana industrial development agency.

Rex Jensen, owner of radio station KANA, Anaconda's only station, thinks that this strike could be worse than any previous ones. "If the strike continues through the first of the year, the town will be crippled—maybe permanently," he says.

SOME HISTORICAL NOTES

Things weren't always so bleak. In the 1870s and 1880s, when the mines in nearby Butte were discovered and the local copper industry started up, there were high hopes for the region—hopes that were justified for a long time. Marcus Daly, an early owner of the mines, wanted to name this smeltering town Copperolis.

(The town became Anaconda instead, named after a South American snake in the boa constrictor family. The discoverer and first owner of the Butte mines, Michael Hickey, spotted the name in an editorial in the New York Tribune and liked its sound. The company that was developed to handle the giant vein also became known as Anaconda. A claim near the Anaconda vein was known as Never-Sweat, and an Anaconda Co. man says that "but for the grace of God, we might be known today as the Never-Sweat Co.")

The town later engaged in a bitter fight to become the capital of Montana, but lost out to Helena, a city of 22,000 about 60 miles northeast of here.

A BARTENDER PHILOSOPHIZES

The town still has some trappings of the old days. The Marcus Daly Hotel (Mr. Daly left his mark; the bank is also the Daly Na-

tional Bank & Trust Co.) is a massive, ornate structure, and it sports an inlaid hardwood likeness of Mr. Daly's favorite race horse, Tammany, in the floor of its Tammany Bar & Lounge. Mr. Daly always avoided walking over the inlay, and even today the bar's patrons aren't allowed to walk on it.

But the bar—and the other 40 bars in town have fewer and fewer patrons as the copper workers' money runs out. On a slow day not so long ago, a visitor struck up a conversation with Howard Cook, a smelter worker who is getting by on the $40 a week he earns tending bar at the Tammany.

Why don't the people pack up and leave, he was asked, Why don't they go East, or West, or South, where there are plenty of jobs?

"You tell me why those people stay along the banks of the Mississippi River, knowing each year they're going to be flooded out," he replies. "Then you'll know why we stay here. Because it's home, I guess."

TRIBUTE TO ROBERT V. FLEMING

Mr. TYDINGS. Mr. President, on Tuesday, November 28, 1967, Washington's foremost civic leader and perhaps its most influential man in the business community passed away. I refer to the late Robert V. Fleming, banker, civic leader, and confidant of Presidents.

Robert Fleming had a career which one could almost describe as a Horatio Alger career. He rose from messenger in the Riggs National Bank in 1907, in his early 20's, to the presidency in 1925, when he was only 35 years of age. During the 42 years he was at the helm of the Riggs National Bank the resources of the bank climbed from about $40 million to over three-quarters of a billion dollars.

In addition to his responsibilities as civic leader and a leader in the Washington community, he was active in governmental affairs. He was an adviser of persons in high positions from the Wilson administration to the Johnson administration. He received many awards, both national and local.

Among the many citations that have reinforced his reputation as the city's No. 1 citizen over the years are the Cosmopolitan Club Medal in 1933, the Society of Natives Award in 1937, and the District American Legion's Citation for Citizenship in 1938. The awards go on and on. He was named "Man of the Year" by the Washington Board of Trade in 1956. His accomplishments are innumerable.

Mr. President, he was a close personal friend of my grandfather, the late Joseph Davies. During the depression, when it appeared for a while that the famous Burning Tree Country Club might not survive, my grandfather was elected president and Bob Fleming was a key member of the board of directors. They raised funds to keep that club operating, until today it is one of the great clubs of the United States.

He was a personal friend of my father, the late Senator Tydings. I was fortunate enough to enjoy Bob Fleming's friendship during the years when I was a U.S. attorney and in the few years I have been in the Senate. Washington and the Nation have suffered a great loss.

I ask unanimous consent that there be printed in the RECORD an article written by John Carmody, which was published in the Washington Post of November 29, 1967.

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

ROBERT V. FLEMING, BANKER, CIVIC LEADER, DIES

(By John Carmody)

Robert V. Fleming, who died yesterday, was the city's best-known banker and for decades, perhaps its most influential public-minded citizen.

Mr. Fleming died at his home at 2200 Wyoming ave. nw. after a long illness. He was 77.

In a career once described as "the kind that Horatio Alger would have loved, although he might have hesitated to write," Mr. Fleming rose from messenger in the Riggs National Bank in 1907 to its presidency in 1925 at the age of 35.

Since he stepped down as board chairman in 1963, he has served as advisory chairman of the board and chairman of the executive and trust and investment committees of Riggs. In the 42 years Mr. Fleming was at the helm of the bank its resources climbed from about $40 million to $786.5 million.

His brilliance in the profession led to his election in 1935 as president of the American Bankers Association. Over the years he had offers to head banks in Chicago and New York much larger than Riggs.

RAN THIS TOWN

But Mr. Fleming preferred to remain in Washington where his roots were. And it was as a private citizen deeply concerned about Washington that he first earned the reputation in the 1930s as the "man who pretty much ran this town"—in the words of his long-time friend, Benjamin M. McKelway, editorial chairman of the Evening Star.

Mr. Fleming was the first chairman of the Citizens' Advisory Council of the District government, a past president of the Metropolitan Washington Board of Trade and for nearly 22 years, chairman of the board of George Washington University.

For many years, Mr. Fleming was widely regarded as the "man to see" in Washington about legislation concerning the District and key municipal appointments. In his position as a leader in banking and on the Board of Trade, Mr. Fleming served as a vital bridge between the business and financial worlds of Washington and the power centers on Capitol Hill and in the White House.

For three decades the appearance or absence of the name of Robert Fleming on a committee roster or sponsor's list could mean the difference between success or failure of a civic enterprise.

ACCESS TO WHITE HOUSE

A Republican who was chairman of President Eisenhower's 1957 Inaugural Committee, Mr. Fleming nevertheless enjoyed access to the White House under both Presidents Roosevelt and Truman.

He was a close personal friend of Mr. Eisenhower for many years.

McKelway recalled yesterday that Mr. Fleming "wasn't very partisan. Everybody respected him—he was a very wise man. No matter what kind of committee he was on, pretty soon he took charge. And he never undertook any job, no matter how relatively unimportant, that he didn't absolutely carry through."

In the 1930s Mr. Fleming carried the fight for national representation for the District and subsequently played a key role in reorganization of the local government some 20 years ago.

But beyond Mr. Fleming's reputation as a leading banker and citizen was his capacity for warm friendships and helpfulness.

A big, pink-faced man who stood 5 feet 10 and weighed in the low 200s, he smoked ten cigars a day and played better than average golf at his favorite course—Burning Tree Country Club—which he headed from 1937 until 1945.

He was remembered yesterday by friends as a man who never broke a promise and always acted the next morning on the little favor exacted during an evening of congeniality among friends.

LAUDED AS BANKER

Yesterday, industry and other leaders joined in mourning his passing.

The American Banking Association in New York called Mr. Fleming "a banking statesman of the first rank . . . For his leadership and counsel during six decades of distinguished public and professional achievement, the banking (and) American community will remain in grateful debt."

Melville Bell Grosvenor, chairman of the board of the National Geographic Society said that in the death of Mr. Fleming "the country, this city and the National Geographic Society have suffered a sad and grievous blow." Mr. Fleming was elected a trustee of the Society in 1929 and at the time of his death was also serving as vice president and treasurer.

Robert K. Koontz Jr., president of the D.C. Bankers Association, said: "The banking fraternity of the District of the Columbia will sorely miss the wise counsel and guidance of Mr. Fleming as will the entire community.

"His astute knowledge of the intricacies of modern financial techniques played a most important role in the development and growth of private enterprise in the Federal City."

BORN IN WASHINGTON

Mr. Fleming was born here Nov. 3, 1890, the son of Col. Robert Isaac and Bell Vedder Fleming. His father, a widely known architect, served as a Confederate Army officer during the Civil War and was later a colonel in the D.C. National Guard.

The younger Fleming attended Friends School and Western High School and later specialized in political economics and commercial law at George Washington University.

In 1912 he married Alice Listen Wright, youngest daughter of Daniel Thew Wright, a former Justice of the Supreme Court of the District of Columbia. Mrs. Fleming died in February, 1958, while visiting Santiago, Chile, with Mr. Fleming.

As a boy, he considered becoming a surgeon but the death of his father when he was 17 caused Mr. Fleming to join Riggs as a messenger. Within six months he was promoted to runner.

By 1920 he had become cashier and secretary of the board at Riggs; in 1924 he became vice president and cashier. He was promoted to first vice president that same year and to president in 1925. Ten years later he became board chairman. Riggs today is the largest bank in the Washington area.

During his early years in the bank, Mr. Fleming has established a system to settle Clearing House balances in the District whereby cash payments between banks were eliminated and telegraph transfers substituted, using reserve accounts at the Richmond branch of the Federal Reserve. This system was later adopted all over the Nation.

HEADED BANKING GROUP

Mr. Fleming was appointed to the American Bankers Association Legislative Committee in the early 1930s and was instrumental in adjusting conservative financial practices to reforms under President Roosevelt's Administration.

On becoming president of the ABA in 1935, he toured the Nation to urge better relations between bankers and the general public that was still recovering from the bank holiday of 1933.

Over the years as an adviser to several

Administrations, Mr. Fleming served on the Federal Advisory Council of the Federal Reserve System, the advisory committee of the Reconstruction Finance Corp.'s Richmond loan agency and as a member of the Federal Housing Administration's Housing Advisory Council.

In addition to his service for the National Geographic Society and George Washington University, he was a member of more than 50 charitable, banking and civic organizations during his lifetime.

Mr. Fleming was a member of the Board of Regents and chairman of the executive committee of the Smithsonian Institution and served for many years on the boards of the Chesapeake & Potomac Telephone Co., the Metropolitan Life Insurance Co., Pan American World Airways, the Potomac Electric Power Co., the Southern Railway, Julius Garfinckel & Co., and the Hotel Waldorf-Astoria Corp.

U.S. CHAMBER OFFICIAL

Mr. Fleming also served as treasurer of the Chamber of Commerce of the United States and chairman of the board of trustees of the endowment fund of the American Red Cross.

He was a member of the Alfalfa Club, the Burning Tree Country Club, the Friendly Sons of St. Patrick of the city of Washington, Chevy Chase Club, the Metropolitan Club, the National Press Club, Rotary (honorary), the Brook Club of New York and Omicron Delta Kappa and Kappa Alpha social fraternities.

Mr. Fleming saw service in both World Wars with the Office of Naval Intelligence and was a retired member of the U.S. Naval Reserve at his death.

Mr. Fleming leaves a son, Robert W. Fleming, partner in the investment banking firm of Folger, Nolan, Fleming & Co. Inc. here; a daughter, Mrs. William S. Renchard, of New York; six grandchildren and four great grandchildren.

Funeral services are scheduled for 2 p.m. Thursday at St. Margaret's Episcopal Church, 1820 Connecticut ave. nw. Burial will be private.

The family has asked that in lieu of flowers expressions of sympathy be made to George Washington University Robert V. Fleming Memorial Fund.

HONORS ABOUND FOR NO. 1 CITIZEN

Among the many citations and honors that have reinforced Mr. Fleming's reputation as the city's No. 1 citizen over the years:

A Cosmopolitan Club medal in 1933; the Society of Natives Award in 1937; the District American Legion's citation for citizenship in 1938; an honorary degree from George Washington University in 1939; a citation from the District Commissioners for his role as first Advisory Council Chairman in 1953; the Washington Board of Trade selection as the "Man of the Year" in 1956. And in 1964, the Riggs National Bank's new 12-story building was named the Fleming Building.

CAREER BOOSTED BY NEW LAWS

Mr. Fleming was in his early 20s when the big break in his career occurred. In 1913, during the Wilson Administration, Congress put both the income tax and the Federal Reserve System into the law books.

The young banker became an authority on both, sometimes studying until 3 or 4 o'clock in the morning. At a time when few men were fully aware of their implications, he became one of the best-posted men in banking on both subjects. His diligence resulted in promotion to assistant cashier at Riggs and he was on his way to the top.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. TYDINGS. I am delighted to yield to the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I wish to associate myself with the remarks which have just been made by distinguished Senator from Maryland.

Bob Fleming was unquestionably one of the great men of the Washington area. It was my good fortune to have known him over a period of 20 years. I held for him a most affectionate regard. I am proud of my friendship with Bob Fleming.

I wish to join today with the distinguished Senator from Maryland in paying tribute to Robert V. Fleming on the floor of the Senate.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be recognized for 10 minutes.

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

WORLD CRISIS IN MONEY

Mr. JAVITS. Mr. President, I was to have made a speech this morning at the convention of the Investment Bankers Association of America in Miami Beach, Fla. One has only to look out the window to see why I am here. Therefore, I wish to make these remarks on the floor of the Senate.

Mr. President, the devaluation of the pound sterling has placed the United States in an extremely difficult economic situation—a situation that calls for a calm, but decisive response on the part of this Nation. We must demonstrate to the world that we are perfectly capable of defending the dollar in the current emergency situation. At the same time, we must make sure that our economic power as investors abroad and as the world's largest single marketplace for capital remains unimpaired.

France, not nearly as vital a factor in world finance as the United States, might be able to afford the luxury of petulance in a time of trial for the international monetary system. But as the world's most important trading nation and its major source of liquidity and investment capital, we cannot. The United States must take into consideration its own interests in the present crisis in the context of the health and well-being of the industrialized world and of the developing nations which is also at stake. Satisfying as it might be for the short term to get back at the petulance of any nation or the ruthlessness of speculators, a policy of retaliation would be self-defeating for the United States. Such a policy could well lead into a world economic depression. The situation is that serious right now.

There are several steps that we should take to respond to the current emergency by demonstrating our economic strength and courage:

First. The United States should remove the gold reserve requirement backing Federal Reserve notes and thereby make available the entire U.S. gold stock of approximately $12.4 billion to defend the dollar.

Second. The voluntary program put into effect in early 1965 to limit foreign lending by U.S. financial institutions and private U.S. direct investment should be further tightened.

Third. Congress should enact the President's request for a 10-percent tax surcharge effective January 1, 1968, for 1 year, subject to review within 6 months and coupled with cuts in nonessential spending in at least an equal amount and a firm commitment on tax reform. I have been extremely skeptical of the President's tax proposals in light of the grave mishandling of economic policy in 1966 and early 1967, and I maintain my skepticism of the administration ability to recommend timely and appropriate economic policies for the Nation.

But in view of the new international situation created by the devaluation of the sterling and with the current pressure on the dollar, questions are being raised abroad of our ability and willingness to manage our economic affairs. The tax surcharge should be enacted in 1967. If that is not possible and it is enacted in 1968, it should be retroactive to January 1, 1968.

I believe that under present conditions—with war in Vietnam and with the economy in an uncertain state—we can manage a $14 to $15 billion budget deficit in fiscal year 1968. But a $29 to $30 billion budget deficit, as now indicated, is entirely unacceptable. It calls for a combination of spending cuts, tax reform, and tax increase. I am confident that such a package would have a good chance of enactment by the Congress.

Fourth. The United States should request the convening of an international conference under the aegis of the International Monetary Fund to review the applicability of article IV of the articles of agreement—dealing with the par values of currencies—under present circumstances. It is apparent from the recent run on gold by private speculators and excessive buying by certain central banks that the role of gold as an international monetary reserve should be carefully reviewed. Since it is in diminishing supply, the role of gold, in my judgment, should be gradually reduced and eventually eliminated.

It should be replaced by carefully controlled reserves issued systematically by the International Monetary Fund as international commerce demands it. We are paying a heavy price for the day-by-day approach to international monetary reform. I believe the right approach is along the lines of the agreement approved in Rio last September which established special drawing rights within the IMF. While this agreement is in the nature of a contingency plan, it is far reaching in importance as it establishes the principle of deliberate reserve creation by an international body. It means that the IMF is well on its way to becoming a world central bank. It is, therefore, essential that the Rio agreement be ratified and activated at the earliest possible moment.

At such an international conference, among other things, careful consideration should be given to the withdrawal of gold from private use. Much of the rush on gold in London has come from private buyers, speculators who are bet-

ting on the devaluation of the dollar now that the pound has been devalued.

These speculators should be discouraged by widening the price of gold—in other words, increasing its price—when sold to private buyers or by other means.

Fifth. The United States should continue to take the leadership in liberalizing world trade. Specifically, we should press hard for new agreements on the removal of nontariff barriers to trade. We should also undertake a major national effort to increase foreign tourism in the United States. Our so-called travel deficit of $1.6 billion has been one of the most important elements in the U.S. balance-of-payments deficit, and our national effort in this area has been frankly pitiful. The newly appointed Presidential Task Force on Travel has a grave responsibility to correct this situation by recommending a major expansion in the budget of the USTS, which we can effect, and by suggesting other corrective steps.

Mr. President, there is growing support for the repeal of the gold reserve requirements in the five principles which I have made. Now is the time to do it.

We should free our gold stocks so that all our chips are on the table to deal with the challenge to the dollar. Present law is not adequate for that. The Federal Reserve may temporarily suspend gold backing in an emergency but time is short and it is unreliable.

There is growing support for the repeal of the gold reserve requirement for Federal Reserve notes. Early in 1965, Congress eliminated the requirement that each Federal Reserve Bank maintain a reserve of gold certificates valued at not less than 25 percent of the amount of commercial bank deposits it holds. By this act $4.9 billion in gold was added to the Nation's gold stock needed to meet international claims. Today our total gold stock is down to $12.4 billion, with $10 billion tied up as reserves against Federal Reserve notes, leaving only $2 billion as free reserves available to meet international claims. The ratio of gold certificate reserves to outstanding Federal Reserve notes as of November 22 was 30 percent, close to the minimum required. Unless this requirement is removed, we will be in a very difficult situation soon, not only because of international demands on our gold stock but also because of the expanding stock of Federal Reserve notes and growing industrial uses of gold. These two uses alone call for $620 million in gold each year—$500 million as reserves for Federal Reserve notes and $120 million for industrial uses.

It is true that the Federal Reserve Board may temporarily suspend the reserve requirement in an emergency. However, it would be far more desirable if Congress eliminated this requirement to remove any doubt abroad about our willingness to defend the dollar. Changes in this law must be made before our free reserves are almost used up, because any change under emergency conditions would only aggravate the situation and encourage further speculation.

From evidence I have seen, the voluntary program administered by the U.S. Department of Commerce designed to limit private direct foreign investment of U.S. companies abroad, to increase investment-related exports and earnings, and the program administered by the Federal Reserve Board designed to limit lending abroad by U.S. commercial banks has worked well. It should help reduce outflows in these areas in 1968, if the new guidelines issued 2 weeks ago are lived up to.

The net outflow of U.S. direct investment during the first half of this year averaged $2.5 billion as compared to $3.5 billion in 1966, while the increase in foreign assets of U.S. banks subject to Federal Reserve Board guidelines totaled only $120 million during the first 9 months of 1967 as compared to an increase of $2.5 billion in 1964. Nevertheless, we must watch outflow of private capital with extreme care and tighten up even further if necessary.

I am confident that the position of the dollar will be preserved notwithstanding the devaluation of the pound. U.S. gold reserves still total 30 percent of the world's official gold reserves and our total private investments abroad are valued in 1966 at over $86 billion. Our exports and imports of goods and services totaled $81 billion last year, making us the largest single trading nation of the world. Foreign claims against us are substantial, but not enough to diminish a substantial net U.S. claim against the world. Our position is not vulnerable.

This is not to say that the devaluation of the pound sterling will not have major consequences for the United States. We can expect not only increased competition from British exports in markets around the world, but also increased British exports to the United States and a reduction of U.S. exports to the United Kingdom. Devaluation of the pound has caused a serious run on gold; since November 19 perhaps as much as $400 million worth of gold has been made available by the London gold pool, 50 percent of which is supplied by the United States. The overall U.S. balance-of-payments position is likely to be affected as a result of loss of exports, the continued outflow of commercial bank loans, and long-term private investment. Even prior to the devaluation, our balance-of-payments deficit was running at twice last year's rate—$2.7 billion in the third quarter—and almost at the same level as in 1963 and 1964 which caused such drastic restrictions as the interest equalization tax and voluntary balance-of-payments controls on direct investment and commercial bank loans. It is reasonable to expect that our balance-of-payments deficit for the fourth quarter is not likely to improve.

The events of these past 2 weeks have put the international monetary system under severe strain. So far the system has withstood the pressure, largely because of the cooperation of most, if not all, the major industrialized nations of the world. I am confident that if the United States adopts the measures that I have dealt with here and maintains a firm and decisive leadership in defending the dollar in the coming weeks and months, the international monetary system will not only survive but will be immeasurably strengthened.

Mr. President, the net outflow, due to private investment is lower this year than it was last year. Although that is not news, we still have to exercise extreme care at a time like this in exporting capital.

Hence, I urge greater restraint. I would even urge the appointment of a special committee of U.S. bankers and underwriters for the purpose of effecting it.

We cannot avoid understanding that we are in a major world crisis which is affecting the dollar. The devaluation of the pound may put the world in a better planning position with sounder and more realistic stability, but it may also cause a worldwide depression. It all depends on what the United States does in the situation. The U.S. dollar is very strong. Our gold reserve is 30 percent of the world's supply of gold reserves. We have over $86 billion in direct private investments abroad. Our exports and imports of goods and services total $81 billion a year, having the largest trade of any nation in the world.

We have every right to have confidence in the dollar, but that confidence can be maintained only if we act now with the responsibility we have a right to and a need for to act now, based upon our resources and our strength.

If we sit on our strength, we could very well slide into a worldwide depression.

It is for that reason, in order to demonstrate that we intend to exercise our strength, to hold fast to the value of the dollar upon which the whole world now depends, not only in economics but also in political and security terms, that I have made these recommendations.

Mr. President, I shall work hard for them in Congress.

GENERAL HERSHEY DESERVES REBUKE

Mr. YOUNG of Ohio. Mr. President, Lt. Gen. Lewis B. Hershey, Director of Selective Service, evidently has an inflated view of his power and authority. His recent decree recommending to local draft boards that they withdraw deferments from college students or others who interfere with selective service processes or with military recruitment ought to be sufficient to convince even his most ardent supporters that he should retire. Hershey has evidently outlived his usefulness as head of our Selective Service System.

The Selective Service Act was never intended as an instrument for stifling dissent and oppressing freedom of speech and other rights guaranteed all Americans in the first amendment to our Constitution. It is not a penal statute to punish illegal, immoral, or otherwise reprehensible conduct. General Hershey should know that the Selective Service System is not a punitive instrument. He was off base in taking unto himself the role of prosecutor, jury, and judge.

The harassment that recruiters from the armed services have received on some college campuses is outrageous and deplorable. However, there are ample criminal laws on the statute books of every State and ordinances in every city and in every community in the Nation to deal with violence, disorderly conduct,

and obstruction of legal processes. As a former chief criminal prosecuting attorney of Cuyahoga County, Ohio, I believe that punishment, like a shadow, should follow the commission of a crime or of any act of violence or disorderly conduct. It is up to local judges to stiffen their backbones and enforce laws and ordinances prohibiting disorderly conduct and other actions in which some young people have recently engaged in making their protest against our involvement in an ugly civil war in Vietnam. In that regard, it is unfortunate that our Nation has embarked on a course of conduct which prompts so many young Americans to voice their dissent and to engage in actions which are ill-advised, if not illegal. I do not encourage illegal or irresponsible protest over our involvement in Vietnam. Illegal rowdiness ought to be punished, and constitutional guarantees certainly do not go as far as to allow anyone to abuse recruiters. However, existing laws and ordinances provide adequate means and penalties to be applied to illegal acts of protest.

In October 1965, Assistant Attorney General Fred Vinson stated:

> I am satisfied, as a matter of both law and policy, that sanctions of the Universal Military Training and Service Act cannot be used to stifle constitutionally protected expression of views. In short, where opinion is expressed, if there is no transgression of law, then no sanctions can be imposed. If there is a transgression, then the sanctions which attach to it are all that should be applied.

Federal courts have also ruled that the Selective Service Act may not be used to stifle dissent.

General Hershey's statements are, in fact, an insult to thousands of fine young men who have been drafted into the service of their country, many of whom have been fighting in Vietnam. To put the brand of a criminal statute upon the selective service laws is to denigrate and demean the thousands of young men who have readily and bravely accepted military service as a patriotic necessity. If such service is to be regarded as a punishment, they may well ask what they are being punished for.

General Hershey has a perfect right to consider youngsters as delinquent when they block the entrances of selective service offices or otherwise interfere with military recruitment. However, evidently he has never read the first amendment to the Constitution of our country. Only an ignorant or arrogant official would have the effrontery to advocate punishment through use of the Selective Service System for those who dissent with administration policies in Vietnam.

General Hershey should publicly acknowledge his mistake and rescind his directive. Otherwise, his silly recommendation should be disregarded and steps should be taken to see that he is not permitted to repeat this folly. Or, he should be replaced.

A DECISION ON TAX INCREASE SHOULD BE MADE BEFORE ADJOURNMENT

Mr. WILLIAMS of Delaware. Mr. President, in January 1967, President Johnson announced that he was going to ask this Congress for a 6-percent surcharge on all individual and corporate income taxes. However, in the intervening months the administration has been zigzagging. By February it had reversed its position. Instead of asking for a tax increase, they were before the Finance Committee asking for a $2 billion tax reduction, and at that time they announced that effective April 1968 they were going to reduce taxes further by endorsing the scheduled reduction in the excise tax on telephones and automobiles. Under existing law these excise taxes were scheduled to be dropped April 1, 1968.

Later, in June, when testifying before the committee, Secretary Fowler said that as of that time the administration had not decided as to how much, if any, tax increase would be requested or when they would submit their recommendations.

At this time I ask unanimous consent that my correspondence with the Secretary dated June 28, 1967, in which I urged that the administration make its decision promptly and submit its proposal to the Congress, as well as his reply thereto of July 14, be printed in the RECORD at this point.

At that time I expressed concern at what appeared to be a deliberate delay by the administration in making its decision. It was then obvious that this uncertainty would have an adverse effect on our business world as well as accelerate the rapid rise in interest rates.

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

JUNE 28, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: According to recent press accounts the Administration is planning to submit to the Congress sometime before its adjournment a request for a broad tax increase.

Before any tax increase is enacted many of us feel that certain recognized loopholes in our existing tax structure should be reexamined. I am therefore trusting that the Administration's decision will be submitted to the Congress far enough in advance to give us adequate time to consider these revisions along with your request for new taxes.

Yours sincerely,

JOHN J. WILLIAMS.

THE SECRETARY OF THE TREASURY,
Washington, D.C., July 14, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your letter of June 28 suggests that some problems of loopholes in the tax structure should be reexamined in connection with Congressional consideration of a tax surcharge. You indicate, therefore, that the President's Message on Tax Reform should be submitted to the Congress in time for consideration in connection with the surcharge.

As you will realize, a number of factors must be taken into account in settling on the timing of specific Presidential requests to the Congress.

With regard to the relationship of tax revision to the surcharge, I would like to refer to the President's Economic Message where he said, "This work of basic reform should proceed independently of the requirements for raising taxes or the opportunities for tax reduction." When the surcharge recommendation is made in definite form, the Congress will want to concentrate on the central issues of the size of the needed tax increase and the timing. The needed rapid action could be lost in a protracted debate on substantive tax revision.

For this reason it seems desirable that tax reform and stabilizing tax rate adjustments be approached separately.

Sincerely yours,

HENRY H. FOWLER.

Mr. WILLIAMS of Delaware. In that correspondence, Secretary Fowler confirmed that the administration as of that date, July 14, 1967, had still not made its decision as to when it would submit its tax proposals to the Congress or how much of an increase would be requested.

Again, on November 7, I contacted Secretary Fowler and urged that, by all means, this Congress should not adjourn without having taken action, affirmatively or negatively, on the question of whether or not there would be a tax increase in 1968. This decision was necessary in order for American businessmen to know how to make plans for the next year. Besides, as the result of this vascillating policy, interest rates were at a historic high level. The American dollar was being threatened.

I ask unanimous consent that my letter to Secretary Fowler of November 7 and his reply thereto of November 22 be printed at this point in the RECORD.

In this correspondence I again offered to introduce the President's tax bill—as upon their request—if he was unable to find a member of his own party who would cooperate. This is only customary and courteous procedure.

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

NOVEMBER 7, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: On October 24, 1967, in a discussion in the Senate I called attention to the fact that as yet the Administration's proposal for a tax increase has not been introduced in either the House or the Senate.

While I would personally insist on an expenditure reduction being agreed upon by legislative action prior to a tax increase, nevertheless, I do not rule out the possibility that both may be necessary to avoid the catastrophic results of inflation and escalating interest rates.

In any event, the indecision as to whether there will or will not be a tax increase is causing a great disruption in financial circles. For this reason I feel very strongly that the Administration and the Congress should get together and make a decision as to whether they will or will not approve a tax increase in 1968. Once the decision has been made business can more intelligently make its plans.

In order that we may reach a definite decision before Congress adjourns, I made the offer that if the Administration could not find anyone else to introduce its recommendations if you would send them to my office, I would introduce them in the Senate and at the same time join you in requesting the Chairman of the Finance Committee to hold public hearings on the proposals. Since making this offer I have talked with Under Secretary Barr on a couple of occasions and repeated this offer.

With the most recent issue of Government bonds with a 5¾ per cent coupon selling

below par I do not think the Administration can afford to delay affirmative action on both expenditure cuts and the question of tax increases.

Last week our gold supply was further reduced to another new low and I am fearful that a continuation of the present stalemate could precipitate a run on the American dollar.

In view of the seriousness of the present financial crisis I do not think that any of us can afford to consider the political aspects of our decisions. Therefore, once again I urge the Administration to agree to a realistic expenditure reduction for the ensuing years and then to have its proposed tax bill introduced both in the Senate and in the House and at the same time the President announced that he will not agree to an adjournment of Congress until a decision has been made.

Confronted as we are with the necessity of financing an expensive war in Viet Nam, the time is long past due when new projects, new programs and expansions of existing programs should be carefully reexamined and unless it is determined that their postponement would effect our national security they should be held in abeyance until our financial structure has been brought under control.

If the Administration will approach this problem with a realistic plan first to reduce expenditures, I would be inclined to support a reasonable request for additional taxes.

Yours sincerely,

JOHN J. WILLIAMS.

THE SECRETARY OF THE TREASURY,
Washington, D.C., November 22, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your letter of November 7th, concerning the Administration's tax surcharge proposal. I know of no subject which demands more urgent attention among those concerned with the future of the American economy.

Because of your key position in the Senate and because of the many areas of mutual agreement between us, I would like to respond in full.

HISTORY OF THE PROPOSAL

The Administration's proposal for a surcharge was made last January, almost eleven months ago.

Early in August it was revised due to the changed conditions in the economy. In the face of an unacceptable deficit, of rising interest rates and heavy inflationary pressures, the President on August 3 recommended a balanced fiscal program: "rigorously controlling expenditures," "raising as much money as possible through increased taxes," and "borrowing the difference."

Following his message, the President met with the leadership of both Houses and the ranking majority and minority members of the tax writing and appropriations committees. He invited every Democrat in the House of Representatives, and at least fifty Republicans to discussions in which he described the vital importance of a tax increase and the need to reduce less essential expenditures. He outlined the dangers of inaction to the American people.

The top fiscal officials of the Administration and the Chairman of the Federal Reserve Board (speaking for the entire Board) made detailed presentations in hearings before the House Ways and Means Committee from August 14 through September 14. Representatives of major business, financial and labor organizations, and leaders in the field of business and finance also testified.

The need for a tax increase was supported virtually unanimously. Many of those supporting a tax increase also spoke of another major element in the President's program: the need to reduce federal expenditures.

At the time of the President's August 3 message, eleven of the fourteen appropriation bills for Fiscal 1968 had not been enacted. The President urged "the Congress to exercise the utmost restraint and responsibility in the legislative decisions which are to come and to make every effort not to exceed the January Budget estimates."

For his part, the President pledged to make every possible expenditure reduction—civilian and military—short of jeopardizing the Nation's security and well-being.

Since January, the Congress has been working its will on expenditures by acting on appropriation bills and on the Federal employee pay increase. As of today the Congress has passed 12 of the 14 appropriation bills for Fiscal 1968. Both the House and Senate therefore, have taken, in your words "legislative action prior to a tax increase dealing with expenditures."

The Chairman of the House Appropriations Committee has stated that Congressional action taken and anticipated is likely to reduce new spending authority proposed in the Budget by up to $6 billion.

As a result of these appropriation actions, fiscal 1968 expenditures will be reduced by about $1.5 billion.

The "indecision" over the tax increase to which you refer does not rest with the Administration. The uncertainty is whether the Congress will act on the President's recommendations. Consistently the President, the Council of Economic Advisers, members of the Federal Reserve Board, and senior officials of the Treasury have urged prompt enactment of the tax increase.

But on October 3, the House Ways and Means Committee adopted a motion, stating that:

"The Committee lay this matter on the table and that further consideration of the tax increase be deferred until such time as the President and the Congress reach an understanding on a means of implementing more effective expenditure reduction and controls as an essential corollary to further consideration of a tax increase, and that at such time this matter will again be given priority in the Committee's order of business."

Two days after the House Committee action, President Johnson stated in his news conference:

"The Secretary of the Treasury was at the Committee session representing the Administration. He had certain proposals that he desired to make along the lines of my tax message and along the lines of what I have said in this statement—that we will try to have the Administration and the Congress agree on the restraints that the Congress desires to put into effect.

"We were ready that day, and we have been ready every day since—the Secretary of the Treasury and each department head—to appear before the Appropriations Committee or the Ways and Means Committee to express our views and to go as far as we can in carrying out the decision of the Congress."

The President restated his view in the strongest terms last week.

Since October 3 the House Ways and Means Committee has been in recess. Nonetheless, Budget Director Schultze and I have had a number of conferences with the Chairman of the House Ways and Means and Appropriations Committees. We have tried to work out a solution to the problem of combining expenditure reduction and control with a tax increase in a manner that would be satisfactory to both Committees and some chance of being acceptable to the Senate as well.

Let us be clear, Senator Williams, that the Administration has made its willingness known "to get together" with the appropriate committees of Congress to help them "make a decision as to whether they will or will not approve a tax increase in 1968."

Action on a tax bill is a legislative matter which cannot be delayed without undue and unacceptable risk to the Nation's economic and financial structure. We should not wait any longer.

This is a "right now" matter.

CONSEQUENCES OF INACTION

A tax increase is necessary to prevent skyrocketing of interest rates. This necessity goes beyond damage to our domestic economy such as, for example, putting a pistol to the head of our housing industry now in process of a needed recovery.

A continued failure by Congress to act decisively may reverse the trend towards lower interest rates in Europe, a trend which began so successfully earlier this year. If those rates begin to rise sharply, they will surely threaten the healthy growth of the free world economy.

Confidence in the dollar and the gold exchange standard—the basis of our international monetary system—depends on the ability of the United States Government to act responsibly. There is a widely-held feeling in financial circles at home and abroad that a reduction in our budget deficit by reducing expenditures and a tax increase in the United States are essential elements of responsible financial policy. I do not need to remind you of the most recent signs of disturbance in international financial conditions. The British devaluation puts the dollar in the front line. It calls for responsible action that will maintain full confidence in the stability and strength of the dollar and of the U.S. economy.

But there is another important reason to move ahead with the tax proposal—the grave risk of mounting inflation, another disruptive inventory cycle, a deterioration in our balance of payments, and of a return to the old pattern of "boom and bust."

No course of preventive action can be effective without tax action—now.

I have been encouraged by recent public statements on the tax question by the two Senate leaders, Senator Mansfield and Senator Dirksen. For that reason I welcome your statement on October 24 and an earlier one by your colleague on the Finance Committee, Senator Smathers.

A NEW PROPOSAL

Upon careful reflection it appears that once again it is up to the Administration to make another effort to break the deadlock between the spending and taxing powers of the Congress.

Accordingly, we have prepared a plan which combines the President's tax proposals with a statutory provision embodying a program of realistic expenditure reductions.

This package would result in a reduction of the administrative budget deficit in Fiscal 1968 by about $11 billion and would relieve the credit markets of that much anticipated demand over the next seven months.

There has been much misunderstanding about a key element in the program—the tax surcharge on both individual and corporate incomes. Its impact on the individual taxpayer is modest—about one penny on a dollar of income. For those in the lower brackets, no tax increase at all.

In short, this bill would bring our deficit into manageable proportions. It would take much of the pressure off the credit markets and interest rates. It would enable the Federal Government to put money into the credit market in the first half of Calendar 1968 instead of taking it out. It would give additional confidence in financial markets here and abroad in the dollar and the U.S. economy.

I believe this proposal can be readily considered and processed by Congress in the normal course of business during this session.

As you know, the President in his meeting Monday with the bipartisan leadership of the Congress and the appropriate Committees appealed for favorable action on this legislative package of expenditure reduction and tax increase.

I have requested Chairman Mills to convene the House Ways and Means Committee to consider this legislative plan and he has called a meeting for Wednesday, November 29, at 10 a.m.

Of course, action by that Committee and the House Appropriations Committee on these two key elements in the package must be the first step in the legislative process. However, the Director of the Budget and I stand ready to appear before the Senate Finance Committee and the Senate Appropriations Committee to explain these proposals on the necessity for prompt and favorable action.

I appreciate your letter. I am grateful for your thoughtful approach to a problem of great importance to our country, a problem which, as you say, transcends the "political aspects" of the decision.

Sincerely yours,

HENRY H. FOWLER.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. WILLIAMS of Delaware. In that correspondence the Secretary ignored my offer to introduce his bill but stated that in the next few days they would submit a bill to the Congress which would embrace the President's recommendations. Yesterday that bill was delivered to the Ways and Means Committee of the House.

Throughout all these intervening months we, as Members of the Congress, have been getting requests from our constituents for copies of the administration's tax proposals. The irony of the situation is that up until yesterday there was no tax bill that had been sponsored by the administration, a copy of which we could send to our constituents. However, yesterday, after 10 long months of talk, the administration did submit to the Congress the administration's recommended tax bill.

In order that all American taxpayers may know just what is embraced in the administration's tax program, both as it relates to taxes and as it relates to a cut in expenditures I ask unanimous consent that the Johnson 1967 tax bill as proposed by the administration yesterday to the House Ways and Means Committee be printed at this point in the RECORD.

After waiting 10 months the administration has finally submitted its tax bill.

There being no objection, the Johnson tax bill of 1967 was ordered to be printed in the RECORD, as follows:

JOHNSON'S 1967 TAX BILL

A bill to amend the Internal Revenue Code of 1954 to impose a temporary tax surcharge, to provide for expenditure reductions, and for other purposes

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

(a) SHORT TITLE.—This Act may be cited as the "Tax Surcharge and Expenditure Reduction Act of 1967."

(b) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1954.

TITLE I—TAX PROVISIONS

SEC. 101. Imposition of tax surcharge.

(a) IN GENERAL.—Subchapter A of chapter 1 (relating to determination of tax liability) is amended by inserting at the end thereof the following new part:

"PART V—TAX SURCHARGE

"SEC. 51. Tax surcharge.

"(a) IMPOSITION OF TAX.—

"(1) CALENDAR YEAR TAXPAYERS.—In addition to the other taxes imposed by this chapter and except as provided in subsection (b), there is hereby imposed on the income of every person whose taxable year is the calendar year, a tax equal to the percent of the adjusted tax (as defined in subsection (c)) for the taxable year specified in the following table:

"Calendar year	Percent	
	Individuals	Corporations
1967	2.5	5.0
1968	10.0	10.0
1969	5.0	5.0"

"(2) FISCAL YEAR TAXPAYERS.—In addition to the other taxes imposed by this chapter and except as provided in subsection (b), in the case of taxable years ending on or after the effective date of the surcharge and beginning before July 1, 1969, there is hereby imposed on the income of every person whose taxable year is other than the calendar year, a tax equal to—

"(A) Ten percent of the adjusted tax for the taxable year, multiplied by

"(B) A fraction, the numerator of which is the number of days in the taxable year occurring on and after the effective date of the surcharge and before July 1, 1969, and the denominator of which is the number of days in the entire taxable year.

"(3) EFFECTIVE DATE DEFINED.—For purposes of paragraph (2), the 'effective date of the surcharge' means—

"(A) July 1, 1967, in the case of a corporation, and

"(B) October 1, 1967, in the case of an individual.

"(b) LOW INCOME EXEMPTION.—Subsection (a) shall not apply if the adjusted tax for the taxable year does not exceed—

"(1) $290, in the case of a joint return of a husband and wife under section 6013,

"(2) $220, in the case of an individual who is a head of household to whom section 1(b) applies, or

"(3) $145, in the case of any other individual (other than an estate or trust).

"(c) ADJUSTED TAX DEFINED.—For purposes of this section, the adjusted tax for a taxable year means the tax imposed by this chapter for such taxable year, determined without regard to—

"(1) the taxes imposed by this section, section 871(a) and section 881; and

"(2) any increases in tax under section 47(a) (relating to certain dispositions, etc., of section 38 property) or section 614(c)(4)(C) (relating to increase in tax for deductions under section 615 (a) prior to aggregation),

and reduced by an amount equal to the amount of any credit which would be allowable under section 37 (relating to retirement income) if no tax were imposed by this section for such taxable year.

"(d) AUTHORITY TO PRESCRIBE NEW OPTIONAL TAX TABLES.—The Secretary or his delegate shall prescribe regulations setting forth modified optional tax tables for calendar years 1968 and 1969 computed upon the basis of composite rates incorporating the rate at which tax is imposed by this section. The tax tables so determined may be rounded to the nearest whole dollar. When, pursuant to this subsection, the Secretary or his delegate prescribes regulations setting forth modified optional tax tables for calendar years 1968 and 1969, then, notwithstanding section 144(a), in the case of a taxpayer to whom a credit is allowable for either such year under section 37 the standard deduction may be elected for such year regardless of whether the taxpayer elects to pay the tax imposed by section 3.

"(e) ESTIMATED TAX.—For purposes of applying the provisions of this title with respect to declarations and payments of estimated income tax due more than 45 days (15 days in the case of a corporation) after the enactment of this section—

"(1) In the case of a corporation, so much of any tax imposed by this section as is attributable to the tax imposed by section 11 or 1201 (a) or subchapter L shall be treated as a tax imposed by such section 11 or 1201 (a) or subchapter L;

"(2) The term 'tax shown on the return of the individual for the preceding taxable year', as used in section 6654(d)(1), and the term 'tax shown on the return of the corporation for the preceding taxable year', as used in section 6655(d)(1), shall mean the tax which would have been shown on such return if tax had been imposed by this section for such preceding taxable year at the rate applicable to the current taxable year.

"(f) WITHHOLDING ON WAGES.—In the case of wages paid after January 1, 1968, and before July 1, 1969, the tax required to be deducted and withheld under section 3402 shall be determined in accordance with the following tables in lieu of the tables set forth in section 3402(a) or (c)(1):

"Tables to be used in lieu of tables in section 3402(a).

"Tables to be used in lieu of tables in section 3402(c)(1).

"(g) WESTERN HEMISPHERE TRADE CORPORATIONS AND DIVIDENDS ON CERTAIN PREFERRED STOCK.—In computing, for a taxable year of a corporation, the fraction described in—

"(1) Section 244(a)(2), relating to deduction with respect to dividends received on the preferred stock of a public utility,

"(2) Section 247(a)(2), relating to deduction with respect to certain dividends paid by a public utility, or

"(3) Section 922(2), relating to special deduction for Western Hemisphere trade corporations,

the denominator shall, under regulations prescribed by the Secretary or his delegate, be increased to reflect the rate at which tax is imposed under subsection (a) for such taxable year.

"(h) SPECIAL RULE.—For purposes of this title, except as otherwise expressly provided in this section, to the extent the tax imposed by this section is attributable (under regulations prescribed by the Secretary or his delegate) to a tax imposed by another section of this chapter, such tax shall be deemed to be imposed by such other section.

"(i) SHAREHOLDERS OF REGULATED INVESTMENT COMPANIES.—In computing the amount of tax deemed paid under section 852(b)(3)(D)(ii) and the adjustment to basis described in section 852(b)(3)(D)(iii), the percentage set forth therein shall be adjusted under regulations prescribed by the Secretary or his delegate to reflect the rate at which tax is imposed under subsection (a).

(b) MINIMUM DISTRIBUTION.—Section 963(b) (relating to receipt of minimum distributions by domestic corporations) is amended—

(1) by striking out the heading of paragraph (1) and inserting in lieu thereof the following:

"(1) Taxable years beginning in 1963 and taxable years entirely within the surcharge period.—", and

(2) by striking out the heading of paragraph (3) and inserting in lieu thereof the following:

"(3) Taxable years beginning after 1964 (except taxable years which include any part of the surcharge period).—", and

(3) by adding after the table in paragraph (3) the following:

"In the case of a taxable year beginning before the surcharge period and ending within the surcharge period, or beginning within the surcharge period and ending after the close of the surcharge period, the required minimum distribution shall be an amount equal to the sum of—

"(A) that portion of the minimum distribution which would be required if the provisions of paragraph (1) were applicable to the taxable year, which the number of days in such taxable year which are within the surcharge period bears to the total number of days in such taxable year, plus

"(B) that portion of the minimum distribution which would be required if the provisions of paragraph (3) were applicable to such taxable year, which the number of days in such taxable year which are not within the surcharge period bears to the total number of days in such taxable year.

(b) MINIMUM DISTRIBUTIONS.—Section 963(b) (relating to receipt of minimum distributions by domestic corporations) is amended—

(1) by striking out the heading of paragraph (1) and inserting in lieu thereof the following:

"(1) Taxable years beginning in 1963 and taxable years entirely within the surcharge period.—", and

(2) by striking out the heading of paragraph (3) and inserting in lieu thereof the following:

"(3) Taxable years beginning after 1964 (except taxable years which include any part of the surcharge period).—", and

(3) by adding after the table in paragraph (3) the following:

"In the case of a taxable year beginning before the surcharge period and ending within the surcharge period, or beginning within the surcharge period and ending after the close of the surcharge period, the required minimum distribution shall be an amount equal to the sum of—

"(A) that portion of the minimum distribution which would be required if the provisions of paragraph (1) were applicable to the taxable year, which the number of days in such taxable year which are within the surcharge period bears to the total number of days in such taxable year, plus

"(B) that portion of the minimum distribution which would be required if the provisions of paragraph (3) were applicable to such taxable year, which the number of days in such taxable year which are not within the surcharge period bears to the total number of days in such taxable year.

As used in this subsection, the term 'surcharge period' means the period beginning on July 1, 1967, and ending at the close of June 30, 1969."

(c) CLERICAL AMENDMENT.—The table of parts of subchapter A of chapter 1 is amended by adding at the end thereof the following:

"Part V.—Tax Surcharge."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) Insofar as they relate to individuals, with respect to taxable years ending after September 30, 1967, and beginning before July 1, 1969.

(2) Insofar as they relate to corporations, with respect to taxable years ending after June 30, 1967, and beginning before July 1, 1969.

SEC. 102. Raising from 70 percent to 80 percent the estimated tax which must be paid in installments by corporations.

(a) IN GENERAL.—Section 6655 (b) (relating to amount of underpayment), and section 6655(d) (relating to exception), are amended by striking out "70 percent" each place it appears therein and inserting in lieu thereof "80 percent".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1967.

SEC. 103. Payment of first $100,000 of estimated tax.

(a) REQUIREMENT OF DECLARATION.—Section 6016(a) (relating to requirement of declaration of estimated tax in case of corporations) is amended by striking out "$100,000" and inserting in lieu thereof "$40".

(b) REDUCTION OF EXCLUSION FROM ESTIMATED TAX.—Section 6016(b) (relating to the definition of estimated tax in the case of a corporation) is amended to read as follows:

"(b) ESTIMATED TAX.—

"(1) DEFINITION.—For purposes of this title, in the case of a corporation, the term 'estimated tax' means the excess of—

"(A) the amount which the corporation estimates as the amount of the income tax imposed by section 11 or 1201(a), or subchapter L of chapter 1, whichever is applicable, reduced by the amount which the corporation estimates as the sum of any credits against tax provided by part IV of subchapter A of chapter 1, over

"(B) an amount equal to the applicable exclusion percentage (determined under paragraph (2)) multiplied by the lesser of—

"(i) $100,000, or

"(ii) the amount determined under subparagraph (A).

"(2) EXCLUSION PERCENTAGE.—The term 'exclusion percentage' means—

"If the declaration is for a taxable year beginning in—	The exclusion percentage is—
1968	80
1969	60
1970	40
1971	20
1972 or later	0"

(c) EXCEPTION FROM ADDITION TO TAX.—Section 6655(d)(1) is amended by striking out the phrase "reduced by $100,000" and inserting in lieu thereof "reduced by an amount equal to the applicable exclusion percentage, determined under section 6016(b)(2), multiplied by the lesser of $100,000 or the amount of such tax".

(d) ADDITION TO TAX FOR UNDERPAYMENT OF ESTIMATED TAX.—Section 6655(e) (relating to the definition of tax) is amended to read as follows:

"(e) DEFINITION OF TAX.—For purposes of subsection (b), (d)(2), and (d)(3), the term 'tax' means the excess of—

"(1) the amount of tax imposed by section 11 or 1201 (a), or subchapter L of chapter 1, whichever is applicable, reduced by the sum of any credits against tax provided by part IV of subchapter A of chapter 1, over

"(2) an amount equal to the applicable exclusion percentage (determined under section 6016(b)(2)), multiplied by the lesser of—

"(A) $100,000, or

"(B) the amount determined in paragraph (1)."

(e) TECHNICAL AMENDMENT.—Clause (v) of section 243(b)(3)(C) is amended by striking out "$100,000".

(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1967.

SEC. 104. Postponement of certain excise tax rate reductions.

(a) PASSENGER AUTOMOBILES.—

(1) IN GENERAL.—Subparagraph (A) of section 4061(a)(2) (relating to imposition of tax) is amended to read as follows:

"(A) Articles enumerated in subparagraph (B) are taxable at whichever of the following rates is applicable:

"7 percent for the period March 16, 1966, through June 30, 1969.

"2 percent for the period July 1, 1969, through December 31, 1969.

"1 percent for the period after December 31, 1969."

(2) CONFORMING AMENDMENTS.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "April 1, 1968, or January 1, 1969" and inserting in lieu thereof "July 1, 1969, or January 1, 1970".

(b) COMMUNICATION SERVICES.—Section 4251 (relating to tax on communications) is amended—

(1) By striking out subsection (a)(2) and inserting in lieu thereof:

"(2) The rate of tax referred to in paragraph (1) is as follows:

"Amounts paid pursuant to bills first rendered:

	Percent
Before July 1, 1969	10
After June 30, 1969, and before January 1, 1970	1"

(2) By striking out subsection (b) and inserting in lieu thereof:

"(b) TERMINATION OF TAX.—The tax imposed by subsection (a) shall not apply to amounts paid pursuant to bills first rendered on or after January 1, 1970."

(3) By striking out subsection (c) and inserting in lieu thereof:

"(c) SPECIAL RULE.—For purposes of subsection (a), in the case of communications services rendered before May 1, 1969, for which a bill has not been rendered before July 1, 1969, a bill shall be treated as having been first rendered on June 30, 1969. For purposes of subsections (a) and (b), in the case of communications services rendered after April 30, 1969, and before November 1, 1969, for which a bill has not been rendered before January 1, 1970, a bill shall be treated as having been first rendered on December 31, 1969."

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective on the date of enactment of this Act.

SEC. 105. Filing of corporation returns for taxable years ending after June 30, 1967, and before December 1, 1967.

In the case of a corporation subject to a tax imposed by chapter 1 of the Internal Revenue Code for a taxable year ending after June 30, 1967, but prior to December 1, 1967, such corporation shall after the date of the enactment of this Act and on or before March 15, 1967, make a return for such taxable year with respect to the tax imposed by chapter 1 of the Internal Revenue Code for such taxable year. The return required by this section for such taxable year shall constitute the return for such taxable year for all purposes of the Internal Revenue Code; and no return for such taxable year, with respect to any tax imposed by chapter 1 of such Code, filed on or before the date of the enactment of this Act shall be considered for any of such purposes as a return for such year. The taxes imposed by chapter 1 of such Code (determined with the amendments made by this Act) for such taxable year shall be paid on

March 15, 1968, in lieu of the time prescribed in section 6151 of such Code. All payments with respect to any tax for such taxable year imposed by chapter 1 of such Code under the law in effect prior to the enactment of this Act, to the extent that such payments have not been credited or refunded, shall be deemed payments made at the time of the filing of the return required by this section on account of the tax for such taxable year under chapter 1 determined with the amendments made by this Act.

SEC. 106. Special provision with respect to interest and penalties on payments by individuals of surcharge for 1967.

Notwithstanding any provision of the Internal Revenue Code, no interest or penalties shall be imposed on account of the late payment by an individual taxpayer of the tax imposed by section 51 for 1967 if such tax is paid within 30 days after a bill therefor has been rendered to the taxpayer by the Secretary or his delegate.

TITLE II—EXPENDITURE REDUCTIONS

SEC. 201. The Congress hereby finds and determines that it is necessary to reduce budget expenditures for the fiscal year 1968 below the budget estimates therefor, and that the limitations on obligations required by this Title are necessary for that purpose.

SEC. 202. (a) During the fiscal year 1968, no department or agency of the Federal Government, including the Legislative and Judicial branches, shall incur obligations in excess of the lesser of—

(1) the aggregate amount available to each such department or agency as obligational authority in the fiscal year 1968 through appropriation acts or other laws, or

(2) an amount determined by reducing the aggregate budget estimate of obligations for such department or agency in the fiscal year 1968 by—

(i) 2 percent of the amount included in such estimate for personnel compensation and benefits, plus

(ii) 10 percent of the amount included in such estimate for objects other than personnel compensation and benefits.

(b) As used in this section, the terms "obligational authority" and "budget estimate of obligations" include authority derived from, and estimates of reservations to be made and obligations to be incurred pursuant to, appropriations and authority to enter into contracts in advance of appropriations.

(c) The references in this section to budget estimates of obligations are to such estimates as contained in the Budget Appendix for the fiscal year 1968 (House Document No. 16, 90th Congress, 1st session), as amended during the first session of the 90th Congress.

SEC. 203. (a) This Title shall not apply to obligations for (1) permanent appropriations, (2) trust funds, (3) items (except legislative and judiciary) included under the heading "relatively uncontrollable" in the table appearing on page 14 of the Budget for the fiscal year 1968 (House Document No. 15, Part 1, 90th Congress, 1st session), or (4) programs, projects, or purposes, not exceeding $300,000,000 in the aggregate, determined by the President to be vital to the national interest or security.

(b) This Title shall not be so applied as to require a reduction in obligations for national defense exceeding 10 percent of the new obligational authority (excluding special Vietnam costs) requested in the Budget for the fiscal year 1968 (House Documents Nos. 15, Part 1, and 16), as amended during the first session of the 90th Congress: *Provided*, That the President may exempt from the operation of this Title any obligations for national defense which he deems to be essential for the purposes of national defense.

SEC. 204. In the administration of any program as to which (1) the amount of obligations is limited by section 202(a)(2) of this Title, and (2) the allocation, grant, apportionment, or other distribution of funds among recipients is required to be determined by application of a formula involving the amount appropriated or otherwise made available for distribution, the amount available for obligation as limited by that section or as determined by the head of the agency concerned pursuant to that section shall be substituted for the amount appropriated or otherwise made available in the application of the formula.

SEC. 205. The amount of any appropriation or authorization which (1) is unused because of the limitation on obligations imposed by section 202(a)(2) of this Title and (2) would not be available for use after June 30, 1968, shall be used only for such purposes and in such manner and amount as may be prescribed by law in the second session of the 90th Congress.

Mr. WILLIAMS of Delaware. The Senator from New York [Mr. JAVITS], a few moments ago made some very timely remarks in connection with the financial picture as it stands in this country, emphasizing that from the standpoint of protecting the American dollar the Congress should face up to this question of whether taxes are or are not going to be increased and render this decision before we adjourn.

I want to join the Senator from New York. This Congress should take action before we adjourn so that both the American people and governments internationally will know that we in this country are going to face up to our responsibilities and put our finances in order. The failure and delay, both on the part of the administration and the Congress, has had a decided effect in raising interest rates. Yesterday our Government paid 6.40 percent interest on a $1 billion bond issue.

I ask unanimous consent that there be printed at this point in the RECORD an article appearing in the Wall Street Journal of November 28 calling attention to the fact that the U.S. Government yesterday borrowed $1 billion paying an interest cost of 6.40 percent on a 20-year bond.

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

BOND MARKETS: FANNIE MAE'S $650 MILLION OF CERTIFICATES SOLD OUT AT AGENCY'S RECORD INTEREST COST

NEW YORK.—The Federal National Mortgage Association's $650 million of participation certificates sold out shortly after reaching the market through underwriters managed by Merrill Lynch, Pierce, Fenner & Smith Inc., Salomon Brothers & Hutzler, First Boston Corp. and Morgan Guaranty Trust Co. of New York. The offering carried the highest interest rates ever placed on a Fannie Mae issue.

Of the $650 million, $450 million reached the market at 100, with a 6.35% coupon, to mature Feb. 11, 1970. The remaining $200 million was comprised of 6.40% certificates, which reached the market at 100, to mature Dec. 11, 1987.

Fannie Mae's previous participation sale of $650 million on June 15, offered yields of 5¼% on $350 million of certificates, due 1969, and 5½% on $300 million of certificates, due 1972.

Fannie Mae also sold $350 million of participation certificates yesterday directly to Federal Government investment accounts.

The certificates represent part-interests in pools of Government-owned mortgages and are guraanteed by Fannie Mae with a further indication from the Treasury that it would lend money to the agency if needed to complement the guaranty.

The mortgages in the pool are commitments of such agencies as the Veterans Administration, Small Business Administration and Federal Housing Administration.

Mr. WILLIAMS of Delaware. These obligations were in the form of participation certificates sold by Fannie Mae, but they are backed by the full faith and credit of the U.S. Government. They are just as sound as any Government obligations, series E bonds or any other Government bonds.

When the U.S. Government is having to pay 6.40 percent in interest rates the time has passed when we can dillydally further. I think this Congress has to act before we adjourn.

So far neither the White House nor the Congress has faced up to this problem of reducing expenditures or raising taxes.

With all due respect to the pressing nature of other business before this Congress, that business should be laid aside until we have made a decision as to whether or not we are going to put our financial house in order.

I join the Senator from New York in his statement that if we fail to do so there may be a recession precipitated unnecessarily in this country. Certainly the abnormally high interest rates that are being paid to finance this Government will be, for years and years to come, an additional drain on the taxpayer.

The home buyer and the small businessman are being hurt severely as the result of today's high interest rates, and the Johnson administration cannot dodge its responsibility for this situation.

The President's insistence that expenditures be increased on every program of this Great Society has brought our country to the verge of national bankruptcy, and I regret to say that except for gilded promises of economy I see no change in their attitude.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JAVITS. There is no one in this Chamber whose approval I value more than the Senator from Delaware's on such an issue as this. I repeat that the financial community of this country is really deeply concened about the future of this country and of the world in terms of the possibility of an economic depression or recession if we do not show our determination now to defend the dollar. That is why I made the recommendations I did.

Mr. WILLIAMS of Delaware. Mr. President, if I may have an additional minute, that is the reason why I made these remarks here today. I believe the American dollar is sound, but it will not remain in a sound position unless certain safeguards are taken. If the American dollar falls, it will be as a result of the negligence on the part of both the Johnson administration and the Congress in failing to stand up to meet our responsibilities in time. If we procrastinate and put the decision off until next year I think it will be too late to correct much of the damage.

It is an outrageous situation where for 10 months the administration has been talking about expenditure reductions and

tax increases, yet it took the devaluation of the British pound to shake them up to the point where they would submit their bill to the Congress.

Even now I detect a backstage maneuver of the administration to talk big but postpone action until next year. It is still not too late for the administration to get action on this measure before Congress adjourns if it will place the same emphasis upon the consideration of its tax proposals as it does upon its spending programs.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT — UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the pending business, Senate Resolution 180, is laid before the Senate, there be a time limitation of not to exceed 2½ hours, the time to be equally divided between the majority and minority leaders or whoever they may designate.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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

Mr. TALMADGE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives relating to S. 2565.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2565) to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes, which was, strike out all after the enacting clause and insert:

That the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, are amended as hereinafter provided to remove the 6 per centum interest rate limitations therein on loans made by Federal land banks and banks for cooperatives; and to permit interest rates on such loans and on loans made by production credit associations to be determined as provided in such Acts of Congress to cover the cost of loan funds and other expenses and reserves so that the lending may continue on a self-sustaining basis.

SEC. 2. Section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), relating to loans made by Federal land banks, is amended by substituting "such rate of interest as the board of directors of the bank shall from time to time determine with the approval of the Farm Credit Administration" for "6 per centum per annum" in paragraph Third thereof and for "6 per centum per annum" in the first and second sentences of paragraph Ninth thereof.

SEC. 3. The Farm Credit Act of 1933, as amended, is amended—

(a) by inserting the following sentence between the present first and second sentences of section 23 thereof, relating to loans made by production credit associations (12 U.S.C. 1131g): "Such loans shall be made on such terms and conditions, at such rates of interest, and with such security as may be prescribed in such rules and regulations."; and

(b) by deleting from each of the second sentences in sections 34 and 41 thereof (12 U.S.C. 1134j and 1134c), relating to loans made by banks for cooperatives, ", but in no case shall the rate of interest exceed 6 per centum per annum on the unpaid principal of a loan".

Mr. TALMADGE. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on the motion of the Senator from Georgia.

The amendment was concurred in.

NUCLEAR TEST-BAN TREATY SAFEGUARDS

Mr. JACKSON. Mr. President, I ask unanimous consent that, notwithstanding the existing rule, I may be permitted to speak for 15 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

INTRODUCTION

Mr. JACKSON. Mr. President, 4 years have passed since the Nuclear Test-Ban Treaty was favorably considered here in the Senate following extensive hearings by the responsible committees. That treaty, welcomed by so many, was counted on by some as a first step in a continuing march of arms limitation and control agreements to be negotiated between the nuclear powers and also among the nonnuclear countries. Unfortunately, the yearned for series of agreements on the control of arms has not progressed far beyond the first limited step. It is noteworthy that while meaningful arms limitation agreements have eluded our efforts the danger to our national security and that of other countries as well, has been increased by determined moves by Soviet Russia and Red China in the vital field of nuclear arms.

With respect to offensive weapons, Moscow has been working hard to narrow the missile gap that limited its range of options in the Cuban missile crisis of 1962. It has recently doubled the number of its operational ICBM's, and the larger missile payload it can mount on its bigger missiles gives it the capability to deploy higher yield nuclear warheads per missile than we can. Moscow is also developing the capability to launch orbiting nuclear bombs ready for sudden attack from relatively low altitudes. With respect to the defensive weapons, the Soviet leaders have deployed an ABM system around Moscow, and our best intelligence is that they will expand and improve that system over the years. Meanwhile, through her six nuclear and thermonuclear tests to date, Communist China is emerging as a thermonuclear power with all the potentialities for trouble that foreshadows. Communist China, of course, was not a signatory to the nuclear test-ban treaty, and has stated she will not agree to the nuclear nonpoliferation agreement now being considered in Geneva.

These recent developments constitute a serious challenge to the strategic superiority of U.S. power on which our defense planners have counted to maintain political stability and to keep the peace. As I read events, where Moscow acts with circumspection, it is because, to use the Kremlin's phrase, "objective conditions" impose this policy. Where the "objective conditions" are favorable, however, Moscow is encouraged to act boldly to expand the frontiers of its influence and to enter into distant conflict situations around the globe. The circumstances are thus created for the most dangerous confrontation—a showdown between nuclear powers.

Even when the Soviets have been in a condition of admitted strategic inferiority to U.S. power, Moscow has periodically pursued adventurous policies—in Berlin and the Cuban missile probe—and to take advantage of opportunities for mischief in the less developed areas of the world. This is exemplified by the Kremlin's recent strong encouragement to the radical Arab forces in May and June 1967.

As Prof. Philip Mosely, of Columbia University, testified in the recent hearings of our Military Applications Subcommittee, in each of these past probings:

The strategic inferiority of Soviet power has set definite limits to the extent of the risks that the Soviet policymakers were willing to run. It is painful and disturbing to contemplate the far wider range of risks which the Kremlin might have accepted if it had been confident of possessing an equality or a superiority of over-all deterrent strength.

Professor Mosely correctly warned that:

In any future period in which Moscow might attain either nuclear equality or nuclear superiority, however that may be measured in terms of the ratio between offensive and defensive systems, we would be prudent to assume that Soviet policy would be tempted to undertake a more extensive, more acute, and more dangerous range of risks in order to pursue its declared long-range ambition to reshape the world according to its own dogma.

Also, we must take into consideration the possibility of facing not only the continuing strategic threat of the Soviet Union, but that threat combined with the new threat of China. Distinguished American experts on Sino-Soviet affairs predict that Communist China and the Soviet Union will be cooperating again 2 or 3 or 5 years after Mao's death or incapacitation. Obviously, if Moscow and Peking begin to coordinate their strategies in Asia and the Middle East, the United States will be in for a very dangerous time. For example, if the Soviet Union and Communist China agreed on a plan of action, and Moscow by then considered that it had nuclear equality or even superiority over the United States, the Chinese nuclear power could be used to blackmail China's neighbors, while the Soviets neutralized the major United States nuclear capability. This may be what some Chinese leaders are looking forward to.

Looking ahead, if we are to maintain the necessary posture of strategic superiority, there are two prime requirements:

The first requirement is a strategic offensive capability which will be able to penetrate Soviet ABM defenses whatever their nature several years from now. This means we will need another generation of land-based ICBM's with larger payload capacity and reliance on multiple independently targetable reentry vehicles—

MIRV's. This also means we will need another generation of nuclear submarines with more and larger missiles, and reliance on MIRV's.

A second requirement is the best ABM defense in the West that science and technology can provide us, to protect our retaliatory second-strike force and to safeguard our people and our society, and to take into account the needs of our allies. For if the Soviet Union comes out ahead in the search for an effective antimissile system, the relationship of forces on which the U.S. has depended to discourage adventurism and a diplomacy of blackmail will be reversed. The consequences for the West could be disastrous. We can now begin to deploy a "light" ABM system which will be useful at least in the near future against any Chinese threat and to provide some protection for our nuclear retaliatory force. But we do not yet have the tools for an effective missile defense against the kind of missile attack that today only the Soviet Union could launch. The development of such a defense is in the hands of the scientists and engineers. At this stage the need is for a high priority R. & D. program to develop, if we can, an effective defense against a full-scale Soviet type missile attack.

I would like now to report briefly on the implementation of the nuclear test-ban treaty safeguards because they are of central importance in giving us the flexibility and the opportunity to take actions to meet these prime requirements for U.S. strategic superiority.

BACKGROUND OF THE TEST-BAN TREATY SAFEGUARDS

By way of a quick review, it will be recalled that in 1963, when the Senate committees were reviewing the then proposed Limited Nuclear Test-Ban Treaty, the Preparedness Investigating Subcommittee shared with the Joint Chiefs of Staff a serious concern about the treaty and whether it would serve the best interests of the United States. The Joint Chiefs informed the Senate that in their opinion certain "safeguards" would be necessary if the treaty was not to operate against our national security interests. At the request of the Preparedness Subcommittee and the Committee on Armed Services, the Joint Chiefs developed a statement of the specific requirements to implement the necessary safeguards they had defined.

The safeguards, in brief, are: First, the conduct of comprehensive, aggressive, and continuing underground nuclear test programs; second, the maintenance of modern nuclear laboratory facilities and programs; third, the maintenance of the facilities and resources to resume promptly atmospheric testing should it be deemed essential to our national security or should the treaty be abrogated by others; and, fourth, the improvement of our capability to monitor and detect violations of the treaty, and to maintain our knowledge of foreign nuclear activity.

It is significant that the assurances to the Senate given by President Kennedy in August of 1963 that he would fully and effectively implement the safeguards were reaffirmed in their entirety by President Johnson in April 1964.

The Preparedness Subcommittee, because of its role in the formulation of the safeguards, has assumed the role of monitoring the implementation and of making an annual report to the Senate on the implementation. The Joint Committee on Atomic Energy likewise has a deep interest in the safeguards implementation and for the past 3 years the safeguards monitoring and reviewing has been a joint undertaking. The staff members of both committees follow the safeguards throughout the year and the committee members then conduct a periodic review of progress, the latest of which has just been completed, and this fourth annual report to the Senate on the implementation of the safeguards is a result of that review.

The implementation of the Nuclear Treaty safeguards is the joint responsibility of the Secretary of Defense and the Chairman of the Atomic Energy Commission. To facilitate coordination of the activities of the two agencies in support of the safeguards, the Secretary and the Chairman, in June 1964, formally established joint procedures for the development and periodic review of a national nuclear test program. That program has been developed and submitted to the President, and as directed by the President, plans for implementation are being maintained. The latest White House approval of the current nuclear test program was made in early July 1967.

SAFEGUARD NO. 1: UNDERGROUND TESTING

Turning now to the first safeguard, underground testing. During the past year the Department of Defense, charged with the responsibility of determining the effects of nuclear weapons, has continued to develop methods of conducting underground tests in which results are being obtained that were previously thought impossible under the treaty restrictions. The accelerated underground test program of the DOD for the next 18 to 24 months consists of a relatively large number of tests on new reentry vehicles, guidance systems, and our antiballistic missile systems now under development. As a result, the actual detailed test program has developed into a fast moving and changing program because of numerous scientific discoveries and proposals for new testing techniques that are being developed.

The Atomic Energy Commission has been somewhat handicapped this past year in nuclear testing, first by continuing labor difficulties at the National Nuclear Test Site in Nevada from early July through early November, and, second, by the lack of a suitable test site for the detonation of high yield weapons underground safely and in compliance with the treaty. However, in spite of these problems, a large number of underground tests were conducted and very significant advances made in the area of weapons technology development, new and radically different weapon design concepts, and in the science of peaceful uses for nuclear explosives.

The basic aims of upcoming underground tests are for the furthering of our knowledge of weapon effects, for improving weapon reliability, increasing penetration capability, and advancing technology.

The AEC and the DOD determined in mid-1966 that it was essential to establish a capability for conducting higher yield tests underground than was determined to be possible at the national nuclear test site in Nevada. Originally, the Pahute Mesa, at the north end of the regular test site, was thought to be suitable for higher yield tests, but experience disproved this hope and other sites have been selected. The first, still in Nevada, is about 70 miles northwest of Tonopah, Nev., in an area named Hot Creek Valley. This area is thought suitable for going beyond the yields possible at the Pahute Mesa site. Next, an uninhabited island near the western end of the Aleutian chain, Amchitka Island, is being developed for possible higher yield explosions.

In the high-yield area the U.S.S.R. has conducted nuclear tests of higher yields both in the atmosphere and underground than has the United States. In their nuclear testing it is interesting to note that the U.S.S.R. has, on at least three occasions, technically violated the Nuclear Test Ban Treaty, in that nuclear debris from their tests was detected outside the continental boundaries of the Soviet Union. Upon being challenged by the United States, the U.S.S.R. has either denied the charge or said it was a negligible accident and unworthy of further concern.

I mentioned in my report on the safeguards implementation to the Senate last year that we thought the money being provided for underground nuclear testing was insufficient and that the Joint Atomic Energy Committee added $10 million to the fiscal year 1967 funds for this. Later the Atomic Energy Commission determined that even this additional $10 million was not enough and a supplemental budget request for $20 million more was required. This year, for fiscal year 1968, the same situation has developed and again the Joint Committee added $15 million to the funds for weapon development and testing. We did this because of the importance and vitality of the underground testing program and because we thought the 20-percent cut by the Bureau of the Budget in the amount requested by the Atomic Energy Commission was too heavy handed. For fiscal year 1968, the Department of Defense increased their planned expenditures in this underground testing area by some 50 percent over the amount requested in fiscal year 1967, and this increase is stated by the responsible officials to be sufficient. However, we have been told recently that there are some planned reductions in the DOD funds from the amounts requested in their budget for safeguards support. I would hope that these cuts, if made, will not be applied in this most important area of underground testing.

SAFEGUARD NO. 2: THE MAINTENANCE OF MODERN LABORATORIES

As to the second safeguard, our nuclear laboratories and their support and work, we very recently had an opportunity for lengthy and detailed discussions with the directors of our national nu-

clear and weapon laboratories and they assured us that their laboratories were well supported, excellently staffed and completely loaded with work. A possible concern we might have for this safeguard is not on present status, but a caution that in the near future more money will need to be provided for the construction of some new facilities and the purchase of some new expensive equipment, such as additional computers.

The problems and work of the laboratories are exceedingly complex and require a systematic analysis of many related phenomena, many of which require new theoretical and experimental techniques. This program has some advantages over full-scale nuclear tests. Laboratory experiments are generally less expensive, they can be performed many times, and the important parameters can be more easily controlled. To provide positive correlation between laboratory research and the actual effects of nuclear explosions, laboratory results are tested in the underground nuclear test program to the maximum extent possible.

Increased emphasis is being placed on high altitude phenomenology because of the degrading effects of nuclear weapons upon military radar and communications systems. This is a particularly urgent requirement in light of the antiballistic missile system deployment decision. These effects are of prime significance in the employment of offensive and defensive tactics and operational techniques for our missiles, aircraft, and command and control systems.

SAFEGUARD NO. 3: READINESS TO RESUME ATMOSPHERIC TESTING

The third safeguard, readiness to quickly resume nuclear testing in the now prohibited environment in the event the treaty is abrogated, is in a condition of effective support but also one of change and study.

During the year since my last report here, the overseas testing facilities at Johnston Atoll and the Hawaiian Island complex and the equipment there have been maintained in a high readiness status and thoroughly exercised and tested. During fiscal year 1968 it is expected that maintenance and reliability improvement efforts will continue compatible with the laboratory-generated advances in technology and with certain specific replacements of test equipment. Airdrop readiness exercises, both on the continent and overseas based, have been conducted to maintain and increase technical proficiency and to exercise the airborne diagnostic capability.

Recent evaluation of the AEC–DOD nuclear test readiness program indicates that it should be updated. The majority of tests in the present readiness program were derived from the most pressing questions in weapons development and effects that existed in 1963 when the treaty was ratified. Since 1963, however, the testing capabilities and problems have changed considerably. In particular, the ability to acquire data in the underground test program has been better than had been expected. The AEC and the DOD are now studying revisions in the readiness plans, including the scope and frequency of exercises, for the purpose of updating the program should testing restrictions be removed. It is our intention that the Committee staffs will be kept informed on a day-to-day basis of changes as they are planned in the program and that periodic updating briefings will be presented to the Committee members who follow the safeguards implementation.

SAFEGUARD NO. 4: TEST DETECTION AND FOREIGN NUCLEAR PROGRAMS

The fourth safeguard is the maintenance and improvement of our capability to monitor and detect nuclear explosions by other countries and to maintain and improve our knowledge of foreign nuclear programs. In the past 4 years, in addition to the United States, the United Kingdom, the U.S.S.R., France, and Communist China have all conducted nuclear tests. A great deal of effort is required to keep informed of these tests as they might bear on the national security of our country. Our present Atomic Energy Detection System—AEDS—designed to detect and identify nuclear detonations, now represents a facilities investment of some $85 million. Commencing in fiscal year 1964, a $100 million program was initiated to increase the number of stations and modernize the equipment. About $58 million has been provided in the past 4 years for this effort and it is planned that about $16 million more will be spent for this purpose in fiscal year 1968.

The national research program for the development and systems design effort aimed at improving our ability to detect, identify, locate, and verify the occurrence of a nuclear explosion in all environments is called Project VELA. This project includes developments applicable to the Nuclear Test Ban Treaty and also additional results to increase the capability for detection, identification, location, and verification of underground nuclear explosions now legal under the treaty, but which would be barred if ever a total test ban is agreed to between all nations. The VELA program to detect nuclear tests in the atmosphere and in space is directed toward development of satellite-based instruments and systems. A broad variety of radiation detectors and associated electronics and logic circuitry has been developed and fabricated for incorporation into satellite payloads and placement into earth orbit. There have been four successful launches on four attempts: October 1963, July 1964, July 1965 using Atlas-Agena boosters, and the last in April 1967 using a Titan III–C booster, each resulting in the placement of two satellites in near circular earth orbits on opposite sides of the earth. This program, with its four successful launches in four attempts and long-lived payloads, is recognized in the field of space technology as a highly successful endeavor. All satellites, including those from the first launch, continue to operate and provide mission data.

A fifth launch is planned for 1968 using a Titan III–C booster to place two earth-oriented spacecraft into near circular orbits. The detectors to be used will be similar to those for Launch IV with a general upgrading together with additional capabilities for optical and electromagnetic-pulse systems and with an added diagnostic capability.

CONCLUSION

In summary, it is our belief that all of the four Nuclear Test Ban Treaty safeguards are being supported and implemented in a satisfactory manner. The programs have permitted us to detect and improve what might have been fatal shortcomings in our strategic missile systems, to develop the warheads for our forthcoming ABM systems, and to be kept aware of the developments in other countries.

The costs involved in the four safeguards are significant and are indicative of the sincerity of purpose of the United States in maintaining and protecting our national security. In fiscal year 1964 the costs were $706 million; in fiscal year 1965, $724 million; fiscal year 1966, $697 million; fiscal year 1967, $702 million; and in fiscal year 1968 are budgeted for $753 million.

The members and staffs of the Joint Committee on Atomic Energy and the Preparedness Investigating Subcommittee of the Committee on Armed Services will continue to follow the safeguards implementation, will make inquiry and conduct hearings on these matters, and will periodically, as I have done again today, make the appropriate reports to the Senate.

Mr. MOSS. Mr. President, I ask unanimous consent to proceed for 15 minutes.

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

Mr. MILLER. Mr. President, will the Senator yield to me for a minute or two, before he begins his speech?

Mr. MOSS. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I thank the Senator.

THE WORLD FOOD AND POPULATION PROBLEM

Mr. MILLER. Mr. President, on October 24, an outstanding address was delivered in Des Moines, Iowa, at the Governor's United Nations Youth Day meeting by Mrs. Frances Humphrey Howard, a career civil servant in our Agency for International Development.

Mrs. Howard is currently the chief of liaison to nongovernmental organizations and the special project branch in the Office of the War on Hunger, and her words were based on a rich background of experience in social, economic, and particularly food problems of the developing nations.

I was particularly pleased to note that she singled out the Food and Agricultural Organization of the United Nations for special emphasis and praise for its work, with our strong support, in helping to meet the deeply serious challenge of an expanding world population and the food production required to sustain it. She takes an optimistic view, as do I, that the challenge will be met.

I have said many times that FAO has the potential to lead the way in meeting this challenge. The potential can only be realized if all the members—and not

just a few of them, including the United States, remain united in a common goal and do not let any other considerations disrupt this unity. At the recently concluded biennial conference of FAO, which I had the privilege of attending as a congressional adviser to the American delegation, it was the cause of concern to many delegates that some members were tending to lose sight of the supreme goal—the one Mrs. Howard so ably describes.

I ask unanimous consent that her address be printed in the RECORD.

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

THE CRUCIAL FOOD/POPULATION WORLD PROBLEM

(Address by Mrs. Frances Humphrey Howard)

I am delighted to be here with you and participate in the Governor's United Nations Youth Day. I am happy to see the smiling faces of so many high school boys and girls, who, I understand, are outstanding in scholarship and conduct.

It is most appropriate indeed to hold such all-day youth meetings on the occasion of this auspicious 22nd Anniversary of the founding of the United Nations.

In celebrating this happy anniversary, we are reminding ourselves that the U.N. today represents the hope that the peoples of the world can live together in harmony, uniting their strength to maintain international peace and security and to promote economic and social advancement of all peoples.

The United States supports the United Nations because the U.N. Charter expresses our fundamental aims in this difficult world.

Fulfillment of the aims declared in the Charter will best advance the vital interests of the United States—peace founded on justice and freedom and economic and social progress for ourselves and for all peoples.

We must continue to maintain the vision to which the United Nations has always aspired. Only by so doing can we make the United Nations the instrument of the worldwide community of hope which its founders intended it to be.

Today, the United Nations and its related agencies are helping the governments of 150 countries and territories speed their own efforts to raise the living standards of their own people and to build sound self-sustaining economies.

The United Nations Development Program makes available to developing nations the combined knowledge, expertise and experience of all the U.N. specialized agencies. And through its day-to-day operations, this U.N. program advances the cause of international cooperation and strengthens the cohesiveness of the world community.

I note that the theme for this year's youth program is: "World Hunger and the Role of Youth in Alleviating It."

I understand, Mr. Pressly of the National 4–H Foundation will follow me on this rostrum with a discussion of rural youth efforts at home and abroad. I should therefore not attempt to "steal the thunder" from this very distinguished gentleman, even if I could.

If I may, I should like to discuss briefly with you the world food problem; the need for massive increase in fertilizer production; and our efforts in a world war on hunger.

The stark fact facing humanity is that the world is running out of food. We are producing people faster than we can feed them, just as the English economist Thomas Malthus predicted in 1789, that we would. Unless trends now gathering force are checked, the Malthusian nightmare will become a reality. According to an FAO report, in less than a decade, world food supplies must increase at least 34 percent over the present level in order to avert the threat of widespread famine.

Already the low-income countries have to import $4 billion worth of food each year simply to maintain nutritional standards that, in most cases, fall below the minimum necessary both for health and working efficiency.

The United States is, of course, one of the leaders in trying to find a solution to the problem. Congress has authorized the use of up to $7.5 billion over the next two years in launching a world war on hunger.

The funds voted by Congress will mobilize greater United States technology and resources by transferring American farming techniques and equipment to the developing countries; constructing fertilizer and pesticide chemical plants; establishing more extension services, and financing research for better and nutritious crops.

To emphasize the importance attached to this effort and to better coordinate its elements—food, family planning, nutrition, agricultural, technical and financial assistance—President Johnson seven months ago created a new central office in the Agency for International Development of the Department of State devoted to the War on Hunger. The office is headed by a very able government official, Herbert J. Waters.

Throughout the world, Americans are at work helping to build more self-sustaining agricultural economies in nations without them.

And this includes everything, from building rural schools, roads and clinics, to helping rid Africa of the tsetse fly, to developing new strains of wheat, to introducing basic conservation and fertilization techniques to peasants who have never known them before.

In India, for example, where food supply has been precarious, we are helping its Government to take hard, practical steps of self-assistance: To develop a price incentive program for food grains, a long-range soil and water conservation program, and agricultural research among other things.

A.I.D. projects are helping to irrigate more than a million acres in India, a half million acres in Pakistan, a hundred thousand or more each in Korea, Afghanistan, Ecuador, Morocco, and Tunisia.

Every year about 5,000 foreign technicians, scientists, teachers, and other agriculturally oriented people come to the United States for training—training particularly related to their own countries.

Even in war-torn South Vietnam, modern agricultural methods are being adopted. New crops have been introduced, as well as improved strains of traditional crops. The production of pigs has been going up and rice production is constantly increasing.

The primary credit for this achievement, of course, belongs to the Vietnamese peasants and their hard work and initiative. They learn quickly. But we have helped.

We have provided guidance on reorganization of Vietnamese agriculture, and are presently recruiting country extension agents to go to Vietnam to do the same work there.

We have taken initiative, too, toward development of the whole Mekong River Delta—development which would benefit many millions of people and several nations.

The technical skills of the more advanced countries will, of course, help produce more food. Our own agricultural history shows what can be done.

A century ago, one American farm worker met the food and fiber needs of himself and five others. Today, he provides for 37. One hour's farm labor today produces five times more than it did forty years ago.

What has been done in the United States, can be done in the developing countries.

The awakening peoples of the developing countries could make great progress by using better fertilizer and tillage methods through the control of pests and doing the self-help things progressing nations have to do.

Scientists are confident that it is technically possible to double and triple food production in the less developed countries through better seed varieties, careful irrigation, pesticides, and so forth.

But this involves a painstaking job of teaching modern technologies to illiterate peasants, wedded to centuries-old methods that are steeped in superstition and folklore.

Fertilizer would be the catalyst to send food production in the less developed countries spinning upward.

The experts tell us that the best fertilizers are mostly in the form of urea, ammonium sulphate, various nitrates and ammonium phosphates, or carefully worked-out "NPX" (nitrogen, phosphate and potash) combinations.

Farmers in the developed countries have grown accustomed to using them over the past 25 or more years. But such fertilizers are almost as precious as diamonds and as unknown as the instruments of an air-space vehicle to the peasants of Asia, the campesinos of Latin America and back-bush villagers of Africa.

What fertilizers can do was emphatically proved by widespread, controlled field tests and demonstrations with rice, beans, corn, wheat and other staples. In several hundred thousand individual demonstration plots, the Indian Government has shown substantial yield increases—in some cases of as much as 300 percent.

The fertilizer revolution aims at producing 73 million tons *more* of plant nutrients annually by 1980. In the opinion of one of the world's leading chemical economists, Dr. Raymond Ewell, "if Asia, Africa and Latin America are not using quantities of fertilizer approaching 30 million tons annually by 1980, they are almost certain to be engulfed in widespread famine."

The fertilizer revolution breaks down into three main campaigns. First, tactical—to ship immediate exports of fertilizer to the affluent countries. Second, strategic—to build new fertilizer plants. Third, educational—to show farmers in the less developed countries how to use the stuff.

As of mid-September 1966, there were approximately 800 plants in the free world producing basic fertilizer raw materials and fully 400 new plants either under construction or planned to go "on steam" by 1970. More than 100 of these will be in the less developed countries.

In this endeavor the United States industry is taking a bold lead. Dozens of American companies are involved, all of them engaged in a head-spinning variety of operations: setting up branches, forming local affiliates, participating in joint ventures with local private investors and/or governments; expanding already existing facilities or putting company by-products to new uses.

Research costing nearly $900 million last year and embracing nearly 50,000 projects made possible new progress in pest control, nutrition, greater yield from acreage, new foods.

We now have breakthroughs in creating new sources of food—food extracted from a combination of crude oil, bacteria, yeasts, nitrogen, phosphate, and water.

Now the new high lysine corn is not only an important source of protein in itself, but also promises an appreciable reduction in the cost of producing animal products. Pigs gain weight fifty percent faster on high lysine corn.

Science is now tapping every possible food resource the sea has to offer. Fin and shellfish will be cultivated and harvested and seaweed and algae will be converted into nutritious food substances.

The process of improving agricultural methods in the less developed countries will be slow and difficult but it is bound to take place. We are indeed entering a period of tremendous development in many foreign lands.

Needless to say, we do not, and cannot attempt to conquer hunger alone. Hunger is a world problem. It must be dealt with by the world. We are encouraging a truly international effort to combat hunger and modernize agriculture.

We are working to strengthen the Food and Agriculture Organization of the United Nations. The efforts of the multilateral lending organizations, and of the United Nations Development Program should be expanded—particularly in food and agriculture.

It is my understanding that we are prepared to increase our participation in regional as well as world-wide multilateral efforts, wherever they provide efficient technical assistance and make real contributions to increasing the food-growing capacities of the developing nations.

For example, as part of our cooperation with FAO during the 1966 International Rice Year, we made a greatly increased effort to help effect improvements in rice yields in the rice-eating less developed countries.

My heart and mind are full of admiration for the men and women of the Food and Agriculture Organization of the United Nations.

They certainly deserve the gratitude of the entire world for their efforts in agricultural productivity, including crop improvement; water utilization; animal health and husbandry; forestry; fishery; land reclamation; agricultural economics; food processing; and marketing and training.

Through its Freedom From Hunger, FAO is mobilizing tens of millions of people in citizen programs to support agricultural development.

FAO Agricultural projects are now under way in some 104 countries.

FAO programs, in cooperation with the governments of 66 countries in Africa, the Americas, Asia and the Middle East are now combating the crop-decimating desert locust; they help wipe out the rhinoceros beetle which heavily damages vital palm forests throughout the Southwest Pacific; and they test radio-isotope disinfestation methods for eradicating the fruit fly from the Central American area.

A major research and training center for preserving vital rice harvests has been set up in Thailand with FAO assistance.

The goal is to reduce losses in the northern and central regions, where often up to 80 percent of the crop is devoured by insects, rodents and birds. In some test areas, pesticide and fertilizer demonstrations have brought a four-fold increase in rice yields.

Argentine, with FAO assistance, has carried out a five-year study of nutritional diseases and deficiencies in livestock. Research has developed improved pasturage, and breeding methods which could raise meat and wool production four to five times above present levels.

The productivity of Colombia's Llanos Orientales—a vast territory constituting more than half the entire country—may be greatly increased as the result of a comprehensive four-year study carried out by the Government with FAO support.

Surveys of sub-surface areas totalling 150,000 square miles in 19 countries reveal enormous untapped groundwater resources that could readily be brought into productive use.

Test construction of shallow vertical wells on the coast of Israel indicates the feasibility of saving as much as 100 million cubic meters of fresh groundwater a year from seeping into the sea. FAO has assisted in the research, and the Israeli Government is now investing $10 million in an extensive well-construction program.

With FAO help, four underground reservoirs have been located in northeastern Syria with a capacity sufficient for irrigating over a quarter of a million acres of presently arid land.

And so on . . . and on.

Thus, for twenty years FAO has been successfully implementing the U.N. Charter mandate "to employ international machinery for the promotion of economic and social advancement of peoples."

What other weapons can we muster in the War on Hunger? We have the "conventional" weapons, of course, the food products of our own and other advanced agricultural nations.

The new Food-for-Freedom program will increase food aid shipments to fill the food gap while local output is being increased. With these food products we can buy time and prevent the threat of famine while modern agricultural techniques are being exported to developing countries.

Part of the currency generated under food sales is reinvested in country agricultural development and food processing industries. The food supplied in many cases is used as wages in rural development programs.

As for the problem of population control, we trust that common sense will prevail and the world will finally find it possible to cope with the human tidal wave which has been washing away the benefits of million of man-years of effort and billions of dollars in foreign aid.

I am an optimist. If man can envison journeys to other planets, he can most assuredly devise ways for preventing men from starving on earth.

I am confident that at the turn of the century, population will have found its level, and food production, aided by new technologies may prove adequate, *if we act now with drastic urgency.*

Collectively and individually we must continue to strive to free the human spirit from want and hunger.

I thank you. You have been a wonderful audience.

MARIHUANA

Mr. MOSS. Mr. President, several weeks ago Dr. James L. Goddard, Chief of the Food and Drug Administration, got into—and then out of—a rather painful predicament because he was reported by the press as saying flatly that the use of marihuana was not as harmful as the use of either tobacco or alcohol, and that he would rather see his own daughter use marihuana than smoke cigarettes or drink cocktails.

It has since become evident that Dr. Goddard was misquoted. The United Press International has admitted it erred in attributing to him unqualified statements which were in fact considerably qualified. Dr. Goddard has testified before two House committees, and has satisfactorily clarified his position.

We are all relieved that this distinguished citizen and most valuable public servant has been exonerated of saying anything which might encourage any American, and particularly our young people, to use marihuana.

In clarifying his stand, Dr. Goddard made no attempt to equate the risks of using marihuana with the risks of using any other drug or product. He simply stated:

I did not, and I do not, condone the use of marihuana. I did not, and I do not, advocate the abolition of controls over marihuana. I did not, and I do not, propose legalizing the drug.

Dr. Goddard did not make any comparisons on marihuana because actually we do not know where it stands in the list of risky products which may be harmful or dangerous to the person who uses them. We do not know, because our research has not been deep enough or extensive enough to give the information on which to base any sound determination. But the phrase "so far as we know, marihuana is probably safer than the use of alcohol or tobacco" appears regularly and is spoken by someone in authority. It was used only last week by Dr. William Barton, a Washington psychiatrist.

Dr. Barton went a step further and said he would favor legalizing marihuana because this would make it less attractive to the Nation's youth, since they would no longer be rebelling by smoking it.

It seems to me we don't want to legalize marihuana—or to do anything else about it, until we know more about it.

The best information we have now is that marihuana is a hallucinogen and maybe a euphoric. And we know furthermore that, whatever it is, there has been an explosion in its use among our young people in the past few years. More and more of them are experimenting with it and some of them are using it regularly.

I am frankly alarmed by the figures I see on the growth of use of marihuana. The most revealing figures come from California, because of its new drug abuse control amendments. The State reported that adult drug arrests under this new law totalled 28,319 in 1966, an increase of 32.1 percent over 1965. Marihuana accounted for nearly half of the arrests which were made. Some of this rise may be due to the new power given State law enforcement officers, and to better recordkeeping, but regardless of how the figures were compiled, they should give us pause.

Among juveniles, the rise was even more dramatic. Drug arrests in general increased 87 percent between 1965 and 1966, but the number of juveniles arrested for marihuana increased 140 percent. Marihuana arrests, combined with some 898 dangerous drug arrests, accounted for 95 percent of all juvenile drug arrests in California during 1966.

Since there is a long history of the use of marihuana throughout the world, encyclopedias and textbooks tell us something about its known physical and mental effects. We know, for example, that effects vary from smoker to smoker, and that they are also governed somewhat by the amount of marihuana used and the conditions under which it is smoked or taken. We know also that the most common reaction to marihuana is a dreamlike or buoyant state in which unrelated ideas flow freely through a person's mind, with little or no control. We know that perception is disturbed, and that minutes may seem like hours or may seem like seconds. We have learned also that if heavy doses of marihuana are used, hallucinations can result, and they can be so serious as to make a person panic in fear.

KUTV, the NBC–TV in Salt Lake City, and one of our most progressive TV stations, recently did an hour-long color documentary on the problem of today's young people and the use of narcotics.

According to Art Kent, their news manager, the script they pulled together for the show shook all of those who participated.

KUTV drew its conclusions from material supplied by the narcotics squad of the Los Angeles Police Department. Their findings fell into four areas:

First, marihuana causes a significant loss of depth perception because of the extreme dilation of the pupils of the eyes. This has an obvious effect on someone attempting to drive a vehicle.

Secondly, marihuana causes a loss of inhibitions, but not in the same way as alcohol. Mr. Kent quotes as an example the fact that four martinis will give you a "plus-four" loss of inhibitions as opposed to a "plus-ten" loss from two inhalations of a marihuana cigarette. This makes the user highly suggestible.

Third, there is a loss of space-time relationship.

Fourth, the use of marihuana develops an incipient phychosis inherent in the user.

These conclusions are indeed frightening, and they are based on use statistics which give them considerable credence. But they are not as conclusive or incontrovertible as they should be, because they are limited and represent only one area of the country.

The Federal Government has completed, or has underway, several small basic research projects on marihuana. The work is being done by the National Institute of Mental Health. One survey now being conducted will determine the extent to which marihuana is being used in the United States today. This will give us badly needed information.

Under a grant from the Institute, a medical doctor in Athens, Greece, is working on a project to grow carbon 14 radioactive marihuana. When completed this will make it possible to trace the distribution of marihuana through the body and the brain.

Studies have been completed on synthesizing the principal active components of marihuana, and the information available has enabled scientists to study the pharmacology of marihuana because it is now possible to control the dose given to animal and human subjects. Some work based on what marihuana does to body tissue or metabolism, or to neuromuscular response, along with its psychological reaction is being conducted at the University of Kentucky and at the Research Addiction Center at Lexington, Ky., both under the Institute of Mental Health.

But these are minimal projects. Two main avenues of research should be pursued:

First. We need to make extensive studies of the state of chronic users of marihuana, so we can determine the extent to which such use produces lingering psychological or biological hazards.

Second. We need to update, with modern methods, studies of the use and of users of marihuana in countries where the use is endemic, such as in the Middle East and India. We have no such long-use patterns among large groups of people in this country, and research in a country where marihuana has been used for centuries would give us the type of information we want fully and currently. We do not believe at this time, for example, that the use of marihuana is habit forming. But there may be varying degrees of psychic dependence on it. This we should know, and know in detail.

At the present time the Institute of Mental Health has a drug research budget of about $400,000. Officials have estimated they could put to good use about $4½ million. In other words, we are starving our drug research at a time when the growth rate in marihuana—and in even more serious drugs like LSD—has been so rapid that no one in government, in medicine, or in the legal profession has been able to counter it effectively.

Mr. President, I feel we must begin immediately here in the United States to find out about the composition and effects of marihuana, and to determine what is the best way to handle what is obviously a serious national problem.

It is foolish to try to make a case that marihuana is more harmful or less harmful than tobacco or alcohol—we really do not know. And if it is even in the same danger category as either, we should find out and start letting our people, and particularly our young people, know. Surely overindulgence in alcohol and heavy smoking of cigarettes have caused all too much trouble and heartbreak and illness and death in the world.

It is foolish to talk about legalizing marihuana—whatever may be the reason for so doing—until we know exactly what type of drug we are dealing with. I know that the hippies in England are all convinced that "pot" is safe and pleasant, and are campaigning to make its sale legal, but I want more evidence than their opinion.

I shall do what I can to see that an adequate budget for basic research on marihuana, and on other dangerous drugs as well, is provided in the fiscal year 1969, and I will welcome the assistance of any of my colleagues who wish to join me in this endeavor.

ROAD TO REVOLUTION

Mr. LAUSCHE. Mr. President, for some time I have had on my desk a newspaper review of a book written by Phillip Abbott Luce. This book contains 165 pages and sells at a cost of $1.

Phillip Abbott Luce occupied a position at the very top echelon of the Communist operators within our country. He was fully informed of all the activities of those individuals within our midst who have a greater love for communism than they have for the freedom of the people of United States. The newspaper review states:

> Already called the "Whittaker Chambers" of this generation, Phillip Abbott Luce has chosen an appropriate time for the publication of his second book, "Road to Revolution."
>
> In the midst of 1967's "long, hot summer," Luce has provided us with a first-hand report of the perspective in which such events are held by Communists, to whom they are "rebellion" and not riots.

In other words, the Communists are fomenting a rebellion, not riots, and what is happening within the United States is called rebellion by the Communists.

> Beyond this, his (Luce's) message is an alarming one. It describes in great detail, and with thorough documentation, the plans for guerrilla warfare in the streets of our cities already devised by domestic radicals.

The ultraliberals within our country are constantly declaring that the fears expressed by some concerning the activities of the Communists and the enemies of our country are unfounded. Phillip Luce, in my opinion, has occupied a conspicuous position, enabling him to tell the true story better than any other man within the country—except Mr. Hall, the head of the Communists—in "The Road to Revolution" and in a previous book "The New Left" he has written.

The PRESIDING OFFICER (Mr. Moss in the chair). The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Ohio be permitted to proceed for 10 additional minutes.

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

Mr. LAUSCHE. Philip Luce is 29 years of age and is a former leader of the New Left. He has been the organizer of two student trips to Cuba, in 1963 and 1964. He has been an officer of the Progressive Labor Party and an editor of its monthly magazine. The Progressive Labor Party, until Luce's defection in January 1965, was one of the favorite organizations of Mr. Luce.

Mr. Luce has written about his experiences in his first book, "The New Left." I read Mr. Luce's first book. I marginalized it completely and underscored it, and I advise any citizen who desires to learn truly the facts concerning Communist activities in the United States to read "The New Left."

Mr. Luce abandoned his position as a promoter of guerrilla warfare and revolution in the United States. For that reason, he has been called the modern Whitaker Chambers. The question might be asked, why did Philip Luce, this 29-year-old intellectual, abandon the Communists? The answer is that, as the leader of guerrilla warfare, riots, and demonstrations, he saw what was happening. He saw young college students unknowingly participate in demonstrations when Communists and enemies of the United States were pulling the strings. In "The New Left" he clearly points out how this group of innocent students in our universities were demonstrating in riots without knowing that they were mere puppets of the activities of the Communists and the enemies of our country who were precipitating the demonstrations.

In "The New Left" he indicated that one of the major reasons for his disillusionment with Communists came about when he found himself involved in a series of plans in which the participants had no idea of what they were doing.

I now quote what Luce said:

> I left when it became obvious that the individual lives of the members of the Progressive Labor Party, let alone society, meant less than an abstract Communist catechism . . .

In "The Road to Revolution" Mr. Luce points out that the Progressive Labor Party, the pro-Communist Chinese offshoot of the U.S. Communist Party, passed a resolution in its 1965 national convention stating that "black liberation" was the path for the coming guerrilla war in the United States. He states that the convention declared:

The key to revolution in the United States lies within the interlocking interests in the black liberation movement and the working class struggle for socialism.

Just before the Harlem riots of 1964, William Epton, vice chairman of the Progressive Labor Party, said to an open-air rally:

We will not be fully free until we smash this state completely and totally . . . in the process . . . we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go against the army.

The book review then states that Epton was later tried and found guilty of criminal anarchy.

At this point, I wonder what happened to Epton after the Supreme Court disposed of his case. I do not know.

Luce states: "While I was an officer of PL, I learned of a number of projects in which people were being prepared for a future guerrilla operation. Not only did we store guns in New York City, but target practice was held on Long Island prior to the Harlem riots. I was personally asked to find a hiding place suitable for target practice."

Yet, Mr. President, on the floor of the Senate, in public forums, and in magazines and newspapers the statements are made that all that is said about the menace of communism to the freedom of the people of the United States is meaningless.

Another of the organizations planning such violent activity is the Revolutionary Action Movement, known as RAM. Max Stanford, leader of the group, said that "the black revolution will use sabotage in the cities—knocking out the electrical power first, then transportation and guerrilla warfare in the countryside of the South. With the cities powerless, the oppressor will be helpless."

Luce points to a third organization which, he says, is rapidly becoming a part of this guerrilla movement—the Student Nonviolent Coordinating Committee, no longer either nonviolent or dominated by students. He reports an August 29, 1966 SNCC fund-raising dinner in Harlem that featured an interesting trio of speakers—Stokely Carmichael, then chairman, along with Max Stanford of RAM and William Epton of PL. Carmichael said that in "Cleveland they're building stores with no windows."

I do not think that is happening, but it is significant that Carmichael is of the conviction that that is what will have to come about in the United States.

I continue to quote what Mr. Carmichael said:

All brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite. He added: They say we're stupid and don't do anybody any good and we deserve to be called that, because if we had any sense we'd have bombed these ghettos long ago.

Mr. President, in the face of all these things, still it is said by some that we have nothing to fear.

Luce makes it clear that most Negro leaders have condemned the concept of "black power," and the exhortation to violence. As a result, they are as much the targets of violence as the white community. Only recently members of RAM, including Max Stanford, were arrested in an assassination plot. The targets: Roy Wilkins of the NAACP and Whitney Young of the Urban League.

I wish to emphasize this and I am glad that the Senator from West Virginia is in the Chamber because I know he has sympathy for what I am saying:

Phil Luce repeatedly stresses that Communists do not begin trouble but take advantage of it, incite it, and exploit it.

Secretary Rusk spoke at Indiana State University. One hundred students perpetrated a most shameful exhibition of what American character is really not.

I shall continue to read the article:

He understands, as some seem not to, that there are real grievances in the ghettos, lack of jobs, poor housing, inadequate recreation facilities. Yet others tend to minimize the influence of these radical organizations and their very real plans for revolution on our city streets.

Mr. President, why did I rise to discuss this book review of several months ago? Mr. President, the cause of my rising to speak on this subject is that as a citizen of the United States, loving everything that is connected with it, I cannot help but feel sick when I listen to some of my colleagues on the floor of the Senate stating that we have nothing to fear and that nothing is wrong in the United States.

To the citizenry of Ohio, desirous of getting a true picture of what the enemies of our country are doing within our country, I recommend that they read the book "Road to Revolution" and also the other book, entitled "The New Left," written by Phillip Abbott Luce, a man who, because of remorse, told the inside story of what is happening in our country.

I thank the Senator from West Virginia for yielding the time to make these statements.

Mr. President, I ask unanimous consent to have printed in the RECORD the book review of "Road to Revolution," to which I have referred.

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

NEW "WHITTAKER CHAMBERS"?

(Road to Revolution. By Phillip Abbott Luce. Viewpoint Books. 165 pages. Paperback, $1)

Already called the "Whittaker Chambers" of his generation, Phillip Abbott Luce has chosen an appropriate time for the publication of his second book, "Road to Revolution."

In the midst of 1967's "long hot summer," Luce has provided us with a first-hand report of the perspective in which such events are held by Communists, to whom they are "rebellions," and not riots. Beyond this, his message is an alarming one. It describes in great detail, and with thorough documentation, the plans for guerrilla warfare in the streets of our cities already devised by domestic radicals.

Phil Luce at 29 is a former leader of the "New Left," organizer of two student trips to Cuba in 1963 and 1964, an officer of the Progressive Labor Party and editor of its monthly magazine, Progressive Labor, until his defection in January, 1965. He has written about his experiences in his first book, "The New Left," and one of the major reasons for his disillusionment with communism came when he found himself "involved in a series of plans in which the participants had no idea of the consequences . . . I left when it became obvious that the individual lives of the members of PL, let alone society, meant less than an abstract Communist catechism as envisioned by the 'gurus' of the movement." According to Luce his defection ranks him "somewhere near President Johnson and J. Edgar Hoover" as the "most maligned enemy" of PL.

STORED GUNS

Progressive Labor, the pro-Communist Chinese offshoot of the United States Communist Party, passed a resolution at its 1965 national convention stating that "black liberation" was the path for the coming guerrilla war in the United States. "The key to revolution in the United States," the convention declared, "lies within the interlocking interests in the black liberation movement and the working class struggle for socialism."

Just before the Harlem riots of 1964, William Epton, vice chairman of PL, said this to an open air rally: "We will not be fully free until we smash this state completely and totally . . . in the process . . . we're going to have to kill a lot of these cops, a lot of these judges, and we'll have to go against the army." Epton was later tried and found guilty of criminal anarchy.

Luce states: "While I was an officer of PL, I learned of a number of projects in which people were being prepared for a future guerrilla operation. Not only did we store guns in New York City, but target practice was held on Long Island prior to the Harlem riots. I was personally asked to find a hiding place suitable for target practice."

Another of the organizations planning such violent activity is the Revolutionary Action Movement, known as RAM. Max Stanford, leader of the group, said that "the black revolution will use sabotage in the cities—knocking out the electrical power first, then transportation and guerrilla warfare in the countryside of the South. With the cities powerless, the oppressor will be helpless."

VIOLENCE PLANNED

Luce points to a third organization which, he says, is rapidly becoming a part of this guerrilla movement—the Student Nonviolent Coordinating Committee, no longer, either nonviolent or dominated by students. He reports an August 29, 1966 SNCC fund-raising dinner in Harlem that featured an interesting trio of speakers—Stokely Carmichael, then chairman, along with Max Stanford of RAM and William Epton of PL. Carmichael said that in "Cleveland they're building stores with no windows. All brick. I don't know what they think they'll accomplish. It just means we have to move from Molotov cocktails to dynamite." He added: "They say we're stupid and don't do anybody any good and we deserve to be called that, because if we had any sense we'd have bombed these ghettos long ago."

Luce makes it clear that most Negro leaders have condemned the concept of "black power," and the exhortation to violence. As a result, they are as much the targets of violence as the white community. Only recently members of RAM, including Max Stanford, were arrested in an assassination plot. The targets: Roy Wilkins of the NAACP and Whitney Young of the Urban League.

Phil Luce repeatedly stresses that Communists do not begin trouble but take advantage of it, incite it, and exploit it. He understands, as some seem not to, that there are real grievances in the ghettos, lack of jobs, poor housing, inadequate recreation facilities. Yet others tend to minimize the influence of these radical organizations and their very real plans for revolution on our city streets.

In a balanced and provocative volume, he does not blame all evil on "outside agitators."

Yet the public should understand the plans which Communists have for our cities. Phase one, as recent violence indicates, has already occurred. Armed with Luce's warning and our own awareness of the problems which must be solved, we may yet be able to avoid phase two.

—ALLAN C. BROWNFELD.

ESTABLISHMENT OF THE NATIONAL PARK FOUNDATION

Mr. BIBLE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 814.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 814) to establish the National Park Foundation, which was, to strike out all after the enacting clause and insert:

That in order to encourage private gifts of real and personal property or any income therefrom or other interest therein for the benefit of, or in connection with, the National Park Service, its activities, or its services, and thereby to further the conservation of natural, scenic, historic, scientific, educational, inspirational, or recreational resources for future generations of Americans, there is hereby established a charitable and nonprofit corporation to be known as the National Park Foundation to accept and administer such gifts.

SEC. 2. The National Park Foundation shall consist of a Board having as members the Secretary of the Interior, the Director of the National Park Service, ex officio, and no less than six private citizens of the United States appointed by the Secretary of the Interior whose initial terms shall be staggered to assure continuity of administration. Thereafter, the term shall be six years, unless a successor is chosen to fill a vacancy occurring prior to the expiration of the term for which his predecessor was chosen, in which event the successor shall be chosen only for the remainder of that term. The Secretary of the Interior shall be the Chairman of the Board and the Director of the National Park Service shall be the Secretary of the Board. Membership on the Board shall not be deemed to be an office within the meaning of the statutes of the United States. A majority of the members of the Board serving at any one time shall constitute a quorum for the transaction of business, and the Foundation shall have an official seal, which shall be judicially noticed. The Board shall meet at the call of the Chairman and there shall be at least one meeting each year.

No compensation shall be paid to the members of the Board for their services as members, but they shall be reimbursed for actual and necessary traveling and subsistence expenses incurred by them in the performance of their duties as such members out of National Park Foundation funds available to the Board for such purposes. The Foundation shall succeed to all right, title, and interest of the National Park Trust Fund Board established in any property or funds, including the National Park Trust Fund, subject to the terms and conditions thereof. The National Park Trust Fund is hereby abolished, and the Act of July 10, 1935 (49 Stat. 477; 16 U.S.C. 19 et seq.), as amended, is hereby repealed.

SEC. 3. The Foundation is authorized to accept, receive, solicit, hold, administer, and use any gifts, devises, or bequests, either absolutely or in trust of real or personal property or any income therefrom or other interest therein for the benefit of or in connection with, the National Park Service, its activities, or its services: *Provided*, That the Foundation may not accept any such gift, devise, or bequest which entails any expenditure other than from the resources of the Foundation. An interest in the real property includes, among other things, easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational, inspirational, or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the National Park Service, its activities, or its services.

SEC. 4. Except as otherwise required by the instrument of transfer, the Foundation may sell, lease, invest, reinvest, retain, or otherwise dispose of or deal with any property or income thereof as the Board may from time to time determine. The Foundation shall not engage in any business, nor shall the Foundation make any investment that may not lawfully be made by a trust company in the District of Columbia, except that the Foundation may make any investment authorized by the instrument of transfer, and may retain any property accepted by the Foundation. The Foundation may utilize the services and facilities of the Department of the Interior and the Department of Justice, and such services and facilities may be made available on request to the extent practicable without reimbursement therefor.

SEC. 5. The Foundation shall have perpetual succession, with all the usual powers and obligations of a corporation acting as a trustee, including the power to sue and to be sued in its own name, but the members of the Board shall not be personally liable, except for malfeasance.

SEC. 6. The Foundation shall have the power to enter into contracts, to execute instruments, and generally to do any and all lawful acts necessary or appropriate to its purposes.

SEC. 7. In carrying out the provisions of this Act, the Board may adopt bylaws, rules, and regulations necessary for the administration of its functions and contract for any necessary services.

SEC. 8. The Foundation and any income or property received or owned by it, and all transactions relating to such income or property, shall be exempt from all Federal, State, and local taxation with respect thereto. The Foundation may, however, in the discretion of its directors, contribute toward the costs of local government in amounts not in excess of those which it would be obligated to pay such government if it were not exempt from taxation by virtue of the foregoing or by virtue of its being a charitable and nonprofit corporation and may agree so to contribute with respect to property transferred to it and the income derived therefrom if such agreement is a condition of the transfer. Contributions, gifts, and other transfers made to or for the use of the Foundation shall be regarded as contributions, gifts, or transfers to or for the use of the United States.

SEC. 9. The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation.

SEC. 10. The Foundation shall, as soon as practicable after the end of each fiscal year, transmit to Congress an annual report of its proceedings and activities, including a full and complete statement of its receipts, expenditures, and investments.

Mr. BIBLE. Mr. President, I should like to make a brief explanation of the House action on H.R. 10835 which was the companion measure to the bill now before the Senate.

The House made several amendments, most of them minor, but I think there is one that does need additional explanation.

Section 8 of H.R. 10835 as passed by the House authorizes the Foundation to contribute toward the costs of local government. The authorization is limited, however, as follows: First, such contribution is entirely in the discretion of the directors; second, the contribution may not exceed the amount of taxes that would ordinarily be due to the local governments; and, third, an agreement to make such contributions may only be made if such agreement is a condition of the transfer by which the Foundation acquired the property.

In effect, what section 8 does is to permit the foundation to assist in the carrying out of local governmental services by contract, in a manner similar to the way the National Park Service may now furnish, by contract, fire protection and other services to local governments—see 16 U.S.C. 1b—and it enables the foundation to comply with a specific provision of a gift requiring that contributions to local government be made. The foundation could not otherwise accept such a gift. The record of the hearing before the House Subcommittee on National Parks and Recreation is clear that the intention of the language is to permit the foundation, in its discretion, to comply with appropriate and reasonable wishes of a donor.

The contributions, therefore, cannot be equated with proposals to authorize Federal payments to local governments in lieu of taxes lost as a result of the acquisition of property for park purposes. This was recognized by the House Committee on Interior and Insular Affairs in its report on the bill, wherein the committee stated on page 4:

> The exercise of this authority to make contributions is discretionary with the Directors of the Foundation and involves no obligation or liability on the part of the United States.

Additionally, Mr. President, I have discussed some phases of the bill with the very distinguished Senator from West Virginia [Mr. BYRD]. I believe he has some questions which have been suggested to him by some of his constituents, and I would therefore be very happy to try to respond to those questions.

Mr. BYRD of West Virginia. I thank the Senator from Nevada. Some of my constituents have raised a question about the pending bill which has been sponsored by the Senator from Nevada. They have also addressed questions to my senior colleague [Mr. RANDOLPH]. He and I have discussed the bill, and I have assured him that in the event he was absent from the Senate on official business at the time this matter came up, I would address a question to the Senator from Nevada [Mr. BIBLE], on behalf of myself and my senior colleague [Mr. RANDOLPH].

The question merely boils down to this—and I think the Senator from Nevada can clarify it to my satisfaction, to the satisfaction of my colleague [Mr. RANDOLPH], and also to the satisfaction of my constituents—would the Senator explain whether the bill establishing the National Park Foundation would authorize that Foundation to make a purchase of lands by condemning those lands?

Some of my constituents are fearful that this would occur.

Having discussed this with the Senator from Nevada, I am constrained to believe that my constituents may be laboring under a misunderstanding; but I think it is well, from the floor of the Senate, to have a clarification of that point, which would clearly show the legislative intent back of the legislation.

Thus, I ask the Senator from Nevada: Does the bill establishing the National Park Foundation authorize the Foundation to go out and purchase lands by condemning those lands?

Mr. BIBLE. I would say to the Senator from Virginia that I think the unequivocal answer to his question is "No."

The National Park Foundation cannot go out and purchase lands by condemning them. There is no power of condemnation built into the statute that sets up the National Park Foundation. It is a quasi-Government foundation. It is empowered to receive donations of money, property, securities, and other items of value. The foundation may then use the interest income, or the proceeds from the properties or investments, to purchase lands within the boundaries of existing units of the National Park System. That becomes particularly important because of the great number of inholdings we have in many of our national parks.

Secondarily, they can purchase areas which may be under serious consideration for additions to the National Park System.

This is going to be, we hope, a useful tool in land acquisition, because of the great difficulties we have in acquiring land, once a park is created or where we are planning on putting in a park, because of the problems of escalation.

The foundation cannot force any landowner to sell to it. It is strictly a willing seller-buyer relationship. The foundation will not have authorization from Congress granting it authority to execute the power of eminent domain.

Now one of the bills, and of course it is primarily in the bill now before us, S. 814, as amended by the House action, contains such authority. Some of the concern of the constituents of both Senators from West Virginia may have been raised because of the language which permits the foundation to sue or to be sued. But they then added the corollary provision that they simply use the office of the Department of Justice. The Department of Justice, as the Senator from West Virginia knows, of course, is the attorney for all agencies of the executive branch. The Department of Justice would undoubtedly so act for the foundation on any legal matters it might have; but certainly there is no intention, there is no specific direction, and there is no authorization for eminent domain.

I think that the legislative history and the language of the bill itself will make very clear that no power of condemnation is granted to the foundation.

Mr. BYRD of West Virginia. I thank the Senator from Nevada. He has very clearly explained the intent of the bill insofar as the point I have raised is concerned.

There should be no doubt in the mind of any individual, after reading the legislative history which has been established, as to that intent. I believe that the explanation given by the Senator from Nevada allays the concern on my part, on the part of my colleague [Mr. RANDOLPH], and I hope also on the part of my constituents. There is no hidden authority involving condemnation powers or forced sales by landowners conveyed to the National Park Foundation, as I now understand it. I want to thank the Senator from Nevada. I am confident that his explanation clarifies the legislative intent in this regard.

Mr. BIBLE. Mr. President, I appreciate this colloquy, because it makes abundantly clear that if there is any fuzziness in the language of the statute, certainly there is no hidden authority for eminent domain. It simply is not there.

I now yield to the senior Senator from West Virginia.

Mr. RANDOLPH. Mr. President, it is gratifying to have this analysis by the Senator from Nevada concerning the possibility of condemnation powers or forced sales by landowners under this legislation to establish a National Park Foundation. I thank the Senator for his patience and cooperation in answering the question in detail. My colleague from West Virginia [Mr. BYRD] and I have discussed this matter in detail. We were aware of the concerns expressed by many of our constituents. The explanation by the Senator from Nevada certainly clarifies the fact that the National Park Foundation is not being authorized condemnation powers or powers to force sales of land.

Mr. BIBLE. Mr. President, I move that the Senate concur in the amendment of the House to Senate bill 814.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

"STOP THE WORLD—I WANT TO GET ON"

Mr. ERVIN. Mr. President, recently there came to my attention a very interesting and provocative speech entitled "Stop the World—I Want To Get On," which was delivered by the Honorable Donald G. Agger, Assistant Secretary for International Affairs and Special Programs, U.S. Department of Transportation, at Lewis and Clark College in Portland, Oreg. It occurs to me that Members of Congress may be as interested as the college students to whom this was addressed in answering for themselves some of the questions which Mr. Agger has posed.

Mr. President, I ask unanimous consent to have Mr. Agger's remarks printed in the RECORD at this point.

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

STOP THE WORLD—I WANT TO GET ON

(Remarks by Donald G. Agger, Assistant Secretary for International Affairs and Special Programs, at a convocation of Lewis and Clark College, Portland, Oreg., October 27)

I'm pleased with my topic today: "Stop the World—I Want To Get On." I don't know what it means exactly, except that I'm optimistic about young people and what they're going to do for this world. Of course, we in the Department of Transportation could never admit to any thoughts about stopping the world. But there are some of us who are eager to pause for just a moment—long enough to let you aboard.

In Washington a few weeks ago the American Institute of Planners sponsored a conference on the subject "The Next Fifty Years, the Future Environment of a Democracy." The meeting included several searching discussions, and I think it's a good thing the meeting was held in Washington. We bureaucrats are confronted by philosophers far too infrequently.

One of the papers presented at the conference was written by Carl Oglesby and was entitled "The Young Rebels." Oglesby set the stage for his discussion with this opening sentence: "The post-war generations are leading an attack on the moral confidence of an America whose materialism had seemed boundless and unshakeable." What he means is that young people—you people—are challenging the standards which we older people have devised—or more likely, which we simply accepted.

It may be a serious challenge. It is at least a curious one, I think. In the demonstrations and the eccentricities of young people today, I see traces of nihilism. But it is a nihilism with a strong moral quality—a nihilism in which Christ is a hero. Forgive us old-fashioned fuddy-duddies if we have difficulty understanding you.

Forgive us also, please, if we decide sometimes to simply ignore you. It may be because in truth, we are more disturbed by the idealism of young people than by their delinquency.

From reading newspapers and trying to understand the lyrics of the rock music I hear on the radio, I would assume that the attack on the nation's moral confidence goes at least somewhat beyond J. D. Salinger's Holden Caulfield. I, for one, wonder precisely what's happening in young America. That suggests that instead of talking to you this morning, I should be listening to what you might have to say to me.

Mr. Oglesby, in his paper on "The Young Rebels," contrasted your situation with that of your fathers and mothers. A man in his forties today was born during the 1920's. He was 10 years old when the Depression hit bottom. His future was uncertain. And when the Depression was over, he saw war and conflict threatening to destroy Europe and the Far East.

In contrast, let me quote Mr. Oglesby on the predicament of today's young person:

"He is the first heir of the American dream come really and finally true. A product of generations whose lives were taken by an extreme social insecurity and a labor of the grandest historical moment, he may seem by comparison to be, in one word, useless. He has everything the country can offer.

"He knows how to be educated and how to hold a professional job, how much money he will earn, what kind of house and neighborhood he can expect to live in. He will never be hungry or disgraced. What new toys his high-flying technological culture is about to invent, he will possess; they will have been invented for him.

"Certain tables of social statistics even allow him to predict with impressive accuracy how long he will live, when he will suffer from his first ulcer or heart attack, and when his wife will be unfaithful to him for the first time.

"If the parent generation was the one which knew nearly nothing about its future, his is the one which knows nearly everything. Nothing moves in his scientifically preconditioned air. Everything lies still for him and invites him to have fun, and be a good consumer.

"In brief, his situation is desperate. He will produce the highest suicide rate the West has seen."

Is that, then, your destiny? To produce the most impressive suicide rate? I cannot say with any certainty that it isn't your destiny. I can say that lying about here and there within our society are some pretty big problems whose solutions just might be worth living for and working toward.

When I was a senior in law school, I thought a lot about what I wanted to do for a living; and without much difficulty, I ranked according to their status the jobs that might be open to me.

At the top of my list was teaching, or at least academic research. That seemed an extremely noble undertaking. Number Two was government service in an important, front-page area—say in the State Department. Third was government service of a more pedestrian nature.

Fourth was a job in a Washington law firm—a "policy-oriented firm," as we lawyers like to say. Fifth was a Wall Street law firm. Sixth was to be counsel to a corporation. And seventh—at the lowest point on my schedule of status job opportunities—was working for a corporation in a non-legal job. It just didn't seem a very noble thing to do.

And what do I think today—17 years later? Well, I could say I've turned the list upside down. But that wouldn't be true. I've simply torn it up. I've decided that for the individual—from the point of view of the man doing the job—there is no moral superiority in any of the so-called "nobler" professions.

I've been in and out of government, and in and out of business, and I've even done a little teaching. And today, being a public servant, I'm excited about public service. But that doesn't mean that as a category, I think it's superior to anything. As a matter of fact, it's my view that one has to serve in government—perhaps any government—to know how unacceptable is the idea of extending the authority of government.

There are businessmen and bureaucrats with a sense of duty and a sense of workmanship, just as there are teachers and preachers with those attitudes. And may their tribe increase. But I can also report that the demands of tenure and sluggishness and—forgive me—the demands of campus politics can be just as bad in government as they can be in the world of business. Having said that, perhaps I should fly to New York tonight and start looking for that job in a Wall Street law firm.

This was supposed to have been a sort of United Nations Day speech; but as you can see, it isn't turning out quite that way. I thought for a long time what I might be able to say to you about the UN.

Describe its organization? You may well know as much about that as I do.

Describe its achievements, and regret its failures? Again, you may know just as much about that as I.

In the context of what I am saying, perhaps I should quote the late Adlai Stevenson. He once said that "The task of the United States Mission to the United Nations is simple: merely to make sure that those 11,000 decisions are compatible with the national interest—while everyone else is trying to make sure that they are compatible with their national interest."

An impossible job? Of course, it's impossible. But that doesn't make it any less necessary—or, for that matter, any more or less noble. In a way, it is what the UN is and what it has to be in an imperfect world. For it's a messy world we live in, a gray world whose problems know none of the purity of either black or white. The UN is a mechanism for reaching unsatisfying, though seldom really unacceptable, compromises and accommodations.

I see no reason to get all mushy about the UN, as if it were apple pie, or the second Sunday in May. The UN is doing a tough job. Its purpose is noble, and in this world that's something. In this world, indeed, it is a great deal.

So far this morning I've tried to do two things. I've placed you—young America—in an atmosphere which has been "scientifically preconditioned," and I have told you that in my view the noble professions offer you no easy means of escape. So where does that leave us?

Well, it leaves you where most college graduates go anyway. It leaves many of you candidates for what we in government sometimes call "the private sector"—the world of enterprise for profit. And I submit you're going to find some problems there. The first of those problems has been around for centuries and has been responsible for a lot of moralizing in all directions. The problem is as inescapable as it is commonly ignored. It is this—that there is a basic conflict between the Christian ethic and the profit motive, between private-enterprise capitalism and man's love for man. The conflict is not a stalemate, but a cause for constant shifting and almost constant scurrying to new positions of rationalization. We have said that what's good for General Motors is good not simply for the country, but for mankind in general. We have devised United Funds, or Community Chests, or whatever you might call them, and we have praised the corporate givers to those charities—without really facing up to the question of whether the two dollars, or two hundred dollars, or the two thousand dollars we give is really only an organized and propagandized bribing of an unsettled conscience.

And I wonder if you have noticed something that I've noticed—the emergence of the non-profit corporation, or what the French call the *Société Nationale.*

The Rand Corporation is a familiar example.

The Institute for Naval Analysis; the Applied Physics Laboratory of Johns Hopkins; the Jet Propulsion Laboratory in California—these are others.

And there are more—some conducting research; some doing the thinking for government. You might ask, "What's the matter? Don't we trust private enterprise anymore, so that we have to establish organizations that are neither fish nor fowl, neither quite public nor quite private, to do so many of our most important jobs?"

Must we create new corporate creatures free on the one hand from the necessities of the profit motive—and on the other hand, free from the often depressing limitations of the civil service system?

And what is Comsat—the Communications Satellite Corporation? Is it a genetically uncertain management tool which reflects our uncertain faith in private enterprise?

And does it reflect also our skepticism about the classical mechanisms of government?

And isn't it strange that in America these *Sociétés Nationales* had their real growth while President Eisenhower was in office—during the most business-oriented Administration in 30 years?

Wasn't it President Eisenhower who, leaving the White House in 1961, told us to beware the pressures of the military-industrial complex?

Now in saying such things as I am saying today, I realize that I may be risking my membership in the investor's club. But I shall insist, when challenged, that I am not making judgments but only identifying questions. They are questions which many of you will face, and they will not be easily settled.

Just this week, the Wall Street Journal published an article about the difficulties American businessmen have in recruiting bright college graduates. One of the problems is that young people seem to feel that business isn't meeting the requirements of conscience.

And probably these young people are right. But what organization is meeting the requirements of conscience?

But one must observe further that at least among the large corporations there is evidence of a new phenomenon which may be the vanguard, in corporate America, of a whole new concept of responsibility to the community.

What is the significance of the surprisingly sympathetic corporate response to the civil rights revolution?

What is the significance in the growing corporate concern about pollution of air and water?

It is a phenomenon which has manifested itself, sometimes, even in political action led by business executives. The fact that they simply sign full-page advertisements in the New York Times does not make them any less concerned than young people who carry signs in picket lines. Or do young people have some cynical Marxist explanation? I hope not—if only because I know how unacceptable is the government alternative to private enterprise.

At the point that the corporation assumes a social conscience—we discover a new problem: Where does the stockholder stand when the board of directors starts passing out dollars to the poor? How does the progressive corporation square its social conscience with its obligation to the stockholder?

I don't pretend to know. I doubt that you, either, can state any pat answers. But it may be a more important question than many of the questions which I deal with as a public servant. So far as the quality of life in our world is concerned, it may be more important than teaching *or* preaching. And it points to a second question—whether private enterprise as we know it can stand the pressure of a new generation responsive to moral imperatives.

I said a moment ago that I think business in America is a better citizen than it ever has been. But can it really afford to be all that charitable? Can it afford to clean up the slums? Can it afford to happily tolerate free trade at the possible peril of its domestic markets?

Can it afford personalized service when computers are cheaper? Can it afford corporate philanthropy at the expense of stockholders?

Perhaps your answer is a counter-question: "Can it afford not to?" I should say here that I hope free enterprise can meet the challenge. But I realize all the while that that may not be a satisfactory answer for you.

Since I am an Assistant Secretary of Transportation, I suppose I should say something about transportation in America. I'll confine it to urban transportation, which is one of our most difficult problems—difficult because it is part and parcel of what may be our greatest domestic problem, the problem of the city.

Really, now—how did we do it? Cities are supposed to be gracious places full of life and vigor and social and economic opportunity. But we've somehow made them dumping grounds—breeding places for impoverishment; receptacles for pollution. We've let the schools decay along with the neighborhoods. We've let the playgrounds become parking lots and the parks become freeways. And we did not leave any place for people to walk in the sun.

I can say today that thanks in large measure to President Johnson, the Federal Government is contributing mightily to a massive effort to save this nation's cities. I can say that the Department of Transportation has joined the effort because its leaders, like the President, are concerned about the lives of human beings. I can say we have begun those efforts, but beyond that I suppose I must simply apologize for the mess you're likely to find when you leave this pleasant campus.

You'll find busy freeways, and you'll wonder what neighborhoods were destroyed

while they were abuilding. You'll find noise—say the noise of marvelous airplanes, penetrating the privacy of homes and the sanctity of human consciousness. You'll ask whether it is the natural condition of man to drive an hour and a half back and forth to work each day on nerve-wracking freeways, in order to spend eight hours on the job devising new anti-human demons. You'll ask if the automobile is worth the smog—if the convenience of the subway *or* the commuter automobile is really worth the loss of dignity.

I'd like you to know today that some of those questions are already being asked—in the bureaucracy as well, by golly, as in business. Our answers, I grant you, may sometimes be tentative. We'll be settling for compromises on occasion. We won't get silent airplanes or red-carpet rapid-transit service overnight. But we'll do the best we can, and we'll welcome your help—whatever line of work you decide upon.

This is said to be the age of specialization. Well, I'll tell you what we need from young America. We need specialists who are willing, after their specialization, to become generalists again. We need highway engineers who understand what the sociologists are saying. We need urban planners who understand that you sometimes have to get by with less than leveling entire neighborhoods.

We need economists who are capable of thinking like poets, and analysts who will admit that numbers cannot always be assigned to personal values. We need business executives who are not too busy to read an occasional essay on what's happening to America, and we need all kinds of people who are capable of becoming busy enough to pass up an occasional coffee break.

Someone has joked that it's a good thing the wheel was invented before the automobile, because if it hadn't been, can you imagine the awful screeching. It's all a matter of priorities, we say. First things first. But I wonder if we don't translate that too often to read first things only—to mean my little office, my little department, my little piece of the action is my only concern.

A couple of years ago a poet named Randall Jarrell died an early death. I don't know how much Randall Jarrell you read in literature classes at Lewis and Clark College, but I hope you read some.

At any rate, some months ago another poet—Karl Shapiro—went to the Library of Congress in Washington and gave a memorial lecture about Jarrell. It's a lecture that has fascinated me—partly, I guess, because it rejects a lot of the literary clichés about poets and poetry. Let me read you some Karl Shapiro, on Randall Jarrell:

"It comes to the fact that America the Mother wants to love her children but is much more successful at killing them off, or just making them successful. Jarrell had a brilliant, sure, and subtle mind, and would have been the greatest poet since whoever the last great poet was, had he not lacked the sense of power . . . He came of a generation that could not hate Mother America but which was afraid of her and for her . . . He recoiled from the boredom and the horror and the glory of the day-to-day life. But what he did in his poetry, which had never really been done before, was to face the modern scene and to—what more is there to say—to face it. He faced the music of the American Way of Life . . . Jarrell was split between his heart and mind. He was modern, which means hating being modern."

It *is* modern to hate being modern. It's a hell of a lot easier to be afraid of computers than to like them. And trying to establish professional purpose where there may not have been any is a damned sight more difficult than freaking out.

I guess all I really want to say this morning is that the nation needs young people who can face the music of the American way of life.

And bring your conscience with you. It's not nearly as terrifying as your electric guitar. Thanks.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RISING JUVENILE CRIME RATE

Mr. BYRD of West Virginia. Mr. President, the Huntington Advertiser of November 27 contains a noteworthy editorial entitled "Rising Juvenile Crime Rate Serious Worry to Officials."

The editorial discusses the increasing number of young persons who are becoming involved in serious crimes and states that if the trend continues, the Nation will soon "confront a crime problem far beyond anything it has faced in its history."

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:

RISING JUVENILE CRIME RATE SERIOUS WORRY TO OFFICIALS

An increasing number of juveniles are becoming involved not only in delinquency but in serious crimes such as murder, robbery, rape and aggravated assault.

A survey by U.S. News & World Report of U.S. Department of Justice statistics showed that juvenile arrests for homicide between 1960 and 1966 rose 31.3 per cent, for rape 34 per cent, robbery 55 per cent and aggravated assault 115 per cent.

Many of the assault cases involved "brutal and wanton beatings of helpless persons."

Part of the increase resulted from the growing population, but during the period covered the number of Americans between 10 and 17 years of age rose by less than 20 per cent.

A substantial part of the increased crime took place in the slums of the big cities, but recent statistics show that arrests of young people are increasing faster in suburbs than in cities.

An alarming aspect of the report was that boys and girls under 15 accounted for 40 per cent of all 1966 juvenile arrests.

Those under the same age accounted for 48 per cent of all serious delinquencies. They were charged with 144 homicides, 425 forcible rapes, 5,338 robberies and 5,938 aggravated assaults.

The alarming increase that has already taken place is bad enough, but the President's National Crime Commission has pointed out that even more serious conditions will exist in the future.

Studies show that the earlier a child turns to delinquency, the more likely is he to become an adult criminal in the years ahead.

If that trend continues, along with the rising population, U.S. News & World Report quoted officials as saying, the country will soon "confront a crime problem far beyond anything it has faced in its history."

This picture of American conditions is in glaring contrast to the record of Tokyo, the world's biggest metropolitan center, in keeping crime under control.

There, a U.S. News & World Report story said, even the city's dark and narrow streets are usually safe at any hour. Last year there were 204 murders as compared with 738 in New York.

Tokyo has much poverty and a rapidly increasing population. A major factor in its lower crime rate is the character of the people themselves.

But in addition, law enforcement is more effective. Police there have a record of solving 93.6 per cent of major crimes. They also have the law on their side instead of on the side of the criminal.

Laws controlling the possession of arms are strict and are enforced. Even daggers must be registered.

Police may hold a suspect for 48 hours before freeing him or turning him over to the prosecutor. The prosecutor may hold him for 24 hours but can get as much as 20 days' additional for his investigation upon application to a court.

But the suspect also has rights similar to those in this country.

Convictions are obtained, however, in almost 95 per cent of the criminal cases brought to trial.

The effect of strong family ties in preventing juvenile delinquency is demonstrated there in reverse, for as parental authority has declined in the last 10 years, arrests of young people have increased 70 per cent.

That is a tip for parents here and everywhere.

SENATE RATIFICATION OF GENOCIDE CONVENTION WOULD GIVE INSPIRATION TO ENTIRE WORLD

Mr. PROXMIRE. Mr. President, the calendars of time now show that it is nearly 19 years since the text of the Genocide Convention was adopted by the United Nations.

This treaty has been shamefully ignored by inaction of the Senate to give it ratification.

On December 9, 1948, the United States took the lead in pressing the Genocide Convention on the United Nations.

Genocide, the savage killing of 6 million Jews, Poles, Czechoslovakians, Hungarians, and others, accomplished by the Nazis in World War II eliminated innocent men, women, and children because of ethnic and religious backgrounds.

The Conventions definition of Genocide: certain specifically defined acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such." Referred to are such inhumanities as killing members of the group, causing serious bodily harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destructions in whole or in part, imposing measures intended to prevent birth within the group, and forcibly transferring children of the group to another group."

A total of 70 nations have ratified this treaty.

Sadly, the United States is not among those countries putting themselves on record as opposed to the convention outlawing this horrendous type of international crime.

It is a bitter fact to realize that the United States, regarded as a world leader and a strong inspiration of the free world has yet to act.

The Genocide Convention, for example, is conceded by the United Nations historians to be, in a major way, the result of American initiative. Our

U.N. leaders, drawing on our American tradition and culture, led the battle to build a series of conventions which would declare a new ethic for the world.

I do not know of an alibi the Senate can offer our national conscience if we refuse to ratify this agreement.

We can give people around the entire world a new inspiration by ratifying the Human Rights Convention on Genocide.

PRIMITIVO GARCIA—HERO

Mr. LONG of Missouri. Mr. President, on Tuesday, a hero died in Kansas City, Mo. He died of a bullet wound received not on the battlefield, but in the streets of one of our major cities. He died because he came to the aid of a fellow citizen. This hero was Primitivo Garcia, a young immigrant from Mexico.

On November 15, he attended a naturalization class in Kansas City. On leaving the school he observed a group of youths attacking his teacher. Young Garcia refused to stand by and disregard the assault which has happened far too often in this country. Rather, he unselfishly rushed to his teacher's aid and in the struggle he received a fatal wound from a .22 caliber weapon.

The people of Kansas City have responded wholeheartedly to this act of heroism. Gifts in excess of $11,000 were contributed while he was in the hospital. The young Mexican lad preparing for American citizenship was praised in a resolution adopted by the City Council of Kansas City and was cited for his courage and willingness "to become involved" in a letter by the president of the Kansas City Bar Association.

The Governor of Missouri in recognition of his action, designated young Garcia an honorary citizen of Missouri. Similarly, it was suggested by many prior to his death that his naturalization be speeded up.

Some other cities will never forget instances where people refused to come to the aid of their fellowman who was being attacked. Kansas City will never forget Primitivo Garcia, the young man who recognized his responsibility to society and despite the risk came to the aid of his fellow man. No greater love hath any man.

Mr. President, I extend my condolence to the mother and family of this fine young man who sacrificed his life for another.

REDWOOD NATIONAL PARK

Mr. METCALF. Mr. President, those of us in the Senate who are interested in the establishment of a Redwood National Park were pleased by passage by this body of a bill to establish a two-unit Redwood National Park in northern California.

Negotiations toward establishment of the park progressed favorably over the past few months between the Federal Government and the State of California and the proposed park boundary contains many of the significant areas of park quality timber that conservationists had hoped would be preserved for the American people. Other areas of equal quality adjacent to the Senate boundary were not, however, included. The House of Representatives is now considering these areas and possible expansion of the Senate boundary.

Adjacent to, but not included in the Senate boundary is the McArthur-Elam Creek area. During Senate consideration of the bill a gentlemen's agreement was established between the Senate Interior Committee and the Georgia-Pacific Corp., in California that logging operations would be suspended in that area until the park boundaries could be determined.

Thirty-four Members of the House have requested that the moratorium be extended while the House considers the bill. It has come to my attention today that this request was flatly refused by the Georgia-Pacific Corp.

According to reports by the National Park Service, the corporation has already begun logging in the area. I am surprised at the determination of the Georgia-Pacific Corp. to continue logging at this time and disappointed at their unwillingness to cooperate with the House of Representatives in the interest of establishment of the best possible park boundaries.

If the logging continues, the options of the House to increase or change the proposed Senate boundaries will be limited. The possibilities for inclusion of the McArthur-Elam Creek area within the park boundaries will have been destroyed before the House can consider it.

To the logging industry this is a relatively small area of timber, and the moratorium requested very short.

I have supported the request of the House Members in a letter yesterday to the Georgia-Pacific Corp. It is my sincere hope that they will now reconsider their refusal to suspend logging for another few months in the interest of preservation of our all too quickly diminishing areas of virgin old growth redwood and in the interest of establishing the best Redwood National Park for the American people.

THE VICE PRESIDENT ADDRESSES THE AMERICAN CANCER SOCIETY

Mr. MONDALE. Mr. President, I ask unanimous consent that an extremely significant address by the Vice President of the United States a short time ago before the American Cancer Society annual dinner in New York City be printed in the RECORD at this point.

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

REMARKS OF VICE PRESIDENT HUMPHREY, AMERICAN CANCER SOCIETY ANNUAL DINNER, NEW YORK, N.Y., OCTOBER 17, 1967

No one who has seen the ravages of cancer among friends and immediate family, as I have, can feel anything but the deepest gratitude for the American Cancer Society.

This is an organization founded on compassion, sensitive to the intensely personal needs of cancer's victims. But at the same time it has mounted a concerted business-like attack which, in my opinion, could likely lead mankind to victory over cancer within a matter of years—and I do not mean decades.

You started first in the war on cancer—over 60 years ago.

The Pap test has reduced the death rate from uterine cancer by 50 percent in a generation. You won its acceptance by the medical profession and by the public.

You have offered the same kind of leadership in publicizing the dangers of smoking.

This Nation is deeply indebted to you for your efficient application of compassion.

I was invited to speak about the future. Like you, I believe in it—despite the fact that I spend most of my time in a town full of well-developed pessimists.

Those who make a business of looking into the future seldom win popularity polls. I am sure you remember the treatment given the Old Testament prophet, Jeremiah, or the poor Trojan seeress, Cassandra, or even our own Billy Mitchell.

Aldous Huxley summed up the pessimists' position: "I have peered into the future, and it won't work!"

I think it will work—if we make it work.

So far as technological and material developments are concerned, we know today what the immediate future holds.

As chairman of the Space Council I am quite sure today, for instance, that we shall see ahead the establishment of permanent bases on the moon . . . the development of a whole family of earth-orbiting stations, manned and supplied by regular ferry services . . . the launching of unmanned probes to every part of the solar system, and probably manned expeditions as well.

As chairman of the new Marine Sciences Council, I am equally sure that we shall develop man's capability to live on the ocean's floor . . . that we shall use the tides as energy sources . . . that we shall use desalinated water to make deserts bloom.

In the next 15 years alone we shall certainly see:

In medicine, the routine transplantation of internal organs from one person to another and the widespread use of artificial organs.

In education, a general use of teaching machines in far more sophisticated ways than today.

In psychiatry, the common use of drugs to modify the personality.

In industry, the application of automation to many kinds of management decision-making.

In engineering, the channeling of water from surplus areas to shortage areas thousands of miles away.

In worldwide communication, the everyday use of translating machines.

By the year 2000 the scientists tell us we can foresee the virtual elimination of bacterial and viral diseases . . . the modification of genetic chemistry . . . the evolution of universal language . . . commercial transport by ballistic missile . . . the use of robots for everyday work and of high-IQ computers for sophisticated tasks . . . and the probable creation, in the laboratory, of primitive forms of artificial life . . . and shortly thereafter, chemical control of the aging process . . . and perhaps even modified control of gravity.

Many of these things we will welcome without reservation. A few bear with them seeds of great danger.

The widest number are, in a sense, "neutral."

Their benefit to man will depend most largely upon man's wisdom in using them.

As another Huxley—Thomas Huxley put it:

"I cannot say that I am in the slightest degree impressed by your bigness, or your material resources, as such. Size is not grandeur, and territory does not make a nation. The great issue, about which hangs the terror of overhanging fate, is what are you going to do with all these things?"

That is *the* question.

All our quantitative measures indicate economic growth and prosperity . . . a broader base of education . . . a greater scientific

and technological capacity . . . wider ownership of consumer goods.

Yet, if we look more closely we see other things too: That, for instance, in the shading of high-income areas on census maps, the shading never falls on neighborhoods where Negroes live; that, in a time of prosperity in the rich nations, per-capita income is going *down* in the poor nations of the world.

And we increasingly feel—I know I do—that it is imperative to apply critical, qualitative measures to what we see—that it is necessary to see how change is affecting people and their lives.

We have over 2,000 institutions of higher education in our country. The question is: What proportion of their students are receiving both a solid technical grounding and the ability to think for themselves?

We have, in our cities, billions of dollars of new investment in office buildings and luxury apartments. The question is: Are the families who live in the shadow of these buildings—that is, the majority of the people who live in our central cities—better-housed or worse-housed today than they were yesterday?

Despite all our shiny new factories, the backlog of crumbling, rotting housing in the United States is not being significantly reduced.

Despite the fact that this is the age of the short-hop jet and satellite communications, the isolation and restricted opportunity that afflicts residents of rural America is driving a steady stream of people into already crowded cities.

Despite the fact that we are well on the way to producing enough for everybody, a large minority of our citizens do not have enough. If you take into account all the people in this shrinking neighborhood we call the world, *most* do not have enough.

I do not find these discrepancies paradoxical. Most of the disparities between what is and what should be in our society have become flagrant only now that we have an opportunity to eliminate them. It is our material progress itself that makes slums, hunger, ignorance and needless ill-health unacceptable; and it is that same progress which can provide the remedies.

But progress in improving the quality of life in America and in the world will not be automatic.

It is here that the viability of our democratic institutions will be tested.

Some people try to excuse inaction by saying that social progress of the kind we are talking about will come slowly. Some of it will, especially where irrational attitudes like racial prejudice are involved.

But it takes only months to build a school, once you decide to do it. It takes only a few years to train a first-rate teacher, 12 years to take a child from first grade through high school.

It takes a few months at most to train the head of a family on welfare to earn a living wage.

It takes only weeks to renovate an apartment building—48 hours with careful planning—months to build new housing.

For a country that is likely to have a man on the moon less than 15 years after our first satellite was launched, it should not be impossible to put men on their feet right here on earth in a comparable period of time.

It is also customary to say that social progress will mean sacrifice. Yes, it will mean sacrificing some—not all—of the *additional* material comforts that we might afford each year. It will mean diverting some—not all—of our *additional* prosperity into areas of obvious human need.

It would, of course, require even less sacrifice if we lived in a peaceful world where defense expenditures were not required.

But when you produce an adidtional 40 billion dollars worth of goods and services each year, you can afford to defend your country and build the kind of society you want at the same time.

I think some of us forget that the first settlers in North America devoted a far larger share of their resources to defense and education than we have ever done since. After long days in the fields, they stood watch on the stockades at night. And they fed and housed a school teacher even before their own bare necessities were assured.

It is only a question of priorities.

Are we going to do what needs to be done in American society and live somewhat better each year?

Or, are we going to live a lot better, at least for the time being, and forget about education, jobs, housing and health of our society?

Today every one of the challenges we face in the upgrading of American society has a constituency—public and private—a reservoir of talent and resources pushing for human progress.

This is true of health, where you yourselves are a leading part of the constituency. It is true of poverty, of delinquency, of education, of urban renewal, of civil rights, of conservation, and even of the arts.

Those constituencies are usually not as well financed as some others whose general social value may be less. But they speak for the felt needs of a vast majority of Americans.

Take the case of Medicare. Medicare is usually thought of as an Administration program approved by Congress and presented to the American people.

The historians, however, are going to say that Medicare was the result of a fundamental decision by this nation to take better care of itself.

"Once in that country," they will write, "there was preventable sickness and premature death—but the people wouldn't stand for it when they no longer had to."

You above all others know about unnecessary sickness and death. Fourteen thousand women will die this year from cancer of the uterus. They would all be alive next New Year's Day if they had been given a pap test in time.

The Public Health Service is working with doctors and hospitals across our country to make that simple test routine for all adult women treated in hospitals or by their family doctors. But far too many women will see neither hospital nor doctor's office.

I doubt that the people will stand for this much longer. And I doubt they will permit the infant mortality rate in the United States to remain higher than in 14 other countries.

Our medical schools are not graduating enough doctors and our doctors are not serving enough of our nation adequately. The Dean of the Harvard Medical School has said "The situation is serious especially in central cities and rural areas."

When statistics show that most medical students come from families earning more than 10 thousand dollars a year and only 3 per cent are Negroes, it is not surprising they find the city's slums and the poor rural areas unfamiliar and do not choose them as places to practice.

Fortunately some steps are now being taken to provide additional medical care to neglected areas.

The Office of Economic Opportunity is sponsoring health clinics in some 40 central cities and rural areas.

President Johnson has named an advisory committee to make a thorough study of the Nation's long range needs for health facilities. But these efforts are only a beginning.

One of the great challenges of the future is to increase, even double the number of doctors graduating each year from our medical schools. Another challenge is to see that there is a wider range of Americans who can go to medical school.

Today in Vietnam there are thousands of young Americans with some medical training.

Any serviceman who has needed medical help has learned to place his trust in these Army medics and Navy and Marine Corpsmen.

Now, for the first time, we are making it easier upon their return to civilian life—often to segregated slums—to continue to provide health care and provide more training.

The President announced yesterday a comprehensive plan—called Project Remed—to put these skilled Americans to work from the time they leave military service.

Another source of men and women willing to serve is the more than 30,000 returned Peace Corps volunteers.

Unfortunately, these resources have until now not been fully utilized. One reason, perhaps, is that we may be too reluctant to give these young people as much responsibility as they have had in the Peace Corps and in military service.

One challenge of the future may be to begin to trust people under 30 more than we do today.

The fuller use of returning servicemen and Peace Corpsmen might best be undertaken within a system of national service far broader than what we know today.

Certainly we should carefully consider proposals to equate service in the Armed Forces with 4 years of national service—two of them in developing nations and two in needful parts of America.

For I am convinced that we cannot afford to go on using only a small percentage of the young people in America who want to devote themselves to helping others.

There must be constructive outlets and alternatives for them. We have to do a better job of making them available.

I feel that—despite the small few who draw such attention to themselves for negative or irresponsible activity—this young generation of Americans is the best, without exception, that this Nation has ever had.

I have seen them at work not only in the Peace Corps, in our armed services, in VISTA, in the poverty program, in government—but on our campuses and on farms, and in businesses and labor unions all over this country.

And these young people are precisely the people in our society who are most concerned that individual human dignity and the qualitative should be preserved and nurtured in a society of wholesale technological change and the quantitative.

In conclusion, I believe that there *is* a constituency for better America, and it is strongly growing.

It has increasing support from a business community which has learned to identify its interest with the general health and well-being of the community.

It has behind it the voluntary efforts of millions and millions of Americans, people young and old—people like the 2 million American Cancer Society volunteers—who are willing to devote their new-found leisure to the service of others.

There can only be one outcome.

Let me conclude with these few lines from Alexis de Tocqueville:

"America is a land of wonders, in which everything is in constant motion and every change seems an improvement. The idea of novelty is indissolubly connected with the idea of amelioration. No natural boundary seems to be set to the efforts of man: and in his eyes that is not yet done is only that (which) he has not yet attempted to do."

TIME TO STOP FED'S INFLATIONARY POLICIES

Mr. PROXMIRE. Mr. President, in the next few days I intend to make a major speech on monetary policy on the floor of the Senate. Meanwhile, I invite the attention of Senators to an unusually thoughtful and perceptive editorial on the money question and interest rates, published in this morning's Washington Post.

The Post has committed itself four-square to economic growth and development. It has opposed a tax increase consistently, in part because it would inhibit the growth the economy needs but is not now experiencing.

It may seem paradoxical to some that with this record the Post is critical of the Federal Reserve Board's present "supereasy" money policy which has resulted in pumping money into the economy at a fantastic, almost 10 percent rate during much of the past year. As the Post says:

> The irony is that the Federal Reserve, the only agency that has the power to slow down the growth of the money stock is itself sowing the seeds of inflation and high interest rates.

The Post calls on the FED to slow the increase in the supply of money, not to reverse it, as it did in the 1966 credit crunch. In this, I wholeheartedly concur, as I shall spell out in a few days.

The vast increase in the money stock has created potential inflationary conditions for the future that are serious, and that will not be effectively inhibited by a tax increase.

I ask unanimous consent that the editorial, entitled "On Monetary Policy," be printed in the RECORD.

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

ON MONETARY POLICY

Scarcely a day now goes by but that some voice is not raised to warn of an impending monetary disturbance. The thrust of the argument, stripped of much of its rhetoric, is this: Unless Congress raises taxes, the Federal Reserve authorities will be compelled to pursue a tight monetary policy in order to combat inflation. If that happens, interest rates will rise to even higher levels; mortgage money will be unobtainable, and a recession will follow.

The weakness of that prognosis is that it rests on propositions that cannot be verified by logic or experience. To begin with, there is no simple, either/or choice between higher taxes and "easier" money, nor has there been any experience with such a policy "mix" as a means of checking inflation. There is no reason to suppose that the imposition of the tax surcharge would not cause individuals and corporations to borrow more from the banks in order to maintain desired levels of spending. Surely that outcome cannot be precluded if the monetary authorities were to continue an "easy" monetary policy as they promise when urging Congress to raise taxes.

A second misconception involves the relationships between monetary policy and levels of interest rates. It is widely asserted that an "easy" monetary policy—one in which the stock of money grows rapidly—makes for low interest rates. But that is a fallacy. Increasing the quantity of money may for a time lower interest rates when the economy is emerging from a slowdown or a recession, when there are idle men and idle machines. But once a high level of employment is reached, an excessively rapid growth of the money stock stimulates the demand for loans and thereby raises interest rates.

The practical implication of the foregoing analysis—and it is gaining an ever-wider circle of adherents—is that the Federal Reserve authorities should moderate the very rapid growth of the money stock. Chairman Martin of the Federal Reserve Board concedes that the monetary expansion is proceeding too rapidly. The irony is that the Federal Reserve, the only agency that has the power to slow down the growth of the money stock, is itself sowing the seeds of inflation and high interest rates.

There is a way out of this predicament. The Federal Reserve authorities should act now to moderate the expansion of the money stock without bringing its growth to a halt as they did in mid-1966. But their task is not easy because the slowing down of the monetary expansion will lead to temporary increase in interest rates, and it is feared that the savings and loan institutions—the major home mortgage lenders—will lose deposits since they cannot easily raise their rates to depositors. However, the squeeze should not now be so severe as in 1966 because short-term interest rates are still lower than they were then and the liquidity position of the S&Ls is much stronger. In any case, the risk of untoward effects on residential construction must be run since there is no real choice. Pursuing the current, highly expansive monetary policy will result in continually rising interest rates, not the temporary spurt that would result from moderating the monetary growth, and the impact on home construction would be far more severe.

Rather than pin their hopes on fiscal action, the effectiveness of which is at best problematical, the Federal Reserve authorities should announce publicly that they will pursue a less expansive monetary policy, one aimed at a more moderate growth of the money stock, not at bringing its growth to a halt. During uncertainties about the parity price of sterling, the Federal Reserve authorities could not act without compounding London's difficulties. Now, with pressure on the gold price and the dollar exchange rates, there is only one logical course for monetary policy.

OUR WAGING WAR IN VIETNAM IS A MISTAKE WHICH SHOULD BE CORRECTED

Mr. YOUNG of Ohio. Mr. President, Gen. Matthew Ridgway was one of the very great commanders of our Armed Forces in World War II and the Korean war. His views regarding our massive involvement in a ground war in Vietnam coincide with the expressed views of Gen. James Gavin and numerous other retired generals. Surely the conclusion of these great generals that we are waging the wrong war in the wrong place at the wrong time and what we are doing in Vietnam adds up to the worst mistake any U.S. President ever made should not be dismissed lightly. They propose disengagement, a ceasefire, and an armistice instead of escalation of the fighting. General Ridgway endorsed General Gavin's advice that we should immediately cease bombing North Vietnam without attaching any conditions; and withdraw our forces to coastal enclaves in South Vietnam such as Saigon and Camranh Bay where they would have the cover of our air power and support of our 1st and 7th Fleets.

It is evident to General Ridgway that President Johnson is intent on total victory in Vietnam instead of a diplomatic settlement. This means allout war, General Ridgway believes. He stated:

> The ending of an all out war in these times is beyond imagining. It may mean the turning back of civilization by several thousand years, with no one left capable of signaling the victory.

President Johnson would do well to call into conference Generals Ridgway and Gavin and benefit from their training, experience, expertise, and knowledge. We have blundered into a major war. These generals show the way to withdraw in honor and dignity. More than 2,500 years ago Confucius wrote:

> A man who makes a mistake and does not correct it makes another mistake.

A nation making a mistake and failing to correct it likewise makes another mistake.

OUTSIDE INFLUENCES AND THE URBAN RIOTS

Mr. BYRD of West Virginia. Mr. President, the Encounter is a special editorial supplement of the George Washington University student newspaper, the Hatchet. Published each month, it offers an excellent forum for the discussion of public affairs.

The November issue of the Encounter presents some eight or nine articles dealing with the question of outside agitation or influences in last summer's urban riots, of one of which articles, I am the author.

I ask unanimous consent that the article, entitled "Extremists in a Value-Vacuum," be printed in the RECORD.

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

EXTREMISTS IN A VALUE-VACUUM

(By Senator ROBERT C. BYRD, of West Virginia) [1]

The question we are asked to discuss, in the words of the Hatchet Encounter's editor, is whether "non-local or organizational elements of non-spontaneity" were involved in last summer's urban riots.

This is a question on which more light will be shed by inquiries into the riots now being conducted by the Permanent Committee on Investigations of the U.S. Senate and President Johnson's Advisory Commission on Civil Disorders.

Conflicting opinions have been expressed thus far on the extent of outside or professional agitation. FBI Director J. Edgar Hoover has been quoted as saying that there was no evidence of a conspiracy although outside agitators were a factor. In two of the worst-hit cities, Detroit and Newark, the police chiefs were quoted as saying that the eruptions in their cities were "spontaneous" and that no agitation from outside was involved.

My own view is that whether actual conspirators incited the rioting or not, outside influences, over which the riot-torn cities had no control, were a profound factor in causing the riots to occur.

Among these influences I would list the following: the growing deterioration of re-

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[1] Robert C. Byrd was elected to the House of Representatives in 1952 and to the Senate in 1958. He is a member of the Senate Appropriations, Armed Services, and Rules Committees. He attended the George Washington University and earned his law degree from American University in 1963.

spect for authority in the United States; the permissive character of our society, and a widespread decline in the nation's spiritual and moral values; the public toleration of crime; the laxness of our courts, the oversolicitousness for the "rights" of criminals, and the abuse of probation and parole.

I would especially cite also the widespread and unwarranted publicity that has been given to the inflammatory and seditious utterances of Civil Rights and Black Power militants and radicals. There is no doubt in my mind that their incendiary words have encouraged and incited arsonists, looters, and vandals to burn and pillage and kill in cities and towns of which the agitators may never have heard. The incredible over-emphasis given these new revolutionaries in the news has carried their influence—distorted beyond proper proportion—into the remotest corner of the land.

Moreover, the nation has been conditioned for the riots. Much of our "entertainment" is violent and sadistic in character. Books and magazines drip with blood and horror. Even the slaughter of war, brought into U.S. homes nightly by television, has become a commonplace thing breeding callousness and indifference.

Family life has broken down in many places, and illegitimacy grows apace. Prayer and the Bible, except for curriculum courses, have been outlawed in the schools. A few religious leaders have alienated many churchgoers by their radical activism.

I am not a prophet of doom. There are many things that are right and good about the era in which we live. But judged on the basis of a contemporary sense of values, the Government is attempting to build a Great Society in a spiritual, moral and ethical vacuum.

Our welfare programs have taught many that they do not have to work. Basic everyday tasks that must be done, digging and dusting, sewing and sweeping, cleaning and cutting, are beneath the dignity of thousands who formerly did such work, and who thereby supported themselves instead of depending upon the state to feed and support them. The agitation for ever-higher welfare payments, and for such other proposals as the negative income tax and guaranteed annual wage, gives new substance to the contention that millions think—yea, insist—that the Government owes them a living.

There has been so much pseudo-psychological hand-wringing and phony political tear-shedding over the "plight of the poor" that the basic fact that a stable society must depend upon the responsibility and effort of the individual has been badly obscured.

What can we expect but public disorders when persons in high places excuse and condone mob action? Rioting is not justified, many public figures have said, "but"—and then they go on, even if sub-consciously, to try to justify or explain it with all the cliches of the ultra-liberal left about poverty, discrimination, deprivation, ghetto life, poor schools, lack of jobs, the slow progress of civil rights, and (oh, yes, of course) police brutality.

None of these things is either cause or justification for civil disobedience or disorder.

Millions of Americans—many more whites than Negroes—have lived in poverty without rioting. At the height of the Great Depression of the thirties there was less crime than there is now at the height of our greatest affluence.

Since the beginning of organized society, minority groups have been discriminated against without rioting. Jews, Poles, Irish, Italians, Orientals—all have suffered discrimination and have overcome it by their own determination and efforts.

Millions have lived in ghettos without rioting. They preserved their religious heritage and their moral codes. Poor though their housing may have been, they kept it clean and habitable. They did not turn their ghettos into slums.

Millions of Americans have attended less than adequate schools, one-room or otherwise, and have risen in the world by their own efforts.

Millions of Americans—white and Negro—have worked at menial jobs to get their start in life—jobs that today go begging all across the land.

Dr. Robert N. McMurry, the widely-known psychologist, answers the question of "Who Riots and Why" in an article by that title in the October, 1967, issue of "Nation's Business." He says:

"Because most recent riots have occurred in deprived areas, many of our Negro ghettos, it is easy to assume that they are a direct consequence of deprivation of those participating and that the key to prevention lies in comprehensive welfare work, manifesting itself through massive relief and rehabilitation programs—mostly government sponsored.

"These assumptions are questionable and these remedies may prove ineffective . . . violence, rioting and attendant looting are in no sense confined to deprived areas. Outbreaks have occurred in such slumless centers as Nyack, N.Y., Fort Lauderdale and Lake Geneva, Florida . . . (and) members of the deprived or minority groups are often the greatest sufferers."

What kind of individuals participate in riots? Dr. McMurry points out that most range in age from 15 to 25; a high proportion of them are not indigenous to the areas in which the riots occur; and far from all of them are "deprived."

The main thrust of the article is that undisciplined young men and women, and warped, perverted, psychopathic, criminally-inclined individuals are largely responsible for the riots. They are incited by Civil Rights and Black Power extremists who have come to power in the value-vacuum and permissiveness of present-day society.

Riots are staged largely by persons who have no respect for law and order, and who possess no sense of social or moral responsibility. Rioters and those who incite to riot admit themselves that this is so when they pinpoint "The Establishment" as their target. Their aim is to destroy, not to achieve constructive action. What the nation witnessed last summer had little or nothing to do with Civil Rights, per se, or with progress for the Negro community.

Dr. McMurray says, and I am sure that he is right, that the majority of the Negro population is strongly opposed to the savagery and disruptive violence of the rioters because it is inconsistent with their standards of conduct and their social values.

I do not believe for a moment that the revolutionaries who have divided and fragmented the civil rights movement represent the majority of Negro Americans. Nor do I believe that the power of these new "leaders" arise from the facts of urban deprivation. These men, in my judgment, are more the product of a time than they are of an environment.

It is my further opinion that the very fact that so many riots—and there were disorders of one sort or another last summer in more than 100 American cities—began with the arrest of persons committing other crimes is in itself indicative of the disrespect for law and order that makes it possible for riots to flourish. The arrests triggered mobs into action in support of those being arrested.

I am not among those who believe that immunity from riots can be purchased by more and more federal spending. This is a favorite theme of many who advocate massive new government spending programs in the cities. Clearing slums, upgrading schools, re-training workers, providing vast emergency employment programs—the argument runs—are the best preventive measures that can be taken against future uprisings. I do not believe it. After all, billions have been spent in the last few years on urban programs already, and all the vast amounts poured into Detroit did not save it from devastation.

Obviously, American cities need many improvements, and, obviously, the Federal Government has a responsibility. Where they can substantively help to improve living conditions and opportunities for employment, measures to that end should be considered. But not on the premise that such things will prevent riots. They will not. We should not try to do the right things for the wrong reasons. I do not believe that government should ever allow itself to be blackmailed into taking any action by those who preach violence, sedition, and anarchy—unless it be against the troublemakers themselves.

Yet, that is just what is being demanded. The very demagogues who have incited the riots are demanding that the Federal Government undertake all sort of new and questionable and incalculably expensive programs under the threat that if it does not, they and their followers will burn the country down. This is mob rule, the antithesis of democracy. No amount of federal or any other governmental money should be used to appease them. They cannot be appeased.

The first and most important thing that government must do to deal with the riots is to vigorously enforce the law. Rioters are vicious lawbreakers and they should be dealt with as such. We do not just need urban renewal—we badly need a renewal of respect for law and order.

Most observers agree that prompt action by the police could probably have averted the disaster in Detroit. But Detroit police, according to news reports after the riot, had to join a rifle club and pay $5 dues before they could purchase the rifles they needed to protect the city. More than 400 reportedly did so, buying $20 used army carbines. Yet they were not permitted to use their weapons until hours after the rioting started.

Cities need to strengthen their anti-riot forces and the training of these units. I believe that federal action is called for as well. I am a co-sponsor of an anti-riot bill in the Senate that would make it a federal crime to incite or participate in a riot that impairs interstate or foreign commerce, or to interfere with a firearm or law enforcement officer performing his official duties incident to or during a riot. I do not say this would be a cure-all, but I think such a federal statute is urgently needed.

Drastic revisions are also needed in our welfare system. Personal incentive to rise out of poverty must be restored to those on relief.

Schools must be upgraded. The emphasis must be upon education; not upon forced integration. The emphasis needs to be on effective training of young people to make them economically independent and socially responsible rather than on providing an artificial racial mix in the classroom.

Moreover, the problem of illegitimacy must be squarely faced. Children who grow up without normal family or parental control will be easy recruits for future riots.

Some way must be found to deal with the irresponsible demagogues who abuse freedom of speech and assembly, who pervert liberty into license, and who advocate lawless assaults upon the very society that protects them.

If the investigations that are now under way show that any substantial amount of outside or professional agitation was involved in the riots, it may be easier to bring about stronger law enforcement and the other actions I have suggested here. If it is found, on the other hand, that the riots were only local or "spontaneous" in character,

then it may be harder to arouse enough public interest to compel the actions that should be taken. But, in either event, the need for action to maintain and preserve law and order is obvious, if the Republic is to endure.

LARGER AND MORE FISH TO CATCH

Mr. BARTLETT. Mr. President, on November 27, the New York Times carried an editorial entitled "Larger Fish To Catch."

The point of the editorial is that the signing of an agreement to control fishing south of Rhode Island by the Soviet Union "could be a signal that Moscow is finally ready to get down to business on trying to settle more consequential international problems."

Mr. President, I have no argument with that point. Time and events will test its accuracy.

However, I do think it is important to expand a bit on what the editorial did and did not say, for additional comment is required to place the newest Soviet-United States agreement in correct perspective.

Mr. President, you will note I used the word "newest" to describe the agreement signed last week. I did so in the interest of accuracy. While the Times editorial indicated that this agreement could be a new signal heralding accommodations between Moscow and Washington, the fact is that for several years fishing in the Northwest Pacific has been regulated, and, for the most part, successfully, by agreements signed by the Governments of the Soviet Union and the United States. My point is that the Soviet Union has been cooperating for some time with other nations to conserve and develop high seas fishery resources. This newest agreement is just another example of Moscow's interest in fishery resources.

With that background in mind, it seems to me that the New York Times, in addition to suggesting that the Atlantic fishing agreement could be a signal for accommodations in other areas, might also have raised the question:

> Why does the Soviet Union seem to be more agreeable to working out accommodations on fishing problems than in other areas?

The opening sentence of the editorial makes clear why that question did not occur in the New York Times. That sentence reads:

> Fishing is such a minor American industry that international agreements arising from it normally receive little attention here.

Mr. President, unfortunately too many persons agree with the Times' casual dismissal of this Nation's once proud and viable fishing industry. Because our fishing industry has fallen on bad days, these people ignore the benefits a flourishing fishing industry could bring to the Nation and the world in terms of jobs and cheap sources of nutritious food. Because they ignore the potential of our own fishing industry, these same people tend to ignore the efforts other nations are putting forth on developing fishery resources.

I fear we ignore such efforts at our peril.

The world needs food, and the nations which effectively help feed the starving people of the world will be the nations to which those people will look for leadership in other areas.

Our economy needs new resources and new jobs if it is to continue to expand. We cannot afford to forfeit to other nations the resources of the sea and the jobs resulting from exploitation of those resources.

We already are paying a price for allowing our fishing industry to decline. The latest figures I have show that in 1965, the United States imported almost 1,900,000,000 pounds of fishery products, more than any other nation. More importantly, the value of these imports added $506,900,000 to our balance of trade deficit. Obviously, there is a market for fishery products which our fishing industry is not satisfying. With a commitment to developing our fishery resources similar to efforts being put forth by other nations, we could turn that deficit into a plus and, at the same time, harvest enough fish to help supply the starving people of the world with a high protein food.

Mr. President, I suspect these facts and figures are not dismissed in foreign lands as they are in this country. I suspect that Moscow appreciates the potential of the ocean's fishery resources and is interested in developing that potential.

I suggest that at least part of Moscow's willingness to make accommodations in the area of fishing problems is based on a realization of the value of developing the full potential of fishery resources.

This is the point the New York Times editorial did not consider. It is a point that should be considered.

Sooner or later there will be a world fishery convention at which time efforts will be made to set up agreements to insure intelligent exploitation of fish. If we are to have a significant voice in those negotiations, we must first have the ability to harvest a significant number of fish. Otherwise, we will be ignored, or at least placed in a very disadvantageous bargaining position for protecting our own interests, for advocating intelligent regulations, for competing for this great unharvested resource.

The international agreement signed this past weekend demonstrates the problems of negotiating from weakness. The Soviet Union has a modern, high seas fleet capable of operating far from its shores. This Nation has what is essentially a coastal fishing fleet. In order to get the Soviet Union to agree to restrain its fishing south of Rhode Island, we had to allow Russian fishermen to operate on certain occasions within our 12-mile coastal fishing zone. If we had a high seas fishing fleet operating off the coast of Russia, we probably could have won our points by making some sort of concession involving operations near Russia. As it was, and is, we are forced to negotiate with our own coastal resources.

Mr. President, my intent today was not to take issue with a newspaper editorial, but to place the subject of the editorial in its correct perspective, to try to convince such a fine newspaper as the New York Times that the U.S. fishing industry should receive more attention than it has received, and to point out that in addition to there being larger fish to catch in a sea of world politics, there are more fish to catch in the oceans of the world than our fishermen are now harvesting.

I ask unanimous consent that the New York Times editorial entitled "Larger Fish To Catch" be printed at this point in the RECORD.

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

LARGER FISH TO CATCH

Fishing is such a minor American industry that international agreements arising from it normally receive little attention here. But last weekend's Soviet-American accord regulating fishing south of Cape Cod could be a signal that Moscow is finally ready to get down to business on trying to settle more consequential international problems.

Even before this pact, optimists had been encouraged by the Soviet Union's vote for the British resolution on the Middle East in the Security Council, a resolution far from Moscow's earlier uncompromisingly pro-Arab position. This past week, moreover, a giant Soviet airliner has been making practice landings at major East Coast cities, preparing apparently to begin soon the long-delayed establishment of direct Moscow-New York air service. And in Geneva, progress is reported on Soviet-American efforts to agree on the inspection article omitted from the earlier draft of a nuclear nonproliferation treaty.

But the pessimists do not have to look far for counter-agruments. Soviet rockets and other supplies continue to play a key role in bolstering North Vietnam. There has been no change in the normally nasty tone of the Soviet press toward this country, and the latest publicity given an alleged former C.I.A. agent's "revelations" is hardly pro-American in intent.

Reasonable men can differ in their assessment of these conflicting clues. The pivotal test on both sides will be whether progress can be made toward serious Soviet-American negotiations on the limitation of offensive and defensive missiles—a field in which both nations seem on the verge of decisions that will vastly enhance the world's insecurity, all in the name of deterring war.

Now that Moscow has ended its fiftieth anniversary festivities, with their inevitable accent on the expansion of Soviet power, there is room for at least cautious hope that the kind of realism indicated in the conclusion of a fishing accord for mutual benefit will spread to accommodations in fields on which mankind's safety depends.

ROBERT S. McNAMARA—20TH-CENTURY MAN

Mr. WILLIAMS of New Jersey. Mr. President, some weeks ago, in another context, the New York Times described Secretary of Defense Robert S. McNamara as a man for the 20th century—a man interested both in defense and in development.

Now we have seen those words fulfilled.

President Johnson said of Secretary McNamara yesterday:

> He has been a great administrator of the defense establishment. He has been a wise, resourceful and prudent administrator and collaborator with respect to policies and programs of vital importance to this Nation and the world.

Robert McNamara has been all these things and more.

He has mastered the farflung Military Establishment of the United States.

He has been a stanch adversary to our opponents around the world, yet his has been the voice of reason and understanding seeking harmony and international accord.

He has been Secretary of the finest Military Establishment in the world, yet he has deeply involved himself in economic and social matters related to the Defense Establishment.

He has been the most knowledgeable Secretary of Defense this Nation has ever had.

And we hope that his wisdom, his intelligence, his zeal for public service will be at the beck and call of the President in the years ahead.

The United States owes a very large debt to this 20th-century man. He has served us well, and we shall not forget him.

SERMON BY REV. COTESWORTH P. LEWIS, RECTOR, BRUTON PARISH CHURCH, WILLIAMSBURG, VA.

Mr. FULBRIGHT. Mr. President, a great deal of press attention has been given to the remarks of the Reverend Cotesworth P. Lewis, rector of the Bruton Parish Church in Williamsburg, Va., who on November 12 delivered a sermon to an audience that included the President of the United States.

With the thought that press reports might not have been adequate in describing what Reverend Lewis was reported to have said, I wrote him on November 20 expressing my views to him.

Reverend Lewis wrote me on November 22 sending me a copy of his sermon and a letter in which he said that it was his intention that his remarks were "to give strength to the heart and hands of the President."

Mr. President, I have read the sermon and believe that Reverend Lewis made a reasonable statement and that he has, to a large extent, been the victim of what I can only describe as emotional overreaction to a partial reporting of his sermon. I most seriously commend a careful reading of his thoughtful words to all Members of the Senate. I ask unanimous consent that they be printed in the RECORD.

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

BRUTON PARISH CHURCH,
Williamsburg, Va., November 22, 1967.

DEAR MR. FULBRIGHT: Your letter and that of Louisa Brandon who works for you (and whom I Baptized) meant more to me than I can express. May God lead us to peace.

Perhaps someday it will be understood that my remarks in Bruton Parish Church, November 12, were intended to give strength to the heart and hands of the President.

I felt the analogy of light shining in darkness (Isaiah 9:2) illustrated by ancient Moses and medieval Luther would be helpful. Religious and racial dilemmas (apparently hopeless until recently) are rapidly approaching solution because intelligent goodwill is being acted upon by God. All these seemed to provide reasonable hope that when people are adequately informed as to the rightness of our purpose and procedure in Vietnam God will again resolve the impasse rapidly and honorably.

The sermon was neither derogatory to nor critical of Mr. Johnson—as many of those attending in a spirit of worship agree. Deplorable misconstructions have been drawn from the occasion by lifting portions out of context, by impugning motives, and by imagining ideas which were never stated or inferred. My outline and intent was simple, kindly, and religious: (1) when things seem hopeless (2) and man does his righteous best, (3) God gives victory. Since I was incapable of making specific recommendations, I sought by examples from Scripture and history to give encouragement.

A clear reading of the entire address will I believe, bear out my motives as those of a constructive Christian gentleman, speaking appropriately from an intelligent pulpit.

Sincerely yours,

COTESWORTH P. LEWIS.

SERMON BY REV. COTESWORTH P. LEWIS, BRUTON PARISH CHURCH, WILLIAMSBURG, VA., NOVEMBER, 12, 1967

"The people who sat in darkness have seen a great light; they that dwell in the land of the shadow of death, upon them hath the light shined"—Isaiah 9:2.

Moses' exploits in leading the children of Israel out of Egypt, once dull as dust—leap with front page applicability. The Red Sea, Sinai Peninsula, the Negev, Jordan and Jericho, are things we talk about at breakfast.

Moses thought he had escaped the cries of his oppressed countrymen when he fled to Midian. But as he watched his father-in-law's flocks he heard the voice of God remind him, "The slaves of Egypt are your brethren, go, lead them to freedom." He was annoyed, remembering them as a shiftless lot, crude, unreliable—people with whom he'd prefer not to associate. So he made excuses—"I don't speak well; I don't have the facts; send someone else". God's promise that He would be with him came with such authority, when Moses appeared before Pharaoh he declared with unmistakable power—"Let my people go!"

Alone, we shirk responsibilities, tallying our small capacities. With the assurance which comes from study, prayer and worship, we take on a boldness which reflects the voice of God.

The rhythm of history brings alternating moments of darkness and light. When Constantinople fell in 1453, men feared that civilization would end; but the fleeing scholars carried with them the sparks that ignited the Renaissance. What could have been more futile than the penniless monk Martin Luther speaking his mind to Charles V, ruler of most of Europe and much of the New World? Out of that dialog came our religious freedoms.

Today, we seem surrounded by insoluble problems. Irresistible forces appear to be approaching collision with immovable objects.

The most immediate and demanding conflict arises from the insistence of racial minorities to be given all the rights and privileges the majority have achieved. The race problem can no longer be evaded either in this country or abroad. Seemingly impossible questions will require even more good will than brains. Probably the only effective way out will be to provide better schools for everybody, and develop a more inclusive type of community life. The end result will benefit everybody. Our lives will be far richer as our society becomes more inclusive. Isn't this what our Lord Christ prescribed?—"love the brethren"; "bear ye one another's burdens"; "to whom much is given, from him shall much be required". Now we are seeing the pragmatic necessity of what we once thought impractical idealism—fortifying us—as it did Moses.

Getting Catholics and Protestants together appeared ten years ago as wild idealism. Today the Holy Spirit is leading us into an increasing number of intimate contacts—and a united force for Good is becoming a possibility. Some deeply loved prejudices may have to be put aside—but God is working His purpose out, invalidating what seemed a stalemate.

The overshadowing problem before us is in the international realm. The political complexities of our involvement in an undeclared war in Vietnam are so baffling that I feel presumptuous even in asking questions. But since there is rather general consensus that what we are doing in Vietnam is wrong (a conviction voiced by leaders of nations traditionally our friends, leading military experts, and the rank and file of American citizens) we wonder if some logical, straightforward explanation might be given without endangering whatever military or political advantage we hold.

Relatively few of us plan even the mildest form of disloyal action against constituted authority. "United we stand, divided we fall." We know the necessity of supporting our leader. But we cannot close our Christian consciences to consideration of the rightness of actions as they are reported to us—perhaps erroneously, perhaps for good cause (of which we have not been apprised). We are appalled that apparently this is the only war in our history which has had three times as many civilian as military casualties. It is particularly regrettable that to so many nations the struggle's purpose appears as neocolonialism. We are mystified by news accounts suggesting that our brave fighting units are inhibited by directives and inadequate equipment from using their capacities to terminate the conflict successfully.

While pledging our loyalty—we ask humbly, Why?

We know we must avoid the oversimplification which views the war as a struggle against a monolithic Communism. Communism seems to be an irresistible force—and we are sure we are an immovable object. Geographically, Communism is getting closer and closer to us. The peril is that we may panic and do foolish things. Many people are badly scared. It's almost impossible to think straight when we are frightened.

West Berlin and Hong Kong are quite literally within the jaws of Communism if their psychology were our psychology they would be gloomy, depressed spots. On the contrary both cities are enjoying a building boom; visitors are astonished at the vigor of life. The Communists are 40 miles from Helsinki, Vienna, Trieste, yet these communities are less concerned about the threat they offer than are Dallas, Phoenix, and Seattle. The closer we get to the real Reds, the less we are intimidated by them.

The economic problem is simpler than was commonly assumed. Even the cursory presentation of Life magazine this week, bears out this. Both pure Communism and pure Capitalism were the creations of fevered imaginations. There is an increasing amount of private enterprise in Communist countries, while even the rankest capitalist rides over state-owned roads, many send their children to public schools, puts up with many socialistic practises (such as old-age payments). The problem of the future is to discover what can best be done by the state and what is best left to private enterprise.

The more serious threat of Communism of course is political. To those who have little, it promises much, it fires hopes, even though the world has seen relatively few instances of their willingness or ability to make good on such promises. As a nation we are called to live up to our profession of "liberty and justice for all". If we set right the inequalities and erase the dark blots on our life, we have nothing to fear for ourselves. As for the rest of the world—it is admittedly difficult to devise ways of exporting democracy.

When we read the paper or listen to the radio or TV—and learn of problems popping up all over the world—even the bravest of us grow faint-hearted.

The years ahead will be painful. Customs which seem an essential part of life may

have to be given up. Opinions we have held tenaciously may be proven false. Physical and emotional landmarks may be swept aside. We may be compelled to think new thoughts and walk in new paths. Emerging young men and women who will gradually take over must have more understanding than we have had. Necessity will compel them to rise to greater heights than we have known. The future looks terrible; but with guidance from God (as in every strategic juncture of history) He will infuse the essential factor into the equation—something we could never suspect as a possibility—to make the future glorious.

ROBERT S. McNAMARA—A MAN FOR ALL SEASONS

Mr. McGEE. Mr. President, it is hard to find the words which sum up the Nation's feeling—and my own feeling—for a man with qualities like Robert S. McNamara.

It is hard to say how much the Nation and Congress and the President will miss him.

Robert McNamara has been one of the finest public servants ever produced by this country.

He has been the finest Secretary of Defense.

He has been one of the most efficient, intelligent, and effective Cabinet officers ever to serve any President.

And he leaves behind him a legacy of accomplishments in the defense complex which will stand for many years.

Robert S. McNamara is a man for all seasons.

He is a manager of industry with a deep intellectual mind.

He is efficient and compassionate.

He is in total command of the Nation's military needs while never forgetting that the basis of security is not arms, but development and stability.

Robert S. McNamara and Lyndon Johnson have worked closely and harmoniously for 4 years. They have stood together for the defense of America's interests and the free world's interest. And now they part as friends and admirers.

The World Bank is getting one of America's finest sons. And the U.S. Government is losing one of its finest and most dedicated public servants.

I ask unanimous consent that the text of Secretary McNamara's statement to the people on the subject of his departure from the Department of Defense be printed in the RECORD.

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

[From the New York Times, Nov. 30, 1967]

STATEMENT OF ROBERT S. MCNAMARA

I should like to tell you of the events that have led up to my nomination as president of the World Bank. In less than 60 days I will have served seven years as Secretary of Defense. No one of my predecessors has served so long. I myself did not plan to. I have done so because of my feeling of obligations to the President and the nation, although I have felt for some time that there would be benefits from the appointment of a fresh person.

On the 18th of April Mr. George Woods, president of the World Bank, told me that he wished to recommend me to the executive directors as his successor.

He asked whether I would be interested. I replied that I had not thought of the possibility before he mentioned it to me, but that I was interested in the economic development of the less-developed countries and believed that the work of the bank in this respect was vital to the stability of relations among all nations.

I emphasized to him, however, as I have to at least 20 others in the past two years, that I have never believed in considering any future job before completing a current one, and that I felt deeply obligated to serve the President as Secretary of Defense as long as necessary.

Mr. Woods replied that it was not necessary to make any decison then, that although his own term was scheduled to end on Dec. 31, 1967, he had been considering with the executive directors the possibility of staying on for as long as another year. I reported this conversation to the President and told him of my interest in the post. I reiterated that I would serve as Secretary of Defense as long as he felt it necessary.

About the middle of October I was informed by the President that nominations to succeed Mr. Woods would soon have to be made, and he asked me if I was still interested in serving as head of the bank. I answered in the affirmative, repeating, however, that I would not leave the post of Secretary of Defense until he felt he could release me.

The President told me, as he has said to me before, that he believed I deserved whatever I wanted in or out of Government, and he would do whatever he could to help me get it.

We discussed the state of the defense program and the names of potential successors. I have greatly valued the opportunity to serve my country as Secretary of Defense, and I am profoundly grateful to the President for his unfailing support and friendship. I have worked with him in complete harmony and with the highest regard.

No date has been set for my departure from my present post and the assumption of my new duties. The President has asked me to remain at least long enough into next year to complete the work on the military program and financial budget for fiscal year 1969.

SAN ANTONIO OFFERED NEW HOPE IN MODEL CITIES PROGRAM

Mr. YARBOROUGH. Mr. President, the Friday, November 17, San Antonio Express contains an editorial which expresses well the goals which all the recently chosen cities of the model cities program should contemplate in making their plans. In its editorial, entitled "Better Environment, Opportunity Goals of Model Cities Program," the newspaper points out the prime goal of the planners for their city's future well-being—that long-term improvement be achieved by making available, right now, the opportunity to advance and the environment in which to do so. More simply, this program is an offering of hope for the disadvantaged of these cities, which is a new hope for the cities themselves. Part of a city cannot go all the way by itself—and a city is not prosperous if the greatest number of its residents live in slums and poverty.

The Express article recognizes this basic fact of life, urging the people of San Antonio themselves to "try to make the plans work because low-paid people are not much of a civic asset." This opportunity to upgrade slum areas in the city is an opportunity permanently to upgrade San Antonio itself, and the Express does its city a great public service in pointing this out.

Mr. President, 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:

BETTER ENVIRONMENT, OPPORTUNITY GOALS OF MODEL CITIES PROGRAM

San Antonio's inclusion in the "model cities" program offers an unrivaled challenge to planners. Object of the program is to upgrade substantially a slum area. Planners have one year in which to qualify for a portion of $300 million to carry out their plans. There is $11 million to be divided among 63 cities to be used in planning. That is slightly under $175,000 per city, which means there won't be money to waste.

The model cities selection comes at the same time two major corporations have expressed interest in locating a plant here to help train hardcore unemployed. This venture is designed to test job-training ideas on the job.

The two programs would represent big help from Washington. They should be founded on long-term goals as well as demonstration projects that will generate imitators, not necessarily at public expense. There is a demand for skills. If government can improve slum areas and train their residents at the same time, a big step can be taken.

The programs amount to a public investment in people. If environment and opportunity can help, these projects will attempt to demonstrate it. It is to the benefit of all San Antonians to try to make the plans work because low-paid people are not much of a civic asset.

TRIBUTE TO SENATOR RANDOLPH

Mr. MANSFIELD. Mr. President, the passage of the civilian pay raise bill was a significant achievement for Congress. The bill has been characterized as the pay raise bill, but it also effected a major postage rate adjustment, as well.

Much of the real work that leads to the great achievements on the Senate floor takes place behind the closed doors of committee rooms. Some of the significant changes in the revenue-raising features of this year's postal rate bill, especially those dealing with the raising of rates for the so-called junk mail, were sponsored by the distinguished senior Senator from West Virginia [Mr. RANDOLPH].

To him and to the other Senators who are members of the Committee on Post Office and Civil Service, all of whom performed so well, the Senate extends its congratulations and gratitude.

CIVIL DISOBEDIENCE IS NOT LEGITIMATE DISSENT

Mr. BYRD of West Virginia. Mr. President, the subject of dissent is being widely discussed in connection with a number of our current problems, such as the war in Vietnam, the draft, urban rioting, the demonstrations, poverty, welfare, and so on.

The discussions generally turn on the point at which the constitutional rights of free speech and peaceable assembly clash with the equally important necessity of maintaining an orderly society.

As has often been pointed out, the right of free speech does not give a person the right to falsely shout "fire" in a crowded

theater. Nor does the right of peaceable assembly confer upon a mob the right to block traffic or disrupt the normal operations of organized society.

Civil disobedience, which the misguided individuals who wish to employ it contend is a right stemming from free speech and free assembly, is not sanctioned by the Constitution of the United States, nor does it have any sanction in law. Civil disobedience is nothing more nor less than lawbreaking.

It is time, Mr. President, that this point is made crystal clear to the people of this country, for we are threatened with a proliferation of civil disobedience aimed at achieving all sorts of objectives by bypassing the democratic processes.

Civil disobedience, Mr. President, is not legitimate dissent. This vital point is the theme of a most excellent address that I have just had the privilege of reading, an address delivered by Attorney William C. Beatty, of Huntington, W. Va., president of the West Virginia State bar, to the State bar's 20th annual meeting in Parkersburg, W. Va., on October 19, 1967.

This is a scholarly dissertation, Mr. President, that puts in proper perspective the question of dissent in its relation to demonstrations, campus upheavals, and the many and varied disorders that have marred our national image as a people who respect law and the rights of others.

The articulate and honorable dissenter has always been a respected figure in American life. Indeed, what was one generation's dissent may well become the next generation's orthodoxy. This is one of the great pillars of strength of American democracy.

But, Mr. President, what we have all too often witnessed in recent months in the name of dissent has been, instead, only a grotesque distortion of this basic freedom.

The right to dissent, to free speech, in an orderly society must, of necessity, carry limitations that forbid slander, obscenity, and incitement to crime, as the late Judge John J. Parker of the Federal court of appeals that served West Virginia once observed.

I cite particularly the words "incitement to crime." Incitement to civil disobedience, Mr. President, falls in that category.

I ask unanimous consent that the text of President Beatty's address to the bar be printed in the RECORD.

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

THE RIGHT TO DISSENT

(Address of William C. Beatty, Huntington, W. Va., president of the West Virginia State Bar, to the State Bar's 20th annual meeting in Parkersburg, W. Va., October 19, 1967)

It has very aptly been said that "the attorney whose professional thoughts begin and end with his own private clients is a pitiable mockery of what a great lawyer really is." I am fearful that to a large degree we have all become pitiable mockeries of what a lawyer is and should be.

By approaching our profession as mere mechanics rather than as architects or designers of law and its order we are abdicating our duty to explain the great concepts underlying our constitutional government at a time when social ferment shows a serious misunderstanding of the responsibilities imposed upon the "free citizen" in the handling of his legally conferred liberties.

Recently we have heard much about the right of dissent from almost everyone except those who should know and understand it best—the lawyers. To be sure some have spoken out but by and large little has been heard from the working lawyer who ultimately should be the firm foundation of the legal system in his own community. It is this thought that I would like to catalyze!

The men who won our independence were vitally aware of the fact that free speech safeguards the very existence of liberty. They recognized as pointed out by John Stuart Mill, the great 19th century liberal in his Essay on Liberty that free speech is "indispensable to enable average human beings to attain the mental stature which they are capable of."

A splendid expression of their underlying philosophy is found in Justice Brandeis' opinion in *Whitney* v. *California* where he said they believed:

"That freedom to think as you will and to speak as you think are means indispensable to the discovery and spread of political truth; that without free speech and assembly discussion would be futile; that with them, discussion affords ordinarily adequate protection against the dissemination of noxious doctrine; that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of the American government. * * * Recognizing the occasional tyrannies of governing majorities, they amended the Constitution so that free speech and assembly should be guaranteed."

The essence to be distilled from all of this is that the "truth itself is benefited by free expression of opposing views" even though there may be great error in such expression. That the right to dissent—the right to be wrong, if need be, is afforded the most humble citizen.

However, regardless of all this altruism we know practically that the life of the dissenter—the attacker of the orthodox—has not been an easy one. History teems with instances of dissenters being put down.

Socrates died for his unorthodox views. Christ was put down for protesting the religious order of his day.

The Reformation broke out at least on 20 occasions before Luther's time and was put down.

Even in this country we hanged a few witches ourselves at Salem. At one time members of labor unions were pilloried as heretics and Scopes was tried for teaching evolution in Tennessee.

"Libertarians, bigots, heroes, scoundrels, sages, fools—in America we have had, and do now have, them all."

In time of crisis we have always tended to think more acutely upon the right to free expression. We are doing this now because of the debates over the war in Vietnam and the questioning growing from the civil rights movement. While the concern is more vocal the anatomy of the matter of dissent remains the same. It has always been the same.

Recently Henry Steel Commager, the historian, has put his finger on the one great obstacle that has stood in the way of informed dissent, that is, that—

"Men in authority will always think that criticism of their policies is dangerous."

And while a feeling of danger may sometimes be justified the greatest risk in such a fear is that the reaction to criticism will be one of emotion and name calling. The worst offense which can be committed in this connection says John Stuart Mill "is to stigmatize those who hold contrary opinion as bad and immoral men."

We all have a tendency to do this with those who disagree with us. Yet, when we remove the heat of controversy, logic and history tell us Mill was right.

At this late date we do not think evil of those writers and preachers who opposed the War with Mexico like Theodore Parker who denounced the war Sunday after Sunday and today is remembered as The Great American Preacher. Nor do we now condemn the beloved Mark Twain who was so violently against our participation in the Philippine Insurrection of 1899 that he asserted that the Stars and Stripes should have the white stripes painted black and the stars replaced by a skull and crossbones.

We don't condemn Lincoln for his unyielding opposition to slavery—an accepted institution of his day. And we sometimes forget that the dissents of Justice Holmes of 40 to 50 years ago, Holmes was called the Great Dissenter—have become the law of our time.

The late Judge John J. Parker, of our own Federal Court of Appeals admirably summed up what I have been fumbling to say when he explained:

"All this should be self-evident. It has been said by wise men so many times over in the world's history that I should apologize for saying it, were it not for the fact that there is such great temptation to forget it whenever an unpopular minority says something that strikes at the foundation of what we ourselves believe in. It is easy enough to believe in freedom of religion for Episcopalians or Baptists or Presbyterians. The test is whether we believe in it for Mohammedans or atheists. It is easy enough to believe in free speech for Republicans and Democrats. The rub comes when it is applied to Communists and fascists and others whose teachings would subvert our institutions. We must never forget that unless speech is free for everybody it is free for nobody; that unless it is free for error it is not free for truth; and that the only limitations that may safely be placed upon it are those that forbid slander, obscenity and incitement to crime."

Now I want you to bear particular note of the last sentence of Judge Parker's remarks. I believe that he here stated a principle that is being frequently ignored today by those claiming the right to dissent—

He says ". . . the only limitations that may be safely placed upon it are those that forbid slander, obscenity and *incitement to crime*."

These are the legitimate limitations that a free society must impose to protect itself and its citizens. These limitations are being ignored by many of our so-called modern dissenters.

We, as citizens, are failing to call the ground rules to their attention and to the attention of our elected officials.

I now wish to submit to you that the greatest current threat to free expression in the country is the so-called doctrine of civil disobedience.

The doctrine has been expressed by Martin Luther King in his letter from a Birmingham jail written on April 16, 1963 as follows:

"One who breaks an unjust law must do so openly, lovingly, and with willingness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law."

It is a mystery to me how you violate a law lovingly. And it seems readily apparent that conscience varies from person to person. Witches have been burned by those whose conscience told them it was right and just. I suppose too that Jessie James probably

said it was right and just to rob banks. Even segregation, itself, has been justified by some who have pointed righteously to their Bibles. As has been observed by Burke Marshall, former assistant attorney general, who actively fought the battle of civil rights:

"If the decision to break the law really turns on individual conscience, it is hard to see in law how Dr. King is any better off than Governor Ross Barnett of Mississippi, who also believed deeply in his cause and was willing to go to jail."

It is not surprising that King, caught up in the fallacy of his own thinking has proclaimed a different rule for the massive resistence to the law by segregationists. He brands their concept of moral law as "uncivil disobedience" and "lawlessness".

On its face, the doctrine is dubious at best, but there has been an attempt to rely on Thoreau and Gandhi to give it a respectable philosophical foundation.

One wonders whether those who cite Thoreau have actually read him. This was the man who applauded John Brown's bloody and half-crazed raid on Harper's Ferry. In his Essay on Civil Disobedience written in 1849 he frankly admits "That Government is best which governs not at all" and says that—

"The only obligation which I have a right to assume is to do at any time what I think is right."

He opposed slavery and the war against Mexico. Refusing to pay his taxes he spent one night in jail. This idea of refusing to pay taxes is appealing, but, be that as it may, his doctrine is pure and simple—anarchy.

Neither is Gandhi's historic struggle in India an honest precedent for he was forced to use techniques of disobedience because lawful processes were wholly unavailable.

Some other precedents loosely invoked as justification of civil disobedience have included Shay's Rebellion in Massachusetts, the Whiskey Insurrection, refusal to obey the Fugitive Slave Law and civil disorders found in the labor movement. These episodes fall short of responsible authority.

As an example of the misguided thinking of some of these incipient revolts in American history which are called on to support civil disobedience let's look at Shay's Rebellion for a moment. As a witness we call Daniel Shay himself. He was a gallant fighter in the Revolution. In 1787 he was leading a revolt against the State of Massachusetts. And we hear him advising his 1100 rebels:

"Boys, if you don't know what you're fighting for, I'll tell you. You're fighting for liberty.

"If you don't know what liberty is, I'll tell you. It's the right to do as you please, and to make others do whatever it pleases you to have them do."

This testimony from Shay is the key to the whole matter. It shows plainly the belief of many today that freedom is the right to use force to achieve your ends. However, freedom of expression or any liberty for that matter carries with it certain responsibilities. Without obligation freedom is license. Like Justice Holmes has vividly stated:

"The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing panic."

Some people particularly those who apply the doctrine of civil disobedience think today that they have the right to cry "Fire" any place at any time. High time they are convinced otherwise!

Civil disobedience is neither non-violent nor peaceful. Massing and marching and blocking streets from intended use is not peaceful assembly. Interfering with the function of public universities is not academic freedom, nor is the use of despicable "four letter" words by bearded youth in public gatherings. Trespass and destruction of property is certainly not freedom of expression. But all of these things are mob action tailor made for those few malcontents who desire a total breakdown of organized society.

Sit-ins are in the words of the liberal Justice Black "one of the surest ways anyone can pick out to disturb the peace." Even non-violent demonstrations if there can be such a thing exact a high price from the public generally. Traffic is disrupted. Streets littered. Citizens denied the use of streets and sidewalks. The drain on the public treasury is great—the Selma march cost the National Guard $500,000. This coupled with the decline of public order and interference with the rights of others obviously shows that the use of demonstrations is getting out of hand. While many who espouse civil disobedience may be peaceful men, the practices they have encouraged their followers to indulge in have led to the belief that crime does pay!

There is no constitutional sanction for civil disobedience, and as a matter of fact the case authority demands that the state have the ability to protect itself from anarchy. Even the Supreme Court has recently warned in the *Cox* case that it will not sanction "riotous conduct in any form or demonstrations, however peaceful their conduct or commendable their motives, which conflict with properly drawn statutes and ordinances designed to promote law and order, protect the community against disorder, regulate traffic, safeguard legitimate interests in private and public property, or *protect* the administration of justice and other essential governmental functions."

Unfortunately, many people in high places have forgotten these first principles of government. Civil disobedience has been "acclaimed in the media" and "proclaimed from the pulpit." Sad to say, virtually every Protestant denomination has officially endorsed it in some form or the other, and from what we hear from Milwaukee the Protestants are not alone.

The stained glass voices of the ministry have attempted to beguile us with calls for higher loyalty when actually the higher loyalty of which they speak is only their own personal predilection. These later day "prophets" have all too readily mistaken their own individual desires for the will of the Almighty. They need to be reminded that the tenets of their faiths nowhere justify the concept that true freedom can be obtained without attention to duty and that, on the contrary, teach that only discipline can bring true freedom.

Churchmen need to recognize that our government is based on an ideal that attempts to give each his recognition as an individual while providing each an orderly society to live in. Unfortunately the ideal is frequently tarnished. Yet this is no excuse for revolt for we have devised a government where the constitutional courts are open to enforce its rule of law. And parenthetically, I might add, you as lawyers have a duty to see that no one goes without access to their constitutional courts should they need it.

The clergy, of all people, should know the danger from the excesses of this mob action they advocate. But they are now doing what they have criticized others for doing in the past. They are attempting to impose their emotions and will on others by the use of force. They need to be reminded of the memorable epigram of theologian Rienhold Neibhur which says:

"Man's capacity for justice makes democracy possible, but man's inclination to injustice makes democracy necessary."

Their so-called higher loyalty actually would seem to demand a return to the rule of law—for in no other way can anarchy and chaos be averted and man's true worth be realized and safeguarded.

We must not forget what has gone on before and what can happen when emotions govern the conduct of the day. As recently as the Second World War we here in West Virginia had an experience with the emotions of the day. Our Board of Education attempted to force a compulsory flag salute on all who attended public schools. The Jehovah Witnesses who opposed the flag salute on the basis that their religion prohibited the worship of graven image on one or two occasions were tarred and feathered and run out of town. Ultimately in *West Virginia Board of Education* v. *Barnette* the Supreme Court of the United States struck down the flag saluting regulation with Justice Jackson saying that—

"Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard."

This is exactly what is occurring in the civil rights movement. As Lewis Powell, past president of the American Bar Association has pointed out "Many centuries of human misery show that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

It seems to be current thinking that the right to dissent envelops the Rap Browns and the Stokely Carmichaels in a cloak of immunity. This, of course, is not true. There are concepts as old as the nation itself which allow self-protection. As a passing footnote to history we find that here in West Virginia Governor Hatfield once closed a newspaper in Huntington which was interfering with efforts to bring peace in a mine war during a period when martial law had been proclaimed. Undoubtedly governmental action did not suffer from the refined restrictions then that it now does. However, the principle is that the governor of a state has power to declare martial law and temporarily incarcerate and hold those participating in insurrections, rebellions or civil commotions. As former Justice Whitaker has put it:

"The remedy is plain as the threat. It is simply to insist that our governments, state and federal, discharge their duty of protecting the people against lawless invasions upon their persons and property. In no other way can we orderly resolve the issues that confront and divide us, or live together in peace and harmony as a civilized nation."

This the organized Bar must demand. This country cannot accept a doctrine which allows a citizen to pick and choose the obligations of citizenship he will perform. It is time the Bar is heard on the question. We must tell the devotees of civil disobedience that the rule of law must prevail and the violators of the law no matter how lofty their aims or how high their position in society must be told they are not above the law. We must insist that correction of supposed injustices by threat of intimidation, by extra-legal means or by violence can no longer be tolerated.

While the Supreme Court of the United States is not a body these days to be bound by precedent even it cannot continue to ignore the growing threat to our liberty of expression posed by this doctrine of force called civil disobedience. Civil disobedience has proliferated to such sweeping subjects as Vietnam, peace in general, disarmament, poverty, and is beginning to be practiced "whenever impatient leaders deem it a more efficacious means than the normal process of democracy."

It is the greatest single threat today to the right of dissent and has contributed measurably in my opinion to the long hot summers we have been having of late. The Supreme Court would now do well to abide the admonition of Justice Jackson made a few years ago when he said:

"This Court has gone far toward accepting the doctrine that civil liberty means

the removal of all restraints from these crowds and that all local attempts to maintain order are impairments of the liberty of the citizen. The choice is not between order and liberty. It is between liberty with order and anarchy without either. There is danger that, if the Court does not temper its doctrinaire logic with a little practical wisdom, it will convert the constitutional Bill of Rights into a suicide pact."

Think about it!

UNEMPLOYMENT AND VIOLENCE

Mr. MONDALE. Mr. President, one of the chief factors contributing to the rash of civil disorders this summer was widespread unemployment in the neighborhoods where this violence occurred. The causes for this unemployment are many—job discrimination, lack of educational opportunities, the absence of training facilities, and racial segregation in housing. However, one immediate cause has been the flight of industry from the center city to the suburbs.

This shift in location patterns has placed the resident of the ghetto in a position where it is difficult for him to compete for these jobs. The white worker can live near the new plant, or usually can afford an automobile to drive to work.

The ghetto dweller, on the other hand, is usually barred from renting or owning a home in this new area, cannot afford a car, and cannot take public transportation to the plant. The result is that this person is closed out of a job.

In the past 2 years, however, there has been a recognition by private enterprise that the location of a plant has social consequences in addition to the normal economic ones. Many companies are now aware that a decision to move to the suburb means an increase in the frustration in the ghetto. This has resulted in a reevaluation by some of the Nation's leading companies as to where plants should be located.

Mr. President, I am proud to say that one nationwide corporation, Control Data, has decided to build a plant in a center city location, and more important, to build on the North Side of Minneapolis, where racial disturbances occurred this summer. Control Data, one of the country's largest computer manufacturers, has announced that it will build an 85,000-square-foot plant that will employ 275 people. In addition, Control Data will also use the area as the site for one of its training institutes.

This will be a major step toward the improvement of the North Side, and should serve as an example to other companies throughout the Nation. The resident of the North Side will realize that he has not been forgotten, and that there are good financial opportunities available to him. I applaud this decision and wish Control Data complete success.

Mr. President, this move to the North Side in Minneapolis demonstrates that Control Data committed to the betterment of the citizens in its community. It is a fine example of community involvement. It is also a challenge—an attempt to reverse the tide of industry and jobs away from the city, and away from those whose mobility is limited. I ask unanimous consent that a recent editorial published in the Minneapolis Tribune, commending the decision of Control Data, be printed in the RECORD.

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

CONTROL DATA AND THE NORTH SIDE

There soon will be a new name on Plymouth Av., the street of boarded-up buildings. It will be that of Control Data Corp. The decision of one of the world's leading computer manufacturers to open a plant on the Minneapolis North Side, where racial disturbances occurred in 1966 and 1967, is an exciting and significant development for our community.

The company will operate temporarily in leased quarters at Plymouth and Bryant Avs., but next year will build an 85,000-square-foot plant to employ 275 people. Just as important, Control Data, which operates eight computer institutes in the United States and abroad, will establish its second Minneapolis institute near or adjacent to the new North Side plant.

The announcement is significant for many reasons.

The plant and institute represent the first major private investment announced for the poverty district since the disturbances. We hope it encourages other such investments.

The plant will provide job opportunities for untrained residents of that part of our city with the highest concentration of nonwhites and the highest rate of unemployment. Previously, inexperienced persons have been trained by Control Data to become productive workers at such rural locations as Redwood Falls, Cambridge, Spring Grove and Montevideo, and Control Data believes it can do the same on the North Side.

The institute will bring into the North Side students from throughout the Upper Midwest, thereby breaking down, partly, the fences that separate and isolate the North Side from the broader metropolitan community. Its presence in the North Side, one hopes, will motivate more young people there to continue their education and enter an industry where opportunities for personal advancement are great.

The plant represents a break in the pattern of industrial flight to the suburbs. Control Data, now only 10 years old, got its start in an old building at 5th and Park, but joined the suburban movement when it later located its headquarters in Bloomington and put its biggest plants in the suburbs.

The plant also represents a major commitment by Control Data toward improving the attitudes of the ghetto, for it will produce a standard product, an electronic device that is a part of each computer system the company sells. People who will work in the plant will know that they are not just the recipients of some kind of corporate dogoodism or special federal contract.

In recruiting workers, the company will work closely with poverty agencies active on the North Side. But there is no government money involved in the project, nor are federally-financed training programs part of it (although Control Data does not rule out the use of such programs, if appropriate). The project clearly appears to involve much more than Control Data is required to do to fulfill its obligations as a major federal contractor and equal opportunity employer. It is setting an example for the rest of the community.

As it did when it took on International Business Machines Corp. in the field of supercomputers, Control Data is taking on another major new challenge. It came out well on the first. All of us have a stake in how well Control Data and its new employes succeed in this new challenge.

OUR POPULATION AND OUR FUTURE

Mr. BYRD of West Virginia. Mr. President, the United States is the fourth nation in history to have passed 200 million population. The others are mainland China, with an estimated 750 million; India, with about 510 million; and the Soviet Union, with an estimated 240 million.

When this historic milestone for our country was passed, the Washington Post took note of the occasion in a very fine editorial.

It took nearly 350 years from the time the first colonists settled on these shores for this country to reach its first 100 million in 1915. It took only 52 years for that number to double to the 200 million mark. Now the projection is that by the year 2000, only a little more than 26 years away, our population will reach or pass 300 million.

Such growth has significant implications for almost every aspect of the future of our country. We must keep constantly in mind, as we consider the legislative issues that come before Congress, that this is indeed a dynamic society in which we live, and one in which the problems of change will become more, not less, acute. We must never fall into the trap of thinking of our problems as if they were static.

Said in another way, the problems directly relating to population that we have faced in the period of time it has taken the United States to grow from 100 million to 200 million will more than double in impact in the years immediately ahead of us, for it will take only half the time to reach 300 million that it has taken us to pass the present historic milestone of 200 million.

I ask unanimous consent that an editorial entitled "Two Hundred Million Milestone," published in the Washington Post of November 23, 1967, be printed in the RECORD.

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

TWO HUNDRED MILLION MILESTONE

Passing the 200 million mark in population is something of a milestone in our history, like the passing of the frontier. Just when it occurred is a matter of conjecture and a question of no real significance. But the fact that this country took 300 years of high birth rates and immigration to attain its first 100 million, that it has doubled its population since 1915 and is now expected to add another 100 million before the turn of the century ought to provide some profound thinking about where we are heading.

Throughout our history we have been extremely growth conscious. Rapid multiplication seemed essential to fill up our vast open spaces, to augment economic prosperity and create national strength. So growth and more growth came to seem the primary virtue. It is deeply ingrained in American thinking. With the passing of the 200 million milestone, however, we have surely attained maturity, and we will have to adjust our thinking to the problems of maturity if we are to avoid the mistakes of many older civilizations.

Even with 200 million Americans, our cities are being overwhelmed by traffic congestion, air and water pollution, slums and social ferment. The country seems to be rushing toward the creation of insupportable mega-

lopoli on the East and West Coasts and in the Great Lakes region. If another 100 million people should be dumped into these overcrowded urban centers in the next three decades, living conditions might well become intolerable.

It is not wise to wait until our food supply has been endangered or our living space has been overcrowded before recognizing the changes that have come about. In the decades ahead the country may have to resort to drastic measures to maintain something of an urban-rural balance. Truisms of the past about the virtue of large families may have to be unlearned, and certainly we shall have to spend a far larger portion of our time and energy on the preservation of precious resources and the protection of our environment.

The passing of a population milestone will not of itself effect any changes. But it is an invitation to broader thinking. It should remind us that human welfare and national strength are not measured in mere numbers but in the ability of people to create a sound and sustainable environment.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 783, Senate Resolution 180.

The PRESIDING OFFICER. The clerk will state the resolution.

The assistant legislative clerk read as follows:

Resolved, That it is the sense of the Senate that the President of the United States consider taking the appropriate initiative through his representative at the United Nations to assure that the United States resolution of January 31, 1966, or any other resolution of equivalent purpose be brought before the Security Council for consideration.

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

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The time is under control.

Mr. BYRD of West Virginia. It will be a very brief quorum call. I ask the Chair to charge it against my side.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the majority leader, I yield 1 minute to the distinguished Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The Senator from Michigan is recognized for 1 minute.

Mr. HART. Mr. President, for many months now, together with others, I have urged that this Nation demonstrate to all the world how serious we are in our desire that the Vietnamese war be taken up by the United Nations, and, hopefully, resolved.

I know, as others do, that there are a great many hurdles that have to be cleared, and many difficulties can be assigned as to why no constructive result will follow by reference to the United Nations.

The alternatives available to us are tragically limited, and if we have the will to get to the moon and to wage war, we should commit that same resolute will to the search for peace, including a search in the United Nations; and we should make very clear that the judgment of the United Nations with respect to the proper course to resolve the fight in Vietnam will be a judgment that we will accept, unless it offends the conscience of America.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged against both sides.

The PRESIDING OFFICER. Without objection, the time will be charged equally, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, on October 25 the distinguished majority leader, Senator MANSFIELD, and 54 other Senators submmitted a sense of the Senate resolution which would seek to bring the Vietnam issue before the United Nations Security Council. I am very pleased and proud to say that this resolution now has 59 cosponsors.

This resolution was referred to the Committee on Foreign Relations. The hearings which followed were particularly useful to the committee, because most of the witnesses had served as former U.S. delegates to the United Nations. These men spoke with authority and with experience as to the procedural processes of the United Nations and how the United States could best undertake an initiative to bring the question of Vietnam before the Security Council for discussion and debate. On the basis of this testimony and the very able presentation of the distinguished U.S. Representative to the United Nations, Ambassador Arthur J. Goldberg, the Foreign Relations Committee unanimously recommended that the Senate approve Senate Resolution 180.

Mr. President, I want to make it clear that the proposal before the Senate today is not the only one before the Senate. The distinguished senior Senator from Oregon is the architect of Senate consideration of an attempt to get the United Nations to consider the Vietnam issue. The senior Senator from Oregon submitted a resolution of his own to the Foreign Relations Committee. Both Senate Resolution 180 and the resolution of the Senator from Oregon were considered together.

With the support of the distinguished Senator from Oregon, Mr. President, the committee decided to report the more general language of Senate Resolution 180, introduced by the distinguished majority leader. It was thought that a generalized resolution drawing the overwhelming support of the Senate would best make the point which is most significant: That is, the endorsement of a particular approach to the Vietnam problem is less important at this moment than seeing to it that the Vietnam dispute is brought before the United Nations. As the majority leader said on October 25 when he submitted Senate Resolution 180, "Initiation, not resolution, is the key word as far as the Security Council is concerned."

Mr. President, the witnesses before the Foreign Relations Committee were unanimous in their judgment that the United States must take the question of Vietnam to the United Nations if the United Nations is to continue to have relevance to peacemaking. The United Nations can hardly beg the question of Vietnam. If it continues to avoid the Vietnam issue, it may well go, in my opinion, the way of the League of Nations.

The time is long overdue for a U.S. initiative at the United Nations. It has been almost 2 years since the United States sought to place the Vietnam issue before the Security Council and then dropped the effort. The effort ended, not in a repudiation of the United States initiative, but rather in indecision and ambiguity in the expectation of greater results from other peacemaking efforts, expectations which, of course, have been totally unfulfilled.

Rather, the war has gone on, relentless in its destruction and revolting and degrading and odious in the human toll which it has exacted. The road of the war's expansion has become a boulevard; the path to peace has narrowed to a slender trail, as alternatives have disappeared and the options declined. In an open-ended and frustrating and divisive war, the United States has no choice but to pursue every possible approach to an honorable settlement of the Vietnam dispute.

Mr. President, I shall not take the time of my colleagues to review the testimony which was taken by the Foreign Relations Committee, and which is contained in the report on each Senator's desk. However, I would commend the report of the Foreign Relations Committee on Senate Resolution 180 to the careful attention of the Senate. Many witnesses argued that a deescalation, such as a cessation of the bombing of North Vietnam would be an essential bona fides and might open the way to bringing the Vietnam war to an honorable conclusion.

Many of the members of the Foreign Relations Committee may agree with this proposition. Many members of the committee and the Senate may not agree. In the common judgment of the committee, it was felt more important to search for that which would unite the Senate. Such unity was found in the language of Senate Resolution 180. The

committee agreed that the effort should be made to open the way to United Nations consideration of the Vietnam issue without in any way prejudicing the outcome of discussion and debate by specifying preconditions or a particular approach.

I believe that this initiative will be a worthwhile effort even if consideration by the Security Council serves only to clarify the various positions of those directly or indirectly involved in this conflict by bringing them together in a face-to-face discussion.

In short, this resolution asks only that the debate begin before the Security Council. If the members of the United Nations, acting collectively, agree, after debate and discussion, that direct negotiations or convening of the Geneva conference, or whatever, is the surer way to peace, and are prepared to accept the responsibility of those beliefs by going on record, then there may well be the beginning of a beginning toward the restoration of peace.

The conflict in Vietnam has already been raised from a guerrilla war to an internationalized war. I suggest the time has come to internationalize the search for peace.

Can the United Nations help? We will not know until the attempt is made, and made again and again if it is necessary. I urge that we begin here today the process which may lead from the rhetoric of peace in the United Nations to the realities of peacemaking on Vietnam.

I wish again to commend the leadership of the distinguished majority leader and the senior Senator from Oregon for their initiative in bringing this matter before the Foreign Relations Committee and now the Senate. I hope the Senate will endorse this proposal by an overwhelming vote.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the rollcall to be charged equally to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. 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. FULBRIGHT. Mr. President, I ask for the yeas and nays on the pending resolution.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 10 minutes.

Mr. YOUNG of Ohio. Mr. President, the war in Vietnam is the only major crisis since the founding of the United Nations in which neither the Security Council nor the General Assembly of the United Nations has exercised its influence. The time is long past due for officials of the Johnson administration to make a much greater effort to bring our Vietnam involvement before the Security Council of the United Nations for consideration.

I am proud to be a cosponsor of the resolution introduced by the distinguished majority leader [Mr. MANSFIELD]. There is no U.S. Senator who is more knowledgeable on our involvement in Vietnam or who has added more to his knowledge over a longer period of years than the majority leader. I congratulate him for his efforts in bringing this resolution before the Senate.

If ever there were a situation which constituted a threat to world peace as envisaged by those who created the United Nations more than 20 years ago, it is certainly the Vietnam war. The fact that some participants in that ugly civil war are not members of the United Nations should not and does not bar United Nations recognition of the problem.

U.N. representatives of more than 104 nations have expressed the concern of their governments over the danger that the Vietnam war presents to world peace. Since September 21, 1967, delegates from more than 50 nations have suggested in the General Assembly that the United States stop the bombing of North Vietnam in the hope that this will bring the North Vietnamese and the Vietcong, or representatives of the National Liberation Front, to the conference table where a cease-fire can be negotiated.

The Johnson administration has taken the position that the only alternative to our continued involvement in Vietnam is abject, dishonorable withdrawal of our Armed Forces. The plain truth is that an honorable alternative exists by halting further escalation of the ground fighting and an unconditional cessation of the bombing of North Vietnam, followed by negotiations for a compromise settlement based on the Geneva agreements.

Our great Secretary of Defense, Robert McNamara, correctly stated that our bombing of North Vietnam and the objectives attained by that incessant bombing are no longer commensurate with the loss of priceless lives of so many pilots and airmen now being sustained and the continued loss of aircraft, of which more than 800 of the finest warplanes ever produced have already been shot down in Vietnam.

If President Johnson feels that he cannot retreat from his present position regarding a halt to the bombing he could, without loss of face, make it known that the United States would put aside its own official views on the bombing if the United Nations called for its suspension as a step toward negotiations. In his efforts to settle the Algerian war by negotiation, President de Gaulle at one critical juncture withdrew an entire division of French troops as a means of convincing the Algerians that he genuinely desired a political settlement. Neither France nor De Gaulle lost face. Nor would we, the most powerful nation that ever existed under the bending sky of God, forfeit the respect of any country or any meaningful military advantage by similarly taking the step which only we can take to set the peace machinery in motion.

It may very well be that the United Nations will not be able, or determined enough, to cope with the most serious threat to world peace in a generation. However, this question will never be answered unless we make a much greater effort to bring the entire question up for consideration in the Security Council of the United Nations.

There have been many proposals set forth from many different sources for ending our involvement in the civil war in Vietnam and for bringing that tragic conflict to a peaceful conclusion. Some claim that the time is not now ripe for U.N. consideration of the Vietnam problem. With our casualties—dead and wounded young Americans—now exceeding 100,000 young men and with our terrible losses increasing rapidly, and with no end of this struggle in sight, there should be no question as to the fact that every possible avenue toward peace should immediately be explored and utilized to the utmost.

For these reasons I have cosponsored and do strongly support the resolution introduced by the distinguished senior Senator from Montana [Mr. MANSFIELD], calling on the President to take the appropriate initiative to bring the Vietnam question before the Security Council.

Faced with the gravest threat to world peace since World War II and the Korean conflict, we should avail ourselves of the one international body established to maintain and secure world peace. In asking the Security Council to take an active role in bringing the Vietnam conflict to an honorable end the United States would be showing itself to be ready to stake its reputation and motives in free and open debate before the world.

It is with the hope that the United Nations will live up to its early promise as man's last best hope for permanent peace that I support the pending resolution.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. FULBRIGHT. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

THE DEPARTURE OF CHARLES FRANKEL AS ASSISTANT SECRETARY OF STATE FOR EDUCATIONAL AND CULTURAL AFFAIRS

Mr. FULBRIGHT. Mr. President, the war in Vietnam is now placing insurmountable burdens on those officials who are trying to carry out their responsibilities in the more enlightened and constructive areas of international relations. The Government is losing the services of many talented and dedicated men who are finding the restrictions placed upon their duties to be incompatible with the high performance they demand.

The departure of Charles Frankel as Assistant Secretary of State for Educational and Cultural Affairs cannot come as a total surprise to those of us who are familiar with the difficulties he has faced. In addition to the major cuts in appropriations which have made the State Department cultural program almost impossible to administer at required levels, Dr. Frankel has been forced to deal with a series of intangible problems which only occur when our country is regarded with suspicion abroad; these problems are totally unrelated to the functions of his office.

Although the international educational and cultural exchange program has not been able to receive the high priority it deserves, the fact that it continues to operate well at all is testimony to Dr. Frankel's patient, efficient, and selfless service. He has earned the gratitude of all who are interested in international cooperation in the arts, sciences and humanities, and in short of all those deeply interested in better human relations in this troubled world. His demand for excellence in international education has been an inspiration to those who have participated in the various programs. Dr. Frankel will be sorely missed. We can only find some solace in the fact that he will continue to contribute in other ways to the intellectual life of the Nation.

It is with profound regret that I contemplate the loss to our Government of such an outstanding intellectual leader as Dr. Frankel and his charming and discriminating wife.

INDONESIA

Mr. FULBRIGHT. Mr. President, the Washington Daily News of November 22 printed a lead editorial entitled "The Smart Way To Help." It is an endorsement of some of the solid reporting that has been produced by Scripps-Howard correspondent R. H. Shackford, and, in this case, some of the sound advice attributed to our American Ambassador to Indonesia, Marshall Greene.

The editorial and the reports it comments upon point up some of the changes in aid and foreign policy emphasis which the Committee on Foreign Relations has been pushing upon the administration for some years.

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

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

THE SMART WAY TO HELP

Southeast Asia is an area in which the United States can use all the luck it can get. That is why recent developments in Indonesia—the biggest, most populous (105 million) and potentially richest nation in the region—have been a windfall for us.

Just two years ago, a Peking-backed communist-led attempt to seize the government was nipped just in the knick of time by the army. President Sukarno, who practically delivered his country to the communists and wrecked its economy on the side, was gradually pried out of office. And the new rulers, military and civilian are trying diligently to rehabitate Indonesia economically.

The boobish way for the United States to help would be to rush in with a bagful of money, dispatch entire battalions of economic aid advisers, run up the American flag from any available flagpole, and make sure we surpass "rival" governments that give aid, too.

The real challenge to American policymakers, as Scripps-Howard Correspondent R. H. Shackford has written from Jakarta, is to find ways to help the friendly new regime pull Indonesia together—yet keep American involvement in Indonesia's internal affairs at a minimum.

Fortunately, we have as Ambassador in Jakarta one of our smartest and coolest diplomats, Marshall Greene. And he has some clean-cut ideas on how to go about the aid business this second time around. His prescription:

Keep the number of Americans—staffs of the Embassy, AID mission, U.S. Information Agency and others—small. Aim: raise efficiency, reduce the American "presence."

Do indirectly what is best done indirectly. Example: instead of the standard USIA idea of setting up American libraries (which have been targets for demonstrators), give American books to Indonesian libraries. In short, make this "aid" available under normal local conditions—not under a red-white-and-blue banner that proclaims our "generosity."

Financial aid should be continued only on a multilateral basis, with the money coming simultaneously from a dozen or more "donor" nations jointly assessing needs and dovetailing contributions. This practice, begun with India and Pakistan, is being followed in Indonesia's case.

Purely U.S. aid projects should be confined to those in which we technically excel. Examples: the Dutch, with long experience in Indonesia, should be encouraged to apply their knowledge; the Japanese ought to lend their advice on family planning, in which they have made unusual progress.

In short, keep it lean, efficient and cooperate. Wish we had done that years ago in many other places.

VIETNAM—COMMENT ON STATEMENTS BY GENERAL WESTMORELAND AND AMBASSADOR BUNKER

Mr. FULBRIGHT. Mr. President, I would like to comment briefly on the optimistic and confident remarks made in various public appearances last week by General Westmoreland and Ambassador Bunker. Their remarks struck a responsive chord, for we are—and have always been—an optimistic and confident nation with good grounds for being so. The war in Vietnam has shaken our natural confidence and optimism and as a result we have become a confused and divided country whose attention has been distracted and whose energies and resources have been diverted by a war which many of us believe we should not have joined and should not continue.

I do not mean to contend that we cannot win a military victory in Vietnam. I gather that General Westmoreland is convinced that we can and that we are well on the way to doing so. We have, of course, heard such predictions before. They have always proved wrong, but they have been made at times when we did not have massive forces in Vietnam as we do now. I am personally quite skeptical because it seems to me that General Westmoreland has based his predictions on several questionable assumptions including the assumption that the North Vietnamese will not commit all of their forces—or even significant additional forces—to the war.

But while I am skeptical about General Westmoreland's predictions, I hope, I most fervently hope, that he is right. I cannot express too strongly my hope that the war will soon be over: that Americans and Vietnamese will no longer have to suffer and die: that Vietnam's agony will finally end.

But I am sorry to say that I do not believe that the war will end soon, or soon enough to save thousands of American lives and tens of thousands of Vietnamese lives, if we continue to seek to end it by purely military means.

And when it does end, one way or the other, as it must eventually, will it have been worth the price in men, in the enormous resources we have dissipated and the further resources we will have to contribute, in the damage to our reputation abroad and to the health of our society at home? I do not believe that it will have been worth the price which is, to me, the most tragic aspect of the war.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

The Senate resumed the consideration of the sense of Senate resolution (S. Res. 180) seeking U.S. initiative to assure U.N. Security Council consideration of Vietnam conflict.

Mr. FULBRIGHT. I am very happy to yield 10 minutes to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, in the vote which is about to be taken, the Senate will record in effect, an attitude respecting the United Nations and the settlement of the conflict in Vietnam. The pending resolution, cosponsored by 59 Senators, does not have the force of law. It seeks neither to compel nor direct. It acts only to make crystal clear where the Senate stands on one aspect of the problem of Vietnam.

By adopting the resolution, the Senate will advise the President that it would look with favor on a vigorous and sustained U.S. effort to seek through the United Nations system at least the beginnings of a just peace even if, at the end, it is found that a settlement for Vietnam can be better negotiated elsewhere.

While the resolution would appear to be without particular controversy, it does not follow that it is without particular significance. On the contrary, the resolution signifies a great deal. It signifies the deep, the very deep unity of concern of the Senate with the continuance of the war in Vietnam and the determination that every recourse open under the U.N. Charter for ending it in a just peace ought to be pursued by this Government.

It means that the Senate defers to the President in matters of timing and on the specifics of action in the United Nations which are, properly, his unique responsibility, even as the executive branch is advised by the resolution to try to move the United Nations to make a contribution to the settlement of the Vietnamese conflict. The resolution urges the executive branch to make this try energetically and earnestly, to make it not in whispers in the corridors but in open view and

with firm voice before the Security Council, by moving procedurally and by insisting, if necessary, upon votes—win, lose or draw—in that body.

It would be my understanding that the Senate is aware, at this point, that an initiative at the United Nations may involve a confrontation before the Security Council with all those who are involved in the continuance of the war. That includes not only the Soviet Union but also Peking, Hanoi, and the National Liberation Front and others. The willingness to engage in this confrontation has already been set forth by the administration in the exceptional testimony which the distinguished United States Ambassad r at the United Nations, Mr. Goldberg, gave to the Committee on Foreign Relations.

In sum, the adoption of the resolution means that the Senate not only reaffirms its recognition of this Nation's commitments under the U.N. Charter but urges that these commitments be called into play for ourselves and for all nations by the positive actions of this Government. The Senate wants the procedures of the U.N. Charter to be invoked in good faith by the United States notwithstanding rumors of vetoes or threats of blocking tactics on the part of any nation.

Insofar as I am concerned, I believe it is high time to insist upon this course. It is high time for nations to stand up and be counted on the issues of peace in Vietnam. The Senate has a responsibility to the people of the United States to encourage the executive branch, at the very least, to lay the problem of Vietnam in open view before the United Nations Security Council. In that fashion, it may be possible to clarify the issues. It may be possible to find out who stands where on what.

In my judgment, the adoption of the resolution, expressing as it does the sense of the Senate, will strengthen the President's hand. He can pursue the sense of the resolution or not, as he sees fit. It remains his responsibility, as I have already stated, to decide if, when, and how to act with regard to a U.N. initiative. As one sponsor of the resolution, however, I must express the conviction not only that its adoption is desirable but that there is an urgency for action in pursuit of its purposes by the executive branch of this Government.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I have already stated that I am a cosponsor and I thoroughly agree with what the Senator has said. Is it the Senator's understanding that this proposal may be inscribed on the agenda of the United Nations Security Council without being subject to a veto?

Mr. MANSFIELD. That is correct. If nine votes are available out of the 15 which comprise the membership of the Security Council, it can be so inscribed without the possibility of a veto being exercised.

Mr. FULBRIGHT. Is it also the opinion of the majority leader that even though we are unable to obtain in advance absolute assurance of the nine votes, the resolution still should be presented for action by the Security Council?

Mr. MANSFIELD. Absolutely, because many of the nations of the United Nations, as the distinguished chairman of the Foreign Relations Committee himself has pointed out, have indicated in their speeches before the General Assembly, in the persons of their chiefs of state, their prime ministers, or their foreign ministers, that Vietnam is of considerable and immediate concern to them.

If that is the case, then I think it is up to the key unit within the organization of the United Nations, the Security Council, to face up to its responsibility in this respect, to put into operation the first article of the United Nations Charter, and to do all that it can to bring about, if possible, a solution to this most difficult problem which goes far beyond any direct confrontation between the United States and the South Vietnamese Government in Saigon and the Vietcong and the North Vietnamese.

Mr. FULBRIGHT. I should like to ask one other question for clarification. Some persons are confused about the procedure in the Security Council. If the resolution is inscribed by an affirmative vote of nine members, then subsequently, with respect to whatever is recommended as a substantive matter, the course to be pursued would be subject to a veto or could be adopted by nine members?

Mr. MANSFIELD. It could be subject to a veto, but before it could be subject to a veto, with a nine-member majority, debate would be forthcoming on the basis of the U.S. resolution or other proposal, or request.

Mr. FULBRIGHT. I cannot see any real risk to the United States, but much to gain, by a pursuance of this procedure.

Mr. MANSFIELD. I must say to the distinguished chairman of the Committee on Foreign Relations that I see no risk involved. It is another attempt to explore an opening which might lead to an honorable solution, an honorable peace, in Vietnam. This is another way, among the many in which the President is interested, and in which he indicated his interest in the first place on January 30, 1966, when he directed the Ambassador to the United Nations, Arthur Goldberg, to present to the Security Council a resolution which, in effect, asked the Security Council to take up this matter. He suggested that it might be possible for the Security Council to recommend the reconvening of the Geneva Conference. However, nothing has been done since that time in the Security Council.

It would be our hope that on the basis of the resolution, if and when it is adopted, the President's hand would be strengthened, and, through him, the hand of our Ambassador to the United Nations, to the end that the Security Council would live up to or face up to its responsibility.

There are indications that the Soviet Union and France might oppose this suggestion. But I note that both those nations have indicated that, in their opinion, the way to a settlement is by a reconvening of the Geneva Conference or a settlement based upon the Geneva accords.

The Soviet Union, as one of the two cochairmen of the Geneva Conference, has the right to call for its reconvening but has consistently refused to make such a call, even while advocating such a move. In contrast, the United Kingdom, the other cochairman, has shown itself always willing to bring about a reconvening of the Geneva Conferences of 1954 and 1962.

So I think it is about time that the nations which talk a great deal ought to put their money where their words are, face up to their responsibility, and undertake in their own way to do what they can to bring this problem to the negotiating table, to see if a settlement can be achieved.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. AIKEN. It is my understanding that if the resolution is presented to the Security Council and a majority of the members, or nine members, feel that the resolution is worthy of consideration, it will then be discussed in the Security Council and a solution of the problem in Southeast Asia will be sought.

Mr. MANSFIELD. The Senator is correct.

Mr. AIKEN. And if we do not have a majority of the Security Council with us, or nine members, then it will prove that those who vote against us, or those who abstain from voting, do not want any discussion of restoring peace in Southeast Asia to come before the United Nations, and particularly the Security Council.

Mr. MANSFIELD. The Senator is again correct.

Mr. AIKEN. I do not know how far the President is going with this. I know he has encouraged the submission of a resolution—twice, I believe. He has encouraged it, anyway. I can understand how he perhaps may have some reluctance at being voted down in the Security Council. I would like to point out that even though we were to lose the vote in the Security Council through abstentions or votes against us, which might be construed as constituting a small defeat, yet if through suffering a small defeat we gained a great victory, it seems to me that would be very worth while.

We have heard that Russia has promised to veto any effort on our part to secure peace through the United Nations. We do not know how France will act—France is unpredictable at this time—but at the present time the United States is blamed by a large number of the nations of the earth for conditions which exist in Southeast Asia, and the United States alone is being blamed. It appears to me that it is about time that the nations represented on the Security Council be called upon to stand up and say whether they are at all interested in securing or bringing about peace in Southeast Asia, or whether they are more interested in keeping us involved in a very costly war in that area.

As the Senator from Montana said, Russia could have joined England in reconvening the Geneva Conference 3 or 4 years ago. It flatly refused to do so.

I think it is about time that we stopped, in a sense, protecting Russia

from embarrassment by forcing her to vote before the world, which will indicate whether Russia desires peace in Southeast Asia or whether she is insistent on keeping us involved in war indefinitely, at as high a cost as possible.

I do not know what discussions we may have had with Russia. Apparently they do not want war near their country. They want it as far away as possible. They want it as far from us as possible. They have shown no signs of wanting us to go to war with Cuba, or Cuba with us. And so it appears in the Middle East, and in the Cyprus controversy.

I think it is time we adopted this resolution and forced the members of the Security Council to stand up and be counted. If the majority of them vote with us, that will at least show we have some sympathizers in the world. It means, probably, that they could recommend reconvening the Geneva Conference or at least taking some actions whether Russia likes it or not. But we have gone too far to avoid embarrassing Moscow, and it is time that we put them on the spot.

Mr. MANSFIELD. May I say to the Senator that if the Security Council did go so far as to recommend a reconvening of the Geneva Conference, the first person at that Conference, in my opinion, would be the President of the United States or his Secretary of State.

Mr. AIKEN. I think he would be and should be, because we have recommended it in the past and in the early period of this war. The opposition indicated they would go along with the findings of the Geneva Conference. Yet we were unable to get a meeting of that Conference reconvened simply because Russia would not join England in calling for it.

Mr. MANSFIELD. The Senator is correct, because all of the active participants, the North Vietnamese, Peking, and Moscow, have all stated that if there is to be peace in Vietnam, it will have to be on the basis of the Geneva accords. And we have stated time and time and time again that we would be more than happy to attend a reconvening of the Geneva Conference, but because of the fact that one of the two cochairmen, the Soviet Union, has failed to live up to what it says by joining the United Kingdom in reconvening the Conference, it has been impossible to do so.

So I think there is a grave question of credibility in this matter as far as the Soviet Union is concerned, and I think it is about time for it to either fish or cut bait and let the world know where it stands.

Mr. AIKEN. I think it is more than a matter of credibility because in the meantime, since Russia refused to join in reconvening the Geneva Conference, antiaircraft guns which have been furnished by Russia, and some by China, have shot down 700 or 800 of our planes and killed a lot of our fliers. I do not see why we should be so considerate of how Russia feels. We act as if we were afraid we were going to embarrass them. It is about time they were embarrassed to the extent of letting the people of the world know whether they want that war brought to a successful and honorable conclusion or whether they want it continued for the express purpose of weakening the Untied States or possibly involving the United States in war with China.

Mr. MANSFIELD. May I say to the distinguished Senator from Vermont that if the nine votes were forthcoming in the Security Council, it would not necessarily mean that those votes were cast because they liked the United States, but it would mean they were interested in the cause of peace, which is the function of the United Nations, and most particularly of the Security Council.

Mr. AIKEN. And it would relieve the President of the United States from the charge which exists in many parts of the world today that he and his government are responsible for the war taking place in Southeast Asia.

Mr. MANSFIELD. Yes, indeed. The resolution would be an earnest of our good faith.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Delaware.

Mr. BOGGS. I would like to express a few of my own views on this important resolution, but first I would like to commend the distinguished majority leader for his initiative in this matter. I consider it a matter of very great significance and importance, not only to our country but also to the community of nations.

Mr. President, the aims and intentions of the United States in regard to the war in Vietnam are debated day by day in the capitals of the world.

It appears that, for the most part, the debate is critical of the U.S. role.

In asking that the Security Council of the United Nations consider the conflict, and hopefully recommend an honorable settlement of the hostilities, our Nation is saying: "Let us bring the scattered and vague debate to a head. Let us have all the suggestions for peace advanced in open forum as delegates of member nations of the Security Council meet face to face. Let us explore fully any possible road toward peace."

Where better to do this than in the United Nations, whose very raison d'etre is the keeping of the peace?

By demanding that the Security Council consider the Vietnam conflict, we would demonstrate to the world that we are not afraid to have our purposes and intentions explained in direct relation to the positions which others may wish to advance.

Who is holding back an honorable peace? We want to make it clear that we are not. We are prepared to negotiate an honorable peace for both South Vietnam and North Vietnam. Beyond that, our concern is the peaceful development of that entire area of the world.

It is my hope, Mr. President, that the Mansfield resolution—Senate Resolution 180—will receive not only the overwhelming support of the Senate, which it deserves, but an energetic follow-through by the President.

Mr. MANSFIELD. I thank the Senator for his kind remarks.

I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I am pleased to be associated with the distinguished majority leader in the sponsorship of Senate Resolution 180. I sincerely hope the action of the Senate this afternoon will express very strongly the position of the U.S. Senate in regard to getting this matter before the United Nations.

I think the crux of the resolution is well stated in a paragraph found on page 7 of the committee report; and I commend the distinguished majority leader for an excellent report, which I assume will be a part of the proceedings of the Senate today, or at least a part of the record.

The paragraph begins:

> In the judgment of the committee, therefore, an effort to spur negotiations along the lines of Senate Resolution 180 is imperative.

This is a very strong paragraph. It continues:

> The committee is under no illusions as to the slender prospects of such a U.S. initiative. The United Nations may fail to come to terms with its responsibilities in bringing to a conclusion one of the most dangerous wars of our time. But we cannot know what the results will be until the attempt is made. It is also important to take note that the war in Vietnam is also a test of the United Nations as an international instrument of peacemaking.

I think this was brought out in the discussion between the distinguished majority leader and the Senator from Vermont.

The paragraph is concluded as follows:

> The committee is strongly of the view that the international community should consider not only the cost to the United Nations if it should attempt to bring the war in Vietnam to a settlement and fail, but also the consequences for the future of the Untied Nations if it does not act at all.

It seems to me, Mr. President, that that is the crux of this resolution—the responsibility that we may have as the Senate of the United States to request the President to call the matter to the attention of the United Nations. Then it will be their responsibility, and if they fail, as has just been stated, responsibility is placed upon them.

Mr. MANSFIELD. I thank the distinguished Senator, and agree with what he says. The United Nations has been becoming involved in almost every dispute in the world except in Vietnam. For some strange reason, except for the activities of the Secretary General, Mr. U Thant, they have been avoiding this matter like the plague. But we cannot avoid it, with more than 15,000 dead, with 115,000 casualties, with the number increasing, with the cost increasing, with rumblings about end runs around the DMZ into North Vietnam, with talk about going into Cambodia, and with talk about increased escalation. I think we had better begin to recognize what the cost is to this country—not to us in the Senate, but to our people over there who represent a younger generation. They are paying the cost. We are paying a price in funds, but I am sure all of us would recognize that we have the lesser part, compared with the burden which those youngsters are

carrying in that most difficult part of the world, in the dirty, discouraging, and frustrating war in which we and they are engaged.

I yield to the Senator from Rhode Island.

Mr. PELL. Mr. President, I congratulate the majority leader on the way he has shepherded this resolution through unanimous passage in the Foreign Relations Committee to what I believe will be unanimous passage by the Senate. It is obviously a resolution by which we may have a good deal to gain, and certainly nothing to lose.

In connection with the points raised by the Senator from Vermont, I was struck by the question he asked as to whether Russia would want us to cease our participation in this war. We cannot escape the fact that the Soviet Union is losing no men compared with the men we are losing, and only 2½ percent of the money that we are spending. Actually, the Soviet Union and China together are spending only about 3 percent of the money we are investing in this unhappy war in an unhappy land.

So I am not at all certain that the Soviet Union would like to see this war cease—one that is so relatively inexpensive on their part and so very expensive on ours.

I am among those who would like to have seen a stronger resolution. I would like to have seen some requirement in it that if the United Nations Security Council arrives at a recommendation, we would agree in advance to abide by the result; but I am also enough of a realist to know that any such resolution could not have secured anything like the substantial support this one has.

Moreover, with the exception of Ambassador Goldberg, who obviously was speaking under certain restraints, every witness who came before the Foreign Relations Committee agreed, either in his prepared statement or in answer to questions, that no favorable action would be taken by the United Nations, in his opinion, unless it was accompanied by a cessation of the bombing of North Vietnam.

I shall not again burden my fellow Senators with a recital of the various reasons why I believe such bombing should cease, but they do add one further dimension, one further bit of weight to that general line of argument.

In conclusion, let me say I am proud and glad to see this resolution come before the Senate, and sanguine in my hope that it will pass; and I congratulate the majority leader with all the depth of feeling I can muster. His wisdom and presence are once again demonstrated.

Mr. MANSFIELD. Mr. President, I yield to the minority leader.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. DIRKSEN. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 2171.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts, which was strike out all after the enacting clause and insert:

That—

SECTION 1. Paragraph (4) of section 3 of such Act is amended to read as follows:

"(4) The term 'Communist-front organization' means any organization in the United States (other than a Communist-action organization as defined in paragraph (3) of this section) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, or (B) is substantially directed, dominated, or controlled by one or more members of a Communist-action organization, and (C) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title."

SEC. 2. Section 8 of such Act is amended to read as follows:

"REGISTRATION OF MEMBERS OF COMMUNIST-ACTION ORGANIZATIONS

"SEC. 8. (a) When there is in effect a final order of the Board requiring any organization to register under section 7(a) as a Communist-action organization and such organization has not filed a statement of its members as required by subsections (d) and (e) of section 7, it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization.

"(b) When any organization files a statement of its members pursuant to subsection (d) or (e) of section 7 it shall be the duty of the Attorney General to petition the Board for a determination as provided in section 13(a) as to each individual whom the Attorney General has reason to believe is at the time of the filing of his petition under section 13(a) a member of such organization but whose name was not included upon the statement filed by the organization.

"(c) Any individual as to whom there is in effect a final order of the Board determining such individual to be a member of a Communist-action organization and who is no longer a member of such organization may file a petition for a determination as provided in section 13."

SEC. 3. (a) Subsection (a) of section 9 of such Act is amended to read as follows:

"(a) The Attorney General shall keep and maintain separately in the Department of Justice—

"(1) a 'Register of Communist-Action Organizations', which shall include (A) the names and addresses of all Communist-action organizations registered or by final order of the Board required to register under the provisions of this title, (B) the registration statements and annual reports filed by such organizations thereunder, and (C) the names and last-known addresses of individuals who by proceedings under section 13 are by final order of the Board determined to be members or officers of such organizations;

"(2) a 'Register of Communist-Front Organizations,' which shall include (A) the names and addresses of all Communist-front organizations registered or by final order of the Board required to register under the provisions of this title, and (B) the registration statements and annual reports filed by such organizations thereunder; and

"(3) a 'Register of Communist-Infiltrated Organizations', which shall include the names and addresses of all Communist-infiltrated organizations determined by final order of the Board to be such by proceedings under section 13A."

(b) Subsection (d) of section 9 of such Act is amended to read as follows:

"(d) Upon the registering of each Communist organization by the Attorney General under the provisions of this section, the Attorney General shall publish in the Federal Register the fact that such organization has been registered by him as a Communist-action organization, or as a Communist-front organization, or as a Communist-infiltrated organization, as the case may be, and the publication thereof shall constitute notice to all members of such organization that such organization has been so registered."

SEC. 4. Section 10 of such Act is amended to read as follows:

"SEC. 10. It shall be unlawful for any organization which is registered under section 7, or for any organization with respect to which there is in effect a final order of the Board requiring it to register under section 7, or determining that it is a Communist-infiltrated organization, or for any person acting for or on behalf of any such organization—

"(1) to transmit or cause to be transmitted, through the United States mails or by any means or instrumentality of interstate or foreign commerce, any publication which is intended to be, or which it is reasonable to believe is intended to be, circulated or disseminated among two or more persons, unless such publication, and any envelope, wrapper, or other container in which it is mailed or otherwise circulated or transmitted, bears the following, printed in such manner as may be provided in regulations prescribed by the Attorney General: 'Disseminated by ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be), 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(2) to use the United States mails, or any means, facility, or instrumentality of interstate or foreign commerce, to solicit any money, property, or thing unless such solicitation, if made orally, is preceded by the following statement, and if made in writing or in print, is preceded by the following written or printed statement: 'This solicitation is made for or on behalf of ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'; or

"(3) to broadcast or cause to be broadcast any matter over any radio or television station in the United States, unless such matter is preceded by the following statement: 'The following program is sponsored by ', (setting forth the name of the organization in lieu of the preceding blank, followed immediately by whichever statement is applicable and setting forth in lieu of the blank whether Communist-action, front, or infiltrated, as the case may be) 'which is registered with the Attorney General of the United States as a Communist- organization', (or) 'which has been determined by final order of the Subversive Activities Control Board, to be a Communist- organization'."

SEC. 5. (a) Subsection (a) of section 13 of such Act is amended to read as follows:

"(a) Whenever the Attorney General shall have reason to believe that any organization which has not registered under subsection (a) or subsection (b) of section 7 of this title is in fact an organization of a kind required to be registered under such subsection, or that any individual is of the type referred to in subsection (a) or (b) of section 8 of this title, he shall file with the Board and serve upon such organization or individual, as the case may be, a petition for an order requiring such organization to register, or determining such individual to be a member of such organization, pursuant to such subsection or section. Each such petition shall be verified under oath, and shall contain a statement of the facts upon which the Attorney General relies in support of his prayer for the issuance of such order. Two or more such individuals, members of such organization or of any section, branch, fraction, cell, board, committee, commission, or unit thereof, may be joined as respondents in one petition for an order determining each of such individuals to be a member of any such organization. A dissolution of any organization subsequent to the date of the filing of any petition requiring it to register shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall find such organization to be a Communist-action or Communist-front organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-action or Communist-front organization, as the case may be, and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. No such organization found to be dissolved as aforesaid shall be required to file any registration statement or annual report, nor shall any member or officer thereof be registered or required to register as a member or officer of such organization under the provisions of this title."

(b) Subsection (b) of section 13 of such Act is amended to read as follows:

"(b) Any organization registered under subsection (a) or subsection (b) of section 7 of this title, or any organization which by final order of the Board has been required to register, and which no longer is an organization of such type, or any individual who by final order of the Board has been determined to be a member of a Communist-action organization, and who no longer is a member of such organization, may file with the Board a petition for a determination that such organization no longer is an organization of such type, or that such individual no longer is a member of such organization, as the case may be, and for appropriate relief from the further application of the provisions of this title to such organization or individual. Any individual authorized by section 7(g) to file a petition for relief may file with the Board and serve upon the Attorney General a petition for an order requiring the Attorney General to strike his name from the registration statement or annual report upon which it appears. Each petition filed under and pursuant to this subsection shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within twenty days after the service of such notice."

(c) Subsection (c) of section 13 of such Act is amended by inserting the following sentence immediately preceding the last sentence thereof: "No person, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to criminate him or subject him to a penalty or forfeiture, shall be excused from testifying or producing documentary evidence before the Board in obedience to a subpena of the Board issued on request of the Attorney General when the Attorney General represents that such testimony or evidence is necessary to accomplish the purposes of this title; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he, under compulsion as herein provided, may testify, or produce evidence, documentary or otherwise, before the Board in obedience to a subpena issued by it: *Provided,* That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying."

(d) Subsection (d) of section 13 of such Act is amended as follows:

(1) Amend paragraph (2) of said subsection to read as follows:

"(2) Where an organization or individual declines or fails to appear at a hearing accorded to such organization or individual by the Board in proceedings initiated pursuant to subsection (a), the Board shall, nevertheless, proceed to receive evidence, make a determination of the issues, and enter such order as shall be just and appropriate."

(2) Add the following paragraphs:

"(3) Any person who, in the course of any hearing before the Board or any member thereof or any examiner designated thereby, shall misbehave in their presence or so near thereto as to obstruct the hearing or the administration of the provisions of this title, shall be guilty of an offense and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than $500 nor more than $5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment. Whenever a statement of fact constituting such misbehavior is reported by the Board to the appropriate United States attorney, it shall be his duty to bring the matter before the grand jury for its action.

"(4) The authority, function, practice, or process of the Attorney General or Board in conducting any proceeding pursuant to the provisions of this title shall not be questioned in any court of the United States, nor shall any such court, or judge or justice thereof, have jurisdiction of any action, suit, petition, or proceeding, whether for declaratory judgment, injunction, or otherwise, to question such, except on review in the court or courts having jurisdiction of the actions and orders of the Board pursuant to the provisions of section 14, or when such are appropriately called into question by the accused or respondent, as the case may be, in the court or courts having jurisdiction of his prosecution or other proceeding (or the review thereof) for any contempt or any offense charged against him pursuant to the provisions of this title."

(e) Paragraph (1) of subsection (f) of section 13 of such Act is amended to read as follows:

"(1) the extent to which persons who are active in its management, direction, or supervision, whether or not holding office therein, are active in the management, direction, or supervision of, or as representatives or members of, any Communist-action organization, Communist foreign government, or the world Communist movement referred to in section 2; and"

(f) Paragraph (2) of subsection (g) of section 13 of such Act is amended to read as follows:

"(2) that an individual is a member of a Communist-action organization, it shall make a report in writing in which it shall state its findings as to the facts and shall issue and cause to be served on such individual an order determining such individual to be a member of such organization."

(g) Paragraph (2) of subsection (h) of section 13 of such Act is amended to read as follows:

"(2) that an individual is not a member of any Communist-action organization, it shall make a report in writing in which it shall state its finding as to the facts; issue and cause to be served upon the Attorney General an order denying his petition for an order determining such individual to be a member of such organization; and send a copy of such order to such individual."

(h) Paragraph (2) of subsection (i) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

(i) Paragraph (2) of subsection (j) of section 13 of such Act is amended by inserting the words "or officer" following the word "member" in the first clause thereof, and striking the numeral "8" in clause (B) and substituting in lieu thereof the numeral "9".

SEC. 6. Section 13A of such Act is amended as follows:

(1) Subsection (a) of such section is amended by inserting the following immediately preceding the last sentence thereof: "A dissolution of such organization subsequent to the date of the filing of any petition for a determination that it is Communist infiltrated, shall not moot or abate the proceedings, but the Board shall receive evidence and proceed to a determination of the issues: *Provided, however,* That if the Board shall determine such organization to be a Communist-infiltrated organization as of the time of the filing of such petition and prior to its alleged dissolution, and shall find that a dissolution of the organization has in fact occurred as aforesaid, the Board shall enter an order determining such organization to be a Communist-infiltrated organization and the Attorney General shall register it as such in the appropriate register maintained by him pursuant to subsection (a) of section 9 of this title, together with a notation of its dissolution. Nothing in this section or in this title shall be construed to preclude any organization or any member thereof at any stage of a hearing on the Attorney General's petition for an order determining it to be Communist infiltrated, from alleging and submitting relevant evidence of a change with respect to the direction, domination, or control of the organization effected by it or occurring subsequent to the filing of the Attorney General's petition; and the Board shall receive and consider such evidence in making its determination as to whether the organization is Communist infiltrated."

(2) Subsection (b) of such section is amended to read as follows:

"(b) Any organization which has been finally determined under this section to be a Communist-infiltrated organization may thereafter file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization, and that its name be stricken from his register maintained under section 9 hereof."

(3) Subsection (d) of such section is amended to read as follows:

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section."

SEC. 7. Clause (B) in the sixth sentence of subsection (a) of section 14 of such Act is amended by striking the numeral "8" and substituting in lieu thereof the numeral "9".

SEC. 8. Section 15 of such Act is amended to read as follows:

"PENALTIES

"SEC. 15. Any organization which violates any provision of section 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000. Any individual who violates any provision of section 5 or 10 of this title shall, upon conviction thereof, be punished for each such violation by a fine of not more than $10,000 or by imprisonment for not more than five years, or by both such fine and imprisonment."

Mr. DIRKSEN. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, request a conference with the House of Representatives thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. EASTLAND, Mr. ERVIN, Mr. MCCLELLAN, Mr. DIRKSEN, and Mr. HRUSKA conferees on the part of the Senate.

U.N. SECURITY COUNCIL CONSIDERATION OF THE VIETNAM CONFLICT

The Senate resumed the consideration of the sense of Senate resolution (S. Res. 180) seeking U.S. initiative to assure U.N. Security Council consideration of Vietnam conflict.

Mr. MANSFIELD. Mr. President I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I simply wish to say a word of thanks to the distinguished majority leader for the great effort he has made to secure the participation of the United Nations in the search for a peaceful settlement of the war in Vietnam. As he knows, I have been with him from the beginning. I am glad to note that there are now 59 sponsors for the resolution, which I hope indicates that it will secure the unanimous or near-unanimous support of the Senate.

Mr. MANSFIELD. I thank the Senator. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I ask for just one very short clarification.

It has been stated that the Security Council should find a solution. This may not be a very important point, but I think it is a point which needs some clarification.

The objection that has been made in the past to the Security Council taking jurisdiction is that China and North Vietnam are not members of the United Nations and in those two countries the United Nations has no jurisdiction of this issue, primarily because those countries are not members.

Is it the position of the majority leader, the distinguished Senator from Montana, that in taking jurisdiction of this matter and recommending the reconvening of the Geneva Conference, we would obviate that objection concerning membership in the United Nations of two of the principal parties concerned in the controversy?

I submit it is possible that some of those members who have said they object to the Security Council taking action had in mind that the only purpose was that the Security Council itself lay down some kind of substantive solution in the absence of two of the members of the Geneva Conference who are not members of the United Nations.

I think this is the point that may have some considerable significance and make clear to all of the members of the Security Council and the United Nations that the Security Council ought to take jurisdiction, in this sense at least, and recommend a procedure to be followed, aside from the fact that those two parties are not members of the United Nations.

Mr. MANSFIELD. Yes. May I say in addition that there is much in the way of precedent by means of which parties or countries have been invited to appear before the Security Council.

In 1948, an invitation was issued by the Security Council to a Palestine group and an Arab group. The Palestine group appeared before the Security Council, the Arab group did not.

In 1951, an invitation was extended to China to appear before the Security Council and inviting North Korea was also considered. Peking did attend, but North Korea did not.

There are other examples which could be cited as precedents. However, that should be the least of anyone's troubles so far as a hearing before that particular council is concerned, because the rules are flexible.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. MANSFIELD. I yield.

Mr. PASTORE. That is a very important point.

I commend the majority leader and state that I am very happy and proud to be a cosponsor of the resolution.

I am one of those who have felt for a long time that the only way to resolve this conflict is by bringing in a third, disinterested party that will bring the contending parties together.

I hope that the instrumentality we are using here will be the vehicle by which the United Nations, because it is dedicated to the cause of peace, will be that third party that will bring all contending parties together so that they can at least start talking and stop shooting. That is all we expect. We do not expect them to settle the conflict. We expect them merely to bring the parties together so that they can start talking and stop shooting.

I hope that is the purpose of the resolution.

Mr. MANSFIELD. Absolutely. No one anticipates that the U.N. can do it alone. However, the U.N. can come up with a recommendation for the reconvening of the Geneva Conference. We would be delighted and would be the first to say so.

Mr. PASTORE. The Senator is correct. The President has invited Ho Chi Minh a number of times to participate in negotiations. Ho Chi Minh has refused. He has set down a number of conditions which would be tantamount to complete surrender on our part. America cannot do that. And it is not intended that we do and I hope that we do not.

The fact remains that we need a third party to intervene.

We set up the United Nations and spend millions and millions of dollars a year to run that organization. We pay more than one-third of the cost to maintain that world body.

If the United Nations cannot show its effectiveness now, I do not think it can prove its worth. This is the time for it to prove its worth, because this is the one conflict that exists in the world today that could trigger a nuclear or thermonuclear conflict. That is what we are trying to avoid. Now is the time.

I congratulate the majority leader for submitting his resolution.

Mr. MANSFIELD. The Senator is correct. It is not a matter of an interest in the United States. It is a matter of an interest in the cause of peace. And that responsibility has been dodged all the way through.

As the Senator knows, this war can become so open-ended—and I use my words carefully—that it could develop into a nuclear holocaust.

There is no need of kidding ourselves about the potentials involved in our being in Vietnam and the possibility of a more open-ended war.

Mr. PASTORE. And, at that point, God help us.

Mr. MANSFIELD. God help us. The Senator is right.

Mr. PASTORE. That includes China, Russia, and every other nation and every person on the face of the earth.

Mr. MANSFIELD. The Senator knows far more about it than I do because of his work as chairman of the Joint Committee on Atomic Energy.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I yield to the senior Senator from Tennessee.

Mr. GORE. Mr. President, the able majority leader is entitled to congratulations and appreciation from his colleagues for his leadership in this field.

Though I am not a cosponsor because I maintain a rule against cosponsorship, I am a wholehearted supporter of the resolution.

The constitutional provision of advice and consent by which certain duties as well as responsibilities devolve upon the Senate is interpreted all too often to be mainly that of consenting. The duty of the Senate in this regard, in my opinion, can only be constructive. It is in the constructive performance of that role that the distinguished majority leader has presented this resolution.

Like the senior Senator from Rhode Island, I indulge some hope that the United Nations will seize itself of this vexatious threat to world peace, this destructive and bloody war.

In order that the American people might be prepared to cope with such effort by the United Nations, in the event it should seize itself of the problem, I would like to inquire of the distinguished majority leader whether he concurs in the view of the senior Senator from Tennessee that cooperation with the United Nations in this endeavor might well require the United States to accept a settlement short of what some people would call and regard as a victory.

Mr. MANSFIELD. Yes. I would agree.

Mr. GORE. Does the able majority leader think it might be well that the Senate and the administration and the

American people contemplate the possibility of a settlement thus characterized?

Mr. MANSFIELD. Yes. I tried to make that point in the course of the remarks I made earlier this afternoon relative to the resolution.

Mr. GORE. I thank the Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Mr. President, one important aspect of the matter was discussed in the course of the hearings. The distinguished senior Senator from Tennessee [Mr. GORE], participated primarily in the questioning.

That issue has been repeatedly stated. It concerns the fact that negotiations have been unobtainable because our Government did not want the National Liberation Front or the Vietcong or the Chinese to participate in the negotiations.

I invite the attention of the Senator from Tennessee to this colloquy because he participated in the discussion.

I read from page 174 of the hearings, at which point the Senator from Tennessee was asking a question of Ambassador Goldberg:

> Mr. Ambassador, your testimony is welcome.
>
> In the event that it is necessary to obtain 9 votes for inscription of the subject and an invitation to mainland China and to the Vietcong to participate in the discussion is necessary, what would be the position of the United States Government?

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

Mr. MANSFIELD. Mr. President, will the distinguished senior Senator from Colorado yield 3 minutes?

Mr. ALLOTT. I yield 3 minutes.

Mr. LAUSCHE. Ambassador Goldberg answered:

> I made it clear in my statement, Senator Gore, that as far as governments are concerned the rules provide for it, we would not object, and that includes North Vietnam, South Vietnam, and Peking.

The point I am trying to make is this: Is it not a fact that the record shows that the United States would not stand in the way of the National Liberation Front, the Vietcong, and Peking participating in the efforts of the United Nations to reach a judgment?

Mr. MANSFIELD. Yes, indeed. On many occasions and in many different ways. The Senator is correct.

Mr. LAUSCHE. I wish to reaffirm what the Senator from Montana has said, without reading further from the record; because the questions were put in different ways, and the Ambassador said that the United States would not stand in the way of any of the parties coming before the United Nations.

Mr. MANSFIELD. May I say that as long ago as July or August 1966, the President himself said that it would not be insurmountable, which I interpreted quite widely, but which most others seemed to interpret quite narrowly.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. The newsstories with respect to the colloquy of which the senior Senator from Ohio read a part dealt almost exclusively—that is, those I read—with the willingness on the part of the administration to admit to the conferences the National Liberation Front. The more important element, as I saw it, was a willingness that an invitation be extended to mainland China to participate, too.

Mr. MANSFIELD. Yes, indeed.

Mr. LAUSCHE. The Senator covered every segment of those who are involved in the controversy.

Mr. ALLOTT. Mr. President, I yield myself 15 minutes of the time allotted to the minority leader, or as much as I may use.

Mr. President, I am not a cosponsor of the resolution of the distinguished majority leader. I am not a cosponsor for what I believe to be good and valid reasons, although it is my intention to vote for it.

The colloquy on the floor this afternoon has expressed as well as anything I could say why I am not a cosponsor of the resolution. By becoming a cosponsor, one may thereafter be linked to the various points of view that cosponsors of the resolution may mention down the road, and with which one may disagree.

On August 28, when the majority leader, for whom I have great respect, first discussed this matter, I made a statement, recorded on page 24289 of the RECORD, in which I applauded his statement as I understood it at that time. I am in accord with his points of view, as I understand them in this matter, particularly with respect to the reasons and the technique for bringing this question before the United Nations.

What I am especially concerned about—and I believe the Tonkin Gulf resolution is as good an example as any—is a situation in which an individual either introduces or supports a resolution, and thereafter at least 100 different opinions are expressed as to what the resolution actually meant. Personally, the senior Senator from Colorado has no desire to get locked into a situation by the cosponsorship of a resolution which may be subject to the varying interpretations of four, five, or six dozen people after this time. I am willing to stand upon the statement I made in the RECORD on August 28 in this regard.

However, I believe it would be wise at this time to read the first paragraph of the United Nations Charter, entitled "Purposes and Principles."

I ask unanimous consent, Mr. President, that all of article 1, consisting of paragraphs 1, 2, 3, and 4, be printed at this point in the RECORD.

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

CHAPTER I—PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Mr. ALLOTT. The first paragraph reads:

> To maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about, by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace.

A breach of the peace has erupted long since. No matter how people felt about our initial response in South Vietnam—and I believe that we were justly, legally, equitably, and morally right in offering our assistance to these people—now that we have come to this particular moment in our history, it is futile to argue what action the Gulf of Tonkin resolution actually authorized. It may be wonderful for academicians and for the so-called intellectuals to do it, and it may pass many pleasant hours for them, but the fact is that we are involved in a deadly war, the seriousness of which has been mentioned by the distinguished Senator from Tennessee and the distinguished majority leader, and I am sure that we all agree with that.

As I understand the resolution—and this is the reason why I would vote for it—it means that we are going to express our sense here that the United Nations must finally stop being simply a debating society with respect to the Vietnam war.

When I was a delegate to the United Nations and served with the distinguished senior Senator from Tennessee, in the fall of 1962, at the 17th General Assembly, I found that our people there were afflicted with what I called a negative or defeatist syndrome. It seems that the membership of our delegation to the United Nations is unwilling to call the United Nations to account at any time or any place if there is a chance—just the slightest chance—that we might end up on the short side of the vote.

I wish the distinguished Senator from Rhode Island had not left the Chamber, because what he said a few moments ago is true, and I could not agree with it more. We will be called upon next week to support a foreign aid program in which our contribution is 31.75 percent of the general fund of the United Nations—and even greater percentage in most instances—to some of the allied organizations of the United Nations.

We have a right to expect something from this effort toward the cause of peace. I do not think that in belonging to an organization of the caliber and

quality of the United Nations we have the right to expect it to fall in line with our thinking. However, it seems to me that we do have a right to require the United Nations to live up to the principles stated in article I of its charter which, with respect to the Vietnam war, it very studiously continues to avoid.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MANSFIELD. In other words, we have a right to be heard in the Security Council.

Mr. ALLOTT. We have a right to be heard, and I hope that through our State Department we will get away from this defeatist syndrome to force this matter in the United Nations even though it might mean a possibility of veto or an overbalancing vote against us.

I do not know why this condition exists, but I have recognized among our representatives in the United Nations a complete unwillingness to at least put the other nations of the world on the line and make them show where they stand when the questions were severe and vital to the peace of the world.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. Mr. President, I thank the Senator for yielding.

I am a cosponsor of the Mansfield resolution. I have participated a great deal in the Vietnam debate. I thought it was proper for me not to speak too much today because this is Senator MANSFIELD's day in a very real way.

However, I cannot help but say to the Senator, while he is not a sponsor of the resolution and I am, that I became a sponsor for precisely the same reason that he did not. That reason is that I, too, feel we have to take our chances, but we must be heard. Perhaps we will learn something as a nation.

I do not think that the popular idea is true that if the United States is defeated in the Security Council or the General Assembly we are going to get sore and pull out of the United Nations. We think the case is just, and to the extent negotiations should be had.

That is why I joined with the Senator from Montana [Mr. MANSFIELD]. I thank the Senator for making the splendid point that he made.

I am most grateful to the Senator for permitting me the opportunity to inject this thought.

Mr. ALLOTT. I am grateful to have the Senator's remarks. I am not sure whether the Senator was in the Chamber when I stated the reasons why I did not join in the Mansfield resolution as a cosponsor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

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

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Colorado for the remarks he is making on the floor of the Senate this afternoon.

In other words, the Senator is suggesting that we get away from a "counting of the tally ahead of time," so to speak, and then, if we find the votes are against us, either to back out or not move in.

Mr. ALLOTT. Yes.

Mr. MANSFIELD. I would say that win, lose, or draw if we only received our own vote, we better go in and find out where the members of the Security Council stand, and let the world know. This is our good faith and our good intent.

Mr. ALLOTT. The Senator's statement mirrors exactly the way I feel. Either paragraph 1 of article I of the Charter of the United Nations means something or it does not.

If the nations of the world in the United Nations cannot say, "We believe we are obligated to live up to paragraph 1 of article I of the charter," then we had better know now. We must find out just how much an instrument of peace the United Nations is willing to be; or if it is merely going to be an instrument of peace subject to our own timidity or perhaps subject to a Russian veto.

I think my feelings in this respect are very akin to those of the distinguished majority leader. There are two reasons I think the resolution should be considered. The first is the actual effect it might have on the war itself. I am not going to go into the matter of the war here. Personally, I think it has been tragically and ineptly waged. Whether or not it has been tragically and ineptly waged, from our point of view, however, I think this resolution can have an effect on the war by injecting the United Nations as an active agent trying to find a solution. If the United Nations is unwilling to make this effort let us find out now.

The second great thing that may come from this resolution, although the majority leader may not have had it in mind, is that it may help clarify our own relationship with the United Nations. It is no secret that a great many people in the United States are unsympathetic with the United Nations. There are perhaps just as many people who look to it in the hope that it can fulfill the laudable purposes set forth in article I. However, let us find out now.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. MURPHY. I am not certain that the Senator chose the word he intended. The Senator said people were "unsympathetic" with the United Nations. I do not know of anybody who is, but I know many people who have been disappointed in the performance of the United Nations. I know many people look with some concern to the future of the United Nations because of its lack of performance or nonperformance in the past; and I know many people are concerned about the United Nations because we find many member nations which completely ignore the rules of the United Nations.

I have not been a cosponsor of the resolution but I assure the distinguished Senator from Colorado that I would be more than happy to vote for this measure on the basis of his recommendation and the confidence I have in the majority leader.

I would hope that possibly this resolution might be the first step to get the United Nations back on the track.

Mr. President, I was present in San Francisco when the United Nations was organized. I know the hope, the enthusiasm, and the desire of all the nations there. I know how far afield it has gone since that time.

Mr. President, I hope, in joining with the distinguished Senator from Colorado, that this might be the first step to insist that the rules be lived up to, not only by this Nation but also by all member nations, and that this may form the first foundations of re-creating the United Nations in the spirit, for the purposes, and in the manner in which it was originally designed.

I thank the Senator and I hope that he will excuse my interruption, but I could not help but add these remarks to what he has said.

Mr. ALLOTT. I appreciate very much the statement of the Senator. I accept his correction of the word I used. I think people are not unsympathetic with the purposes of the United Nations but there have been too many people who have been disappointed.

Mr. President, I have one other point I wish to make. It is very discouraging for Americans when they see the Secretary General of the United Nations making the statements that he has made all over the world.

The Secretary General is a cultured gentleman. I know him. He is an intelligent and highly educated man. I think it is impossible for him to understand the deep feeling that we Americans have regarding the independence and dignity of the individual, and why we are willing to help South Vietnam create a way of life in which independence and dignity may flourish. I think it is impossible for him to quite understand the depth of feeling Americans have about this kind of freedom.

Thus, so far as public utterances are concerned, we have received no help, no assistance, and no encouragement from the Secretary General. I hope that we would.

I conclude on two points which perhaps I should have mentioned before. One is the reason why I did not join in the resolution. There is a quotation from a very fine gentleman, Representative JONATHAN B. BINGHAM, of New York, on the bottom of page 2 of the report, which I ask unanimous consent to have printed in the RECORD.

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

So long as we continue the bombing, if we take the case to the U.N. without a willingness to change that policy, we are quite likely to get slapped down. * * * On the other hand, if we are to take the step that I suggest, to announce a willingness to stop the bombing under certain conditions, the whole atmosphere at the U.N. would change. We could once again mobilize the services of the Secretary General in attempting to mediate the conflict and, perhaps, more important, we could enlist the help of many nonalined countries and probably many Eastern European Communist countries in bringing pressure to bear on Hanoi and the NLF to come to the conference table.

Mr. ALLOTT. Mr. President, Representative BINGHAM's statement is one with which I simply cannot agree in any degree. Having such a statement in the report on this particular resolution fortifies my thinking that I was wise not to join in cosponsoring the resolution, although I do support the sense in which the majority leader and myself have discussed it.

To me, the key to the resolution lies in the sentence contained in the middle of page 5 of the report:

> The resolution does not prescribe methods or preconditions which will lead to peace in Vietnam, but attempts to spur the negotiations which might lead to an honorable settlement.

Mr. President, I think that is all that any of us want. That is all we hope for, although I would hope, as does the majority leader that, having done this, it might lead to a revitalization of the basic functions and elements of the United Nations. It might also lead to a better understanding of ourselves and the United Nations.

Mr. CLARK. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. I am happy to yield 5 minutes to the distinguished Senator from Pennsylvania.

Mr. CLARK. I thank my good friend from Colorado for his generosity.

Mr. President, I am a cosponsor of Senate Resolution 180 and advocate its adoption by the Senate.

I find myself in general accord with the report of the committee.

Nevertheless, if I had had my way—needless to say, I did not—the Committee Foreign Relations would have reported favorably on Senate Concurrent Resolution 44, as submitted by the Senator from Oregon [Mr. MORSE], which is considerably more specific and goes further than the Mansfield resolution.

It became clear, as we listened to the testimony and began to discuss the two resolutions in executive session of the Committee on Foreign Relations, that the Morse resolution had little chance to receive the favorable votes of the majority of the committee—indeed, even less chance of being adopted on the floor of the Senate.

Therefore, since half a loaf or even a quarter of a loaf is better than none, and since I agree with the general objective of nudging the President to make greater use of the talents of Ambassador Goldberg at the United Nations and, indeed, of that institution itself in connection with arriving at a settlement of the war in Vietnam, I was and I am happy to support Senate Resolution 180 as the best available vehicle to indicate to the President and the country the desire of the Senate that the United States should take the initiative in bringing the Vietnamese war to the attention of the Security Council.

Mr. President, I think we make a big mistake in this country in our thinking about the United Nations. We tend to endow it with a separate personality which it does not have. The mistake is somewhat similar to one which has existed throughout U.S. history of considering Congress as an institution, something quite separate from the 435 Members of the House and the 100 Members of the Senate.

In point of fact, the United Nations, despite the charter of 1945, is little more than a forum where individual representatives of 122 nations are able to exchange views and, in those unfortunately rare instances where there is substantial unanimity, to take limited action in defense of peace.

There are also the specialized agencies of the United Nations which do extraordinarily useful and helpful work, most of it without much publicity, in a wide variety of fields ranging from a Trusteeship Council, an Economic and Social Council, the International Labor Organization, the International Health Organization, and the like; but I do not think that the United Nations itself is subject either to praise or blame. It is just a conglomeration of all of the members of different countries in the world—not all of them—which, from time to time, is able to take limited action because there appears to be something approaching unanimity with respect to its views.

Now it is true that in the General Assembly it acts, in many instances, by majority vote and in other instances by a two-thirds vote; but in the Security Council, to which this resolution addresses itself, one veto by any one of the five major powers can successfully immobilize the Security Council.

Thus, I do not think we should either praise or blame the United Nations for doing or not doing anything in connection with the war in Vietnam. Rather, I believe that the primary responsibility must lie at the door of the Soviet Union.

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

Mr. ALLOTT. Mr. President, I yield 1 additional minute to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 1 additional minute.

Mr. CLARK. In my view, this resolution is not likely to achieve much success in the Security Council. I believe that we should go further. If, as I think they will, the Soviet Union vetoes any effort to proceed with consideration in the Security Council, I think we should then turn to the General Assembly.

I ask unanimous consent that a copy of Senate Concurrent Resolution No. 44 submitted by the Senator from Oregon [Mr. MORSE] be printed in the RECORD.

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

S. CON. RES. 44

Whereas the United States is now fighting a major land war in Southeast Asia which threatens to widen into world war III and a nuclear holocaust which could destroy civilization; and

Whereas the primary purpose of the United Nations is to maintain international peace and security and to take collective measures to remove threats to world peace; and

Whereas in ratifying the charter of the United Nations the United States undertook a solemn treaty commitment to settle international disputes by peaceful means; and

Whereas under the charter the Security Council has primary responsibility for the maintenance of peace, which devolves to the General Assembly when the Council is unable to act; and

Whereas the United States has failed to take effective steps to bring about United Nations involvement which would bring an end to the conflict in Southeast Asia: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that:

1. The President should request an emergency meeting of the United Nations Security Council to consider all aspects of the conflict in Vietnam and to act to end the conflict, pledging the United States in advance to accept and carry out any decision on the matter by the Council, in accordance with article 25 of the charter.

2. If the Security Council is unable to act, the United States should take all steps necessary to assure action on the issue by the General Assembly.

3. The United States objectives in the United Nations should be to obtain—

(a) support for an immediate cessation of hostilities by all parties, and

(b) recommendations for appropriate measures, such as the convening of an international conference, for reaching a permanent settlement which will assure a lasting peace for Southeast Asia.

Mr. CLARK. Mr. President, I invite the attention of my colleagues to the desirability of some such action, in the reasonably near future, along the lines suggested by the Senator from Oregon [Mr. MORSE].

I thank my friend from Colorado for his courtesy in yielding to me.

Mr. HOLLAND. Mr. President, will the Senator from Colorado yield?

Mr. ALLOTT. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I thank the Senator from Colorado for yielding time to me.

Mr. President, many times in the course of the discussion today it has been stated that we may not be successful in this effort, meaning that we may not succeed in getting the Security Council to take affirmative action, which may well prove to be the case. We will, however, if we adopt the resolution with the unanimity with which I hope we will, succeed in a very important way in putting an end to some of the statements which are being made, not only elsewhere in the world, but also in this country, to the effect that there is a hopeless difference of opinion between Executive leadership and Congress, between Executive leadership and the Senate in particular, which is the constitutional adviser of the President, and among the Members of the Senate as to the facts and as to the merits of the controversy in Vietnam.

It seems to me that we will accomplish and succeed in showing the public something that I think needs to be shown.

I note with approval that the first "whereas" in this resolution is keyed to an effort made by the national administration, made by the President, through the Permanent Representative of the United States in the United Nations; and I ask unanimous consent that that first "whereas" be copied into the RECORD at this point as a part of my remarks.

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

Whereas the question of the Vietnamese conflict is a matter of which the Security Council of the United Nations is seized by action previously taken by the Council in connection with a letter of the Permanent Representative of the United States dated January 31, 1966, submitting a resolution seeking a settlement of the hostilities.

Mr. HOLLAND. That statement shows clearly that this resolution is keyed to the filing on January 31, 1966, by the Permanent Representative of the United States in the United Nations of a resolution seeking a settlement of the hostilities and asking the Security Council to consider that matter.

I think that is a good place to begin.

I note that the report of the committee—and it is a committee which has been known to have had a great variance of opinion among its membership on many questions affecting the U.N. and even affecting the usefulness of the United Nations—has a sentence showing very clearly the fact that we are in this instance standing, and I hope together, as the committee stood together by a vote of 19 to 0, in the effort initiated by the President to seek the Security Council's consideration and action on the Vietnam question.

I read this sentence out of the report of the committee, reminding the Senate that this is a 19-to-0 vote of the committee upon which action is taken:

It has been nearly two years since the United States introduced the now dormant resolution urging the Security Council to consider the situation in Vietnam. Although the item was formally adopted as a Security Council agenda item the issue has never been discussed and remains in international limbo, as a question of which the Council is "seized."

Mr. President, I think if nothing else is accomplished today—meaning that if ultimately the Security Council takes no action, as it has taken no action since that remote date more than a year ago, in 1966, when this resolution was filed—it will show to the country, it will show to the United Nations, it will show to the world, whether the friendly portions of the world or the unfriendly portions or the neutral portions, that there is still the capacity here to stand together in support of an effort for peace through an instrumentality which we were the leader in setting up in seeking peace throughout the world.

I think there will be success in that effort if we do nothing else, and I call attention to that fact at this time.

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

Mr. HOLLAND. If I may have one more minute.

Mr. ALLOTT. Mr. President, I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I must say this. It seems to me in this day, when all of the media of information report to the people, as they should and as they must, the differences of opinion on details, on merits, on substantial matters which lie at the very bottom of the Vietnam controversy, it is important that we show here in the Senate as an adviser, constitutionally, of the President that we support him in that effort taken so long ago; and that we still have some hope and some confidence in the capacity of the United Nations to act through its Security Council.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. First, I want to express my gratification to the distinguished senior Senator from Florida for the emphasis he has placed again on the initiative taken by the President of the United States early in 1966. I would also like to say that, insofar as the Senate is concerned, we should give credit where credit is due, and that is to the senior Senator from Oregon [Mr. MORSE], who has furnished the initiative in this body in the matter of taking this proposal to the United Nations. Senator MORSE realized the proper role of the United Nations in the Vietnam dispute long, long ago. I certainly commend him for his deep insight, his perceptive foresight.

Unavoidably and necessarily absent today, Senator MORSE has prepared a supporting statement on Senate Resolution 180 and I ask unanimous consent that it be placed in the RECORD at this point.

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

STATEMENT BY SENATOR MORSE

The resolution which will be adopted today will at least provide a formal recognition on the part of the United States that the United Nations has a duty to seek an end to the war in Vietnam and can play a fruitful role in bringing about a solution to it.

It is obvious that the Senate cannot compel even our own government to make a bona fide effort to obtain U.N. action. We can only ask that it do so.

But it should be clearer to the Administration than to anyone else that it has failed to keep the peace in Southeast Asia. The United Nations could hardly do worse. Acting alone, we have elevated a small internal conflict into an international war, in which some 600,000 or more American soldiers, airmen and sailors are engaged in one way or another. The scale of bombing and of artillery fire exceeds the scale of World War II. We have brought the awesome force of the world's most powerful military weapon to bear upon a small fraction of the world's people, for North and South Vietnam combined are only about 17% of the population of the United States, and their combined productivity is an insignificant fraction of our own.

Every day the war continues, every additional death because of it, every new military unit sent from the United States, every added appropriation passed by Congress to implement our war policy—each further highlights the futility of our arms in keeping the peace in this situation. To continue down this road will soon call into question the value of our whole vast military arsenal as a means of protecting our people, as well as keeping the peace.

From the day the first 600 military advisers were sent to South Vietnam, the United States has mistakenly put its trust in military power to achieve our national objectives there. Unable to accomplish them by diplomatic, political, or economic means, we have relied upon military means. But this is one of those instances where military force is not going to achieve a political success.

The sooner we realize that the issues in Vietnam are economic, social, and political ones that the United Nations can cope with better than the United States, the more lives of American soldiers and Vietnamese soldiers and civilians are going to be saved.

I welcome this Resolution. I want to extend my thanks to the Majority Leader (Mr. MANSFIELD) for the true leadership he has displayed in organizing support for it and guiding it to passage.

The next test will be its implementation by the Administration.

Mr. HOLLAND. I thank the Senator for his comment.

Mr. HARTKE. Mr. President, will the Senator yield me 3 minutes.

Mr. ALLOTT. I yield 3 minutes to the Senator from Indiana.

Mr. HARTKE. Mr. President, I am a cosponsor of this resolution. I endorse it. I hope it will have the endorsement of the U.S. Senate.

I want to pay special tribute to the author of the resolution, Senator MANSFIELD, for his dedication and his constant interest in bringing about an end to this war, which has not only caused so much death, devastation, and destruction in Vietnam, but has also caused a great deal of disagreement here at home.

I call to the attention of the Senate again, and ask unanimous consent to have printed at this point in the RECORD, the letter addressed by the chairman of the Foreign Relations Committee to the Secretary of State inviting him to appear in the public hearings on this matter on Thursday, October 26. The hearings were to be held Thursday, October 26, and Friday, October 27, 1967.

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

SEPTEMBER 29, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: As you are aware, Senator Wayne Morse introduced a resolution (S. Con. Res. 44) on September 11, dealing with the role the United Nations might play in bringing about an honorable settlement to the Vietnam war. A copy of the resolution is enclosed as well as Senator Morse's statement introducing the resolution. I have scheduled public hearings on the resolution for Thursday, October 26 and Friday, October 27.

The Committee, of course, will want to take testimony from Administration witnesses on the resolution. In view of the fact that this resolution relates so directly to the activities of your Department, the Committee would be pleased to receive oral testimony from you, and perhaps Ambassador Goldberg, on Thursday, October 26.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

Mr. HARTKE. Mr. President, it demonstrates again the failure of the Secretary of State to appear at a public hearing, on open invitation, and give his views on an important issue confronting the United States at this time.

I also want to pay tribute to the Senator from Tennessee [Mr. GORE] for placing in the RECORD the documentation which demonstrates the absolute refusal of the Secretary of State to take up the matter in a manner which would make it possible for us to have the dialog and discussion which would not only bring about a greater understanding but probably would help alleviate many of the apprehensions that many of us have that there is no indica-

tion of where we are going, why we are going there, and what we intend to do in the future.

In some ways, it is unnecessary that a resolution of this type even should be considered by the U.S. Senate or that we would have to state its purpose. It would seem to me that if we are the activator of the United Nations Charter and one of the formulators of that distinguished policy, by virtue of that fact in and of itself, the United States would move to take the action which is requested by this resolution.

Since that has not been done, the resolution seeks to provide somewhat of a reminder that the U.S. Senate is deeply concerned, is representing its people, and is trying to have some action taken.

The fact remains that when a world situation exists, in which so many people have indicated that they frankly say to us that they are not certain that they trust us or believe us—and about 40 nations have now indicated that they are opposed to the bombing of North Vietnam—it is necessary for the country and its individuals to have confidence in the judgment of its government. So it becomes necessary to reconsider past actions and then to determine where it was that we have gone wrong in bringing to the attention of our own people and the people of the rest of the world what we are trying to do and why it is being done.

I suppose this could even be said about one of our traditional allies, which is going through a desperate economic crisis at home. Do we suppose that the Prime Minister of Great Britain, the Honorable Harold Wilson, if he were seeking reelection, would go before the British people and say, "One reason why I ask you to reelect me is that I have supported the policy of the United States of America with respect to Vietnam. I believe the United States has made a valuable contribution to world peace"? I would guarantee that he would never make that a campaign issue before the British people, because it would not hold up.

Another problem which is highly important concerns the question of morality, the dedication of a nation to the welfare of mankind. As early as July 1776, in the opening paragraph of the unanimous declaration of the 13 United States of America, our Nation paid great tribute to the nations of mankind and required that we give attention to the opinions of mankind. This is possibly one of the most important aspects of the resolution before us, for once again it recalls the United States of America to its original concepts and beliefs that the opinions of mankind not alone are worthy of consideration but are entitled to be considered in the light of the judgments which we as a people, through our Government, have made.

Mr. RIBICOFF. Mr. President, the heavy shadow of Vietnam hovers about us—wherever we go, whatever we do as individuals and as a nation.

Abroad, criticism is often levelled at U.S. involvement in Vietnam. The war strains relations between the two super powers which together have strength enough to lead the world toward peace.

At home, all Americans are concerned with the dangers implicit in the situation—dangers that range the gamut from unlimited war abroad to an increasingly explosive catalog of neglect here at home. All Americans are united in purpose: to bring the fighting and bloodshed to an end.

Each day American servicemen distinguish themselves on land, at sea and in the air. We are told time and again that military action has a twofold purpose: First, to help establish conditions of security in which a Government responsive to the people can serve their wishes and needs; and second, to help bring the adversary to the negotiating table.

But military action is only one aspect of the effort in South Vietnam. Heroic achievements and selfless sacrifice are without reason unless the building of a stable society—unless creative and unremitting diplomacy are pursued with equal vigor, perseverence and resourcefulness.

The United States and peace-loving people throughout the world must continue in their search for diplomatic avenues that can lead to the negotiating table. The United Nations Security Council is one approach that has not been exhaustively explored.

In May 1966, I proposed that the United Nations function as an outside presence at the then forthcoming elections for the Constituent Assembly in South Vietnam. It was my hope that such supervision would grow into a role of mediation for the United Nations.

Yet, today the United Nations continues to stand aside from the issue of Vietnam, despite a draft resolution introduced in the Security Council by the United States on January 31, 1966, asking that the Council consider Vietnam. Then the Council adjourned for informal consultations which brought no fruitful results. In time the resolution became but one more item among many compiling a long list of "matters of which the Security Council is seized." To date the resolution—now almost 2 years old—has not been called up.

Many of us in the Senate have repeatedly urged the executive branch to call up the U.S. draft resolution on Vietnam. Our distinguished majority leader has been in the forefront of this concerted effort. In August of this year, Senator MANSFIELD said:

> This Nation can move, in effect, to call up the resolution which we introduced and see to it, if necessary, that the question of taking it up is voted. The motion is procedural and not subject to the veto. And if the resolution is taken up, this Nation can move to see to it that all who might be directly or indirectly involved in the restoration of peace in Vietnam are asked to appear before the Security Council in a discussion of this question—if not in New York, then somewhere else, perhaps in Geneva, in open session, face-to-face meeting.

Then, on October 25, 1967, the distinguished majority leader introduced Senate Resolution 180, which seeks a U.S. initiative to assure United Nations Security Council consideration of the Vietnam conflict. At that time he said:

> It is high time that we find out and that the world finds out where the members of the Security Council stand on this question. What is the Security Council waiting for? What are we waiting for? The only way to find out is for a resolution to be brought to a vote, if necessary, and that the nations stand up and be counted. If there is to be an end of the conflict, there must be a beginning in the use of the machinery for peace. I think that the nations of the U.N. Security Council must face up to this matter at once.

As a cosponsor of Senate Resolution 180, I agree with the remarks of the distinguished majority leader. Many nations of the world have used the U.N. General Assembly as a forum to express their disagreement with various aspects of U.S. policy in Vietnam. Now it is time for the member states to see that the Security Council assumes the responsibility designated to it by the U.N. Charter, and deals with this major threat to the world.

Thousands of lives are being lost each month. Resources badly needed for constructive purposes are being spent in the destructive acts of war.

Would our Nation not be neglectful if we failed to press for U.N. discussion of Vietnam?

If our efforts were to reveal that at this time there are not enough votes for passage of a resolution—would we have lost anything by trying one more possible avenue to peace?

Since there is not yet peace in Vietnam, we have no way of knowing how peace will finally be achieved.

Private discussions—the efforts of intermediaries—a reconvened Geneva Conference—or the United Nations—could hold the key. To work through one channel does not preclude the use of others.

Our Nation has tried many different approaches to peaceful settlement in Vietnam.

Let all the world see that no approach will go untried.

Mr. President, Senate Resolution 180 is a valuable contribution to our quest for peace, and it deserves our strong support.

Mr. KENNEDY of Massachusetts. Mr. President, I would like to add my name to those who commend our distinguished majority leader for his efforts to encourage full United Nations consideration of the Vietnam question. I believe most Americans support the principle of a United Nations effort to bring about an honorable and lasting peace in Vietnam.

There is a growing sense of frustration and despair over the inability of the world organization to make the barest effort to bring about peace in this dangerous and disruptive conflict. For the United Nations to be immobile and powerless is distressing, for perhaps its greatest reason for existence is to deal with precisely this type of threat to world peace.

In a related area, I would like to call attention to the opportunities for the special U.N. agencies to provide vital and needed humanitarian services in Vietnam.

In 1965 and 1966, I began exploring the possibility of utilizing the trained personnel and experience of the U.N. agencies in a number of programs in Vietnam. I met at various times with the heads of some of the key U.N. agencies, such as the World Health Organization,

UNESCO, UNICEF, FAO and the Development Fund. I met also with the Secretary General and members of the United Nations Secretariat.

All of the U.N. officials I met with expressed a deep and sincere humanitarian concern for the plight of the people of South Vietnam and a willingness to undertake various social and economic programs to benefit these distressed people. Those agencies sponsoring small pilot programs in South Vietnam—the Development Fund, UNICEF, and UNESCO, WHO—all agreed to consider expansion of the programs.

I reported my conversations with the various United Nations officials to Ambassador Goldberg, and to Secretary of State Rusk and other officials of the Department of State. All expressed enthusiasm and support of expanded efforts for the U.N. special agencies and funding procedures were worked out on a so-called funds-in-trust basis. The Netherlands Government was enthusiastic enough to make $1 million available for U.N. humanitarian projects in Vietnam, and other countries indicated a desire to participate.

Yet, these efforts have moved slowly, in large measure, I believe, because of only halfhearted efforts on the part of our Government and the South Vietnamese Government to suggest appropriate programs for the special agencies. Redtape, delays, and poorly drafted plans have all resulted in almost 2 years passing with only minor increased U.N. agency efforts. I deplore our lack of a sense of urgency in this area.

Yet, some progress is being made. The World Health Organization is currently studying the entire civilian health and casualty situation under a mandate voted last May in Geneva at a meeting I attended. I am hopeful that some of WHO great expertise and pool of trained medical personnel can be tapped in alleviating some of the distressing health and casualty problems in Vietnam. The needs are tremendous; WHO could perform a major lifesaving service in this area, and all of us can only hope that favorable action will be taken at its upcoming meetings.

UNICEF recently announced an expansion of its efforts to help in South Vietnam and will undertake a new $1,000,000 program. The Development Fund and FAO all have projects in process.

I feel that our Government and the Government of South Vietnam should be making a far greater effort to utilize the talents and skills and expertise of the Special Agencies in these humanitarian efforts. I firmly believe a strengthened United Nations presence in Vietnam is possible and desirable—in both emergency and longer term development.

I know this discussion deals with an area of United Nations involvement not directly related to Senate Resolution 180. Yet I believe many in this body and throughout the United States would welcome a greater U.N. presence in Vietnam, and, perhaps, through greater involvement of U.N. agencies in the humanitarian needs of Vietnam, the way may be found for direct and meaningful United Nations action leading to a settlement of the hostilities. Once again, I commend our distinguished majority leader for his efforts to encourage the full consideration of Vietnam in the Security Council, and his untiring efforts to help find a path to an honorable peace.

Mr. BYRD of West Virginia. Mr. President, I rise in support of the pending resolution expressing the sense of the Senate that the President consider taking the appropriate initiative through our permanent Representative at the United Nations to assure that the U.S. resolution on Vietnam be brought before the Security Council for consideration.

Though I am not a member of the Foreign Relations Committee, I am a cosponsor of this resolution and I have followed the committee's hearings with interest. I have also carefully considered the committee report.

I feel this resolution is an important and necessary step in our Nation's efforts to bring about a just and lasting peace in Southeast Asia.

It is an expression of the Senate's viewpoint that the United Nations has an important contribution to offer and a clear responsibility in the settlement of the war in Vietnam.

I concure with the judgment expressed to the committee by the Honorable Ernest A. Gross, former Legal Adviser of the Department of State and U.S. delegate to the United Nations General Assembly, that, and now I quote:

> It would be unwise . . . to look upon the United Nations intervention as an all-or-nothing proposition. The challenge is to find the most effective practicable way of engaging the responsibilities of the United Nations membership and of bringing to bear their collective weight on the side of a just settlement.

It is my judgment that the resolution is solidly founded on the obligations of the United Nations under its charter, and I feel that inasmuch as it constitutes a broadly based expression of senatorial opinion it will assist in stimulating United Nations action on the question of Vietnam. It is time that the members of the Security Council stand up and be counted, and the United States should take every action possible to require that the members of the Security Council show by their votes their true position on the question of Vietnam.

The United States, several months ago, introduced a resolution urging the Security Council to consider the question of Vietnam. The item was adopted as a Security Council agenda item, but the subject has remained dormant. Yet this dangerous war continues to take its toll in treasure and lives, and I believe that the United States has an obligation to insist upon a discussion of the Vietnam issue in the forum of the Security Council. The procedural machinery is available, and, in my judgment, the time has come for a showdown which will reveal whether or not the votes are available.

There is nothing in the resolution which would prevent a reconvening of the Geneva conference if that machinery appears to be better suited to handling the Vietnam issue. The resolution authored by our majority leader, and cosponsored by more than 50 Senators, of which I am one, is not binding, but merely expresses the sense of this body and it may open one of the few remaining avenues to peace. The United Nations may fail to shoulder its responsibility in coming to grips with the war in South Vietnam, but I think that it is imperative that we have a test. The United Nations should meet its responsibility as a peacekeeping organization, and I feel that the moment is at hand when we should force that body to face up to its responsibility. After all, the United States has been the major contributor to that peacekeeping organization, and the world should know, once and for all, whether that organization is an effective international instrument of keeping the peace.

If the veto is exercised, let the nation which exercises that veto stand before the world revealed as a nation which seeks to prolong the war in Vietnam. If either Russia or France exercise the veto, then the world will be aware of the hypocrisy of that Nation. Let us see whether or not Russia and France genuinely and passionately wish for peace in Vietnam or whether they prefer to see the United States continue to fight a war at great cost in treasure and in blood.

An open exposure of the true position of each nation on the Security Council is needed.

I commend the majority leader for his leadership in bringing this resolution to the floor, and I commend the Committee on Foreign Relations for its action in supporting the resolution.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (Rept. No. 798) on Senate Resolution 180.

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

COMMITTEE HEARINGS AND ACTION

Senate Concurrent Resolution 44 was introduced by Senator Morse on September 11, 1967. Senate Resolution 180 was introduced by Senator Mansfield and more than 50 cosponsors on October 25, 1967. Public hearings were scheduled on Senate Concurrent Resolution 44, but prior to the beginning of the hearings Senate Resolution 180 was placed before the committee. Therefore, the resolutions were considered together.

The Committee on Foreign Relations held public hearings on both resolutions on October 26, 27, and November 2. On October 26 the committee received testimony from Mr. Benjamin V. Cohen; the Honorable Jonathan B. Bingham, U.S. Congressman from New York; and the Honorable Charles W. Yost. On October 27 the committee heard the Honorable Ernest A. Gross, Prof. Elton Atwater, Prof. Quincy Wright, and Mr. Neal Potter, acting president of the United World Federalists. The Honorable Arthur J. Goldberg, U.S. Representative to the United Nations, testified on November 2. All of the public hearings on the resolutions have been published separately.

Following the conclusion of public hearings, the committee met in executive session on November 16 and voted unanimously—19 to 0—to report Senate Resolution 180 favorably to the Senate.

SUMMARY OF TESTIMONY

In the committee's view, testimony taken during public hearings on both resolutions offered a balanced view of the possible role of the United Nations in promoting settlement of the Vietnam war. The committee

heard a number of former U.S. delegates to the United Nations, as well as the Honorable Arthur J. Goldberg, U.S. Representative to the United Nations. The experience and expertise of the former delegates was particularly helpful in describing the mechanics of the United Nations and defining possible courses of action for the United States if the Vietnam issue is brought to the United Nations again.

On October 26 the committee took testimony from Mr. Benjamin V. Cohen, senior adviser to the U.S. delegation to the United Nations General Assembly in 1946, and a member of the U.S. delegation to the General Assembly from 1948 through 1952. Mr. Cohen stressed the necessity for the United States to break out of its present isolation on the Vietnam issue. He offered the following comment:

Throughout the war period we have had too many splintered opinions, too much going it alone, and too little effort to seek a reconciliation of viewpoints nationally and internationally that would bring an end to the war * * * I think nothing can be more helpful and conducive to U.N. action than a resolution coming from Congress, uniting all elements in Congress, calling upon the administration and the United Nations for action under the charter to end the war in Vietnam. [Senate Concurrent Resolution 44] unites elements that have not been united for years, and it opens the possibility of our ceasing to go it alone in Vietnam, and of our sharing our responsibilities there as we should share them with the United Nations in accordance with the terms of the charter.

Mr. Cohen in addition offered a judgment on the connection between a cessation of the bombing of North Vietnam and the possibilities for a negotiated settlement. Mr. Cohen expressed his belief that "from the speeches of the delegates at the United Nations, I gathered many, if not the majority, feel that there must be at least a cessation of the bombing of the North without an accompanying threat of renewal as U Thant has suggested if Hanoi is to be brought to the conference table."

At the request of the committee, Representative Jonathan B. Bingham, of New York, offered testimony based on his experience as a delegate to the United Nations. In supporting an approach to the United Nations, Representative Bingham cautioned:

So long as we continue the bombing, if we take the case to the U.N. without a willingness to change that policy, we are quite likely to get slapped down. * * * On the other hand, if we are to take the step that I suggest, to announce a willingness to stop the bombing under certain conditions, the whole atmosphere at the U.N. would change. We could once again mobilize the services of the Secretary General in attempting to mediate the conflict and, perhaps, more important, we could enlist the help of many nonalined countries and probably many Eastern European Communist countries in bringing pressure to bear on Hanoi and the NLF to come to the conference table.

Representative Bingham also shared Mr. Cohen's view that the United States should indicate its unqualified willingness to negotiate with the National Liberation Front as a party to hostilities.

Also testifying on October 26, the Honorable Charles W. Yost, former U.S. Deputy Representative to the United Nations, told the committee of the frustration of many members of the United Nations with the organization's inability to deal with the war in Vietnam. Mr. Yost said:

There is no doubt that its members almost without exception are profoundly disturbed by the war, that they consider it the most serious present threat to international peace and security, that they believe it the principal obstacle to movement inside and outside the United Nations toward necessary cooperation among the great powers, and that they are keenly aware that it might at any time, against the will of all the parties, explode into a much wider war. Yet, despite this almost unanimous collective judgment, despite the most earnest efforts of the Secretary General, of the United States and of many other members over the past three years, the U.N. has been unable to grapple with the problem.

Mr. Yost attributed what he described as the "impotence of the United Nations in regard to Vietnam" in part to the rejection of the United Nations' competence in the matter by North Vietnam and Communist China, who are neither members of the United Nations or represented there; in part to the feeling of many members of the United Nations that the machinery set up by the Geneva Conference of 1954 is better able to deal with the Vietnam issue because, in contrast to the United Nations, all of the parties are represented there.

The committee heard additional witnesses on October 27. The Honorable Ernest A. Gross, former Legal Adviser of the Department of State and U.S. delegate to the United Nations General Assembly, strongly supported both the resolutions submitted by Senator Morse and Senator Mansfield. In contrast to other witnesses, however, Mr. Gross argued that a resolution on Vietnam should be brought to the General Assembly rather than the Security Council. Mr. Gross said it was a "virtual certainty that resort to the Security Council must lead to a dead end" because of the veto in the Security Council held by the Soviet Union or the "failure to obtain a majority in the Security Council for any acceptable course."

Mr. Gross warned the committee that in his judgment the United Nations was clearly not in the position to determine how the war should end and under what terms. He said:

"It would be unwise, I believe, to look upon the United Nations intervention as an all-or-nothing proposition. The challenge is to find the most effective practicable way of engaging the responsibilities of the United Nations membership and of bringing to bear their collective weight on the side of a just settlement."

On November 2 the committee received testimony from Ambassador Arthur J. Goldberg, U.S. Representative, to the United Nations. Mr. Goldberg said that he agreed completely with the concept of the responsibility of the United Nations which is the basis of Senate Resolution 180.

Speaking for the administration, Mr. Goldberg stated:

"It is my considered view as the U.S. Representative to the United Nations that the adoption of Senator Mansfield's resolution at this time will support the efforts I have been making at the United Nations at the direction of the President to enlist the Security Council in the search for peace in Vietnam."

Mr. Goldberg brought to the committee a new draft resolution which the United States circulated among members of the Security Council as recently as September of 1967. The new draft is as follows:

The Security Council,

Having considered the problem of Vietnam.

Deeply concerned at the situation in Vietnam and the threat it poses to international peace and security,

Believing in the principle of the inviolability of, and respect for, the sovereignty and territorial integrity of states,

Convinced that a solution to this problem is to be found through political and not military means, and that a peaceful solution should be found through negotiations,

Considering, that the Geneva agreements of 1954 and 1962 constitute a workable basis for peace in Southeast Asia.

1. Reaffirms, on the basis of the Geneva agreements, the following principles:

(a) That there should be a complete cease-fire and disengagement by all armed personnel throughout North and South Vietnam at an agreed upon date.

(b) That there should be no military forces or bases maintained or supported in North and South Vietnam other than those under the control of the respective governments, and all other troops and armed personnel should be withdrawn or demobilized, and all other military bases abolished as quickly as possible, and in accordance with an agreed time schedule, during which introductions of additional armed personnel should be prohibited.

(c) That the international frontiers of the states bordering on North and South Vietnam and the demilitarized zone between North and South Vietnam should be fully respected.

(d) That the question of reunification of Vietnam should be settled peacefully by the Vietnamese people in both North and South Vietnam, without any foreign interference.

(e) That there should be international supervision of the foregoing through such machinery as may be agreed upon.

2. *Calls for* the convening of an international conference for the purpose of establishing a permanent peace in Southeast Asia based upon the principles of the Geneva agreements.

Mr. Goldberg said that this new formulation "was designed to take into more specific account the views of those who had argued that the Geneva Conference was the proper forum, not the U.N." He told the committee that a recent informal canvass of the members of the Security Council "once again shows a general unwillingness for the Security Council either to resume its consideration of the agenda item and draft resolution which we proposed in early 1966 or to consider this new draft, or to take any other action on the matter."

COMMITTEE COMMENTS

The committee feels that the proposed resolution is solidly based on the obligations of the United Nations under its charter. Although several members of the committee preferred the stronger language of Senate Concurrent Resolution 44, it was generally agreed that a broadly based expression of senatorial opinion would best accomplish the purpose of stimulating United Nations action on the question of Vietnam. It is the hope of the committee that Senate Resolution 180 will serve this purpose. The resolution does not prescribe methods or preconditions which will lead to peace in Vietnam, but attempts to spur the negotiations which might lead to an honorable settlement.

The committee is constrained to note that the United Nations cannot any longer evade the issue of Vietnam. With bombs being dropped within 24 seconds flying time of China, the committee believes the time has come for the United States to require by votes that the members of the Security Council show the world where they stand on the question of Vietnam. In the opinion of the committee, this test must be made even if there are indications that the United Nations might reject a U.S. initiative.

The responsibilities of the United States under the Charter of the United Nations are as clear as they are solemn. The United States has bound itself under Article I of the charter:

* * * to take effective collective measures for the prevention and removal of threats to the peace * * * and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes * * *

It has been nearly two years since the United States introduced the now dormant resolution urging the Security Council to consider the situation in Vietnam. Although the item was formally adopted as a Security Council agenda item the issue has never been discussed and remains in international limbo, as a question of which the Council is "seized."

Two years have passed. The war goes on with growing intensity and diminishing prospects for negotiations. Caught in an open-ended war, the United States has an important obligation to itself and to the world to press once more for a discussion of the Vietnam issue in the United Nations. All of the witnesses before the committee agreed that the procedural path is open (but the votes may not be available) if the United States decides to initiate an effort to bring the Vietnam issue before the Security Council.

Objections to a U.S. initiative in seeking discussion of Vietnam in the United Nations framework are made on the grounds that North Vietnam and Communist China are not members of the United Nations, and that the machinery established by the Geneva Conference of 1954 is better suited to deal with the problem. The committee finds both arguments unconvincing.

The argument that two of the major parties are not members of the United Nations and therefore discussion within the United Nations would be futile ignores both the procedure and the precedent for inviting nonmembers to appear before the Security Council. Rule 39 of Rules of Procedure of the Security Council specifically states:

"The Security Council may invite members of the Secretariat *or other persons*, whom it considers competent for the purpose, to supply it with information or to give other assistance in examining matters within its competence."

This provision is important not only because it opens the way for an invitation to the North Vietnamese and Chinese Communists but it provides the means for a direct invitation to representatives of the National Liberation Front. Now that Ambassador Goldberg has stated that the United States would not stand in the way of a Security Council invitation to the NLF, the means are available for bringing the parties together at the United Nations at least for purposes of discussion of an appropriate resolution.

The committee, of course, recognizes that under present circumstances the likelihood of such invitations being accepted is very small. The committee's objective in making this point on invitations is primarily to make it clear that the absence of some of the parties from the United Nations is no barrier to United Nations consideration of the Vietnam problem and the adoption of a U.N. resolution which might contribute to the initiation of a peaceful settlement.

The argument that the Geneva Conference machinery is better suited to handling the Vietnam issue is irrelevant to the consideration of Senate Resolution 180. There is nothing in the resolution under consideration which would prevent a reconvening of the Geneva Conference at any time. Indeed, discussion of just this point once the Security Council begins to explore the issues of Vietnam might provide the necessary stimulus to the convening of an international conference along the lines of the Geneva Conference of 1954.

Of interest to the committee was the judgment of witnesses that an overture to the United Nations would be futile unless the United States was prepared to deescalate the war in Vietnam. With the exception of Ambassador Goldberg, they argued that the United States must deescalate the war in some important way such as a cessation of bombing in North Vietnam if the United Nations is to be able to deal effectively with the Vietnam issue.

While some members of the committee are in agreement with the judgment that a peace initiative in the United Nations will probably fail without a deescalation of the war, the committee as a whole realizes that it is as divided as the country on the issue of deescalation. The members who agree that an important gesture on the part of the United States, such as the cessation of the bombing, would open the way to negotiations on the Vietnam war are also persuaded that at this point it is more important to emphasize that which unites the Senate—the United Nations responsibilities in Vietnam—than the issue that divides.

Furthermore, the committee is aware of vulnerabilities in the United States position which have come from the impression that we are "going it alone" in Vietnam. A generalized resolution such as the committee recommends may remove some of the doubts and misunderstandings of some members of the United Nations as to whether the United States is sincere in its efforts to bring the Vietnam issue before the United Nations. Certainly we have nothing to lose in seeking a discussion of Vietnam inasmuch as over 40 U.N. delegations have risen to urge a return to the Geneva accords and a halt to U.S. bombing of North Vietnam. In such an atmosphere, a full debate will almost certainly clarify national positions and perhaps foster an understanding of U.S. problems in trying to end a war which seems to have no end.

In the judgment of the committee, therefore, an effort to spurt negotiations along the lines of Senate Resolution 180 is imperative. The committee is under no illusions as to the slender prospects of such a U.S. initiative. The United Nations may fail to come to terms with its responsibilities in bringing to a conclusion one of the most dangerous wars of our time. But we cannot know what the results will be until the attempt is made. It is also important to take note that the war in Vietnam is also a test of the United Nations as an international instrument of peacemaking. The committee is strongly of the view that the international community should consider not only the cost to the United Nations if it should attempt to bring the war in Vietnam to a settlement and fail, but also the consequences for the future of the United Nations if it does not act at all.

Senate Resolution 180 will hopefully spark thoughtful discussion and debate of the Vietnam war within the United Nations. The U.S. options and alternatives are becoming so few that the committee strongly urges support by the Senate of a resolution which might open one of the few remaining avenues to peace.

The PRESIDING OFFICER. Who yields time?

Mr. ALLOTT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. The question is on agreeing to the resolution. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON] are necessarily absent.

I also announce that the Senator from Virginia [Mr. SPONG] is absent because of the death of his uncle.

I further announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], and the Senator from Oregon [Mr. MORSE] are absent on official business.

I further announce that, if present and voting, the Senator from Connecticut [Mr. DODD], the Senator from New York [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Alabama [Mr. SPARKMAN], the Senator from Virginia [Mr. SPONG] and the Senator from Missouri [Mr. SYMINGTON] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Kentucky [Mr. COOPER], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

If present and voting, the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Texas [Mr. TOWER], and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The result was announced—yeas 82, nays 0, as follows:

[No. 365 Leg.]

YEAS—82

Aiken	Griffin	Metcalf
Allott	Gruening	Miller
Anderson	Hansen	Mondale
Baker	Harris	Montoya
Bartlett	Hart	Morton
Bayh	Hartke	Moss
Bennett	Hatfield	Mundt
Bible	Hickenlooper	Murphy
Boggs	Hill	Muskie
Brewster	Holland	Nelson
Brooke	Hollings	Pastore
Burdick	Hruska	Pearson
Byrd, Va.	Inouye	Pell
Byrd, W. Va.	Jackson	Proxmire
Cannon	Javits	Randolph
Carlson	Jordan, N.C.	Ribicoff
Case	Jordan, Idaho	Smathers
Church	Kennedy, Mass.	Smith
Clark	Lausche	Stennis
Cotton	Long, Mo.	Talmadge
Curtis	Long, La.	Thurmond
Dirksen	Magnuson	Tydings
Eastland	Mansfield	Williams, N.J.
Ervin	McCarthy	Williams, Del.
Fannin	McClellan	Yarborough
Fong	McGee	Young, Ohio
Fulbright	McGovern	
Gore	McIntyre	

NAYS—0

NOT VOTING—18

Cooper	Kuchel	Scott
Dodd	Monroney	Sparkman
Dominick	Morse	Spong
Ellender	Percy	Symington
Hayden	Prouty	Tower
Kennedy, N.Y.	Russell	Young, N. Dak.

So the resolution (S. Res. 180) was agreed to.

Mr. MANSFIELD. Mr. President, I wish to take this opportunity to express my deep appreciation to the Senate as a whole for joining unanimously with this resolution to seek United Nations action on the Vietnam question—action that that body is so properly constituted to initiate. This endorsement by the Senate speaks with a loud and clear voice on the issue—one whose purpose and intention cannot be misunderstood. The will of the Senate has been expressed.

Earlier, before the vote, I noted the strong and able effort of the senior Senator from Oregon [Mr. MORSE] in initiating the proposal for United Nations action; first, as a lonely voice, nearly 3 years ago, and continuing ever since.

Other Senators have also played a vital role in the discussion and added most significantly to the debate today. Notable was the outstanding contribution of the Senator from Arkansas [Mr. FULBRIGHT], the able and wise chairman of the Foreign Relations Committee. His thoughtful and articulate response to this suggestion has truly been an inspiration. The senior Senator from Vermont [Mr. AIKEN], the distinguished ranking Republican in the Senate, lent his invaluable support and assistance to the measure. That support was critical, I feel, in obtaining the unanimous action achieved today.

The distinguished Senator from Colorado [Mr. ALLOTT], the distinguished Senator from Rhode Island [Mr. PELL], and the distinguished Senator from Tennessee [Mr. GORE] joined to make the discussion of the highest caliber. As always, their clear and analytical appreciation of the objectives of this resolution were immensely helpful. Similarly, the comments of the distinguished Senator from Florida [Mr. HOLLAND], the distinguished Senator from Ohio [Mr. LAUSCHE], and the distinguished Senator from Delaware [Mr. BOGGS] should be noted. They, and other Senators, demonstrated a deep and abiding interest in the proposal and helped to assure the overwhelming success that was obtained.

Every Member may share in this triumph.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House disagreed to the amendments of the Senate to the bill (H.R. 13510) to increase the basic pay for members of the uniformed services, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS, Mr. PHILBIN, Mr. HÉBERT, Mr. PRICE of Illinois, Mr. ARENDS, Mr. O'KONSKI, and Mr. BRAY were appointed managers on the part of the House at the conference.

DR. RICARDO VALLEJO SAMALA—ELECTION OF REPRESENTATIVES AT LARGE

Mr. INOUYE. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House of Representatives on H.R. 2275.

The PRESIDING OFFICER laid before the Senate the amendment of the Senate to the text of the bill (H.R. 2275) for the relief of Dr. Ricardo Vallejo Samala, which was, strike out the period at the end of the Senate amendment to the text of the bill and insert "(except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress)."

Mr. INOUYE. Mr. President, I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Hawaii?

There being no objection, the Senate proceeded to consider the bill (H.R. 2275).

Mr. INOUYE. Mr. President, I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. BAKER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. MANSFIELD. Mr. President, this matter has been discussed with the distinguished Senator from Tennessee [Mr. BAKER] and with other interested Members. I send to the desk a unanimous-consent request and ask that it be stated.

The PRESIDING OFFICER. The unanimous-consent request will be stated.

The legislative clerk read as follows:

Ordered, That, effective immediately during the further consideration of the pending measure, debate on any motion, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the Senator from Hawaii [Mr. INOUYE] and the Senator from Tennessee [Mr. BAKER], or by whomever they may designate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. INOUYE. Mr. President, H.R. 2275 relates to an act for the relief of Dr. Ricardo Vallejo Samala.

The PRESIDING OFFICER (Mr. HARTKE in the chair). How much time does the Senator yield himself?

Mr. INOUYE. I yield myself 2 minutes.

Mr. President, the matter with which we are concerned relates to a simple amendment by the House of Representatives which provides that a State which is entitled to more than one Representative, such as Hawaii and New Mexico, and which in previous elections has elected Representatives at large, may do so in the 1968 elections.

It will be recalled, Mr. President, that the Senate adopted an amendment which required that the States of Hawaii and New Mexico, in the 1968 elections, have their Representatives elected from congressional districts.

But it was felt by the House of Representatives—in which I concur—that this matter should be given at least one election period for a time of transition.

It should be noted that May of 1968 will be a very important year for the State of Hawaii. We will have special elections to elect delegates to our constitutional convention, which will be convened in July of 1968. I am certain that at that time the matter of districting the State of Hawaii will be high on the agenda, and I hope that the Senate will permit the State of Hawaii a period of transition, at which time we will be able to very carefully consider the matter of dividing the State of Hawaii into two congressional districts.

It should be noted that because of geographical reasons, it is not very simple to district the State of Hawaii. We have seven inhabited islands, one island with 82 percent of the population, and a total population of 742,000. Therefore, a rather difficult problem is presented, and I hope that the Senate will permit our constitutional convention, which will convene in 1968, to resolve this matter. With the adoption of the amendment, an orderly transition will be possible for our State.

Mr. FONG. Mr. President, will my distinguished colleague yield to me for 5 minutes?

Mr. INOUYE. I am happy to yield.

Mr. FONG. I should like to ask a question. This amendment, which was adopted by the House, exempts Hawaii and New Mexico only for the next election in 1968. Am I correct?

Mr. INOUYE. The Senator is correct.

Mr. FONG. By 1970, New Mexico and Hawaii will have to redistrict, and in the 1970 election the Members of the House of Representatives will have to be elected from congressional districts.

Mr. INOUYE. The Senator is correct.

Mr. FONG. Beginning with the elections in 1970, no State will elect any Congressman at large. That is the substance of this bill.

Mr. INOUYE. Unless the State has one Representative.

Mr. FONG. Yes.

Mr. President, I join my distinguished colleague from Hawaii, and ask my colleagues in the Senate to support the bill as amended by the House of Representatives.

The amendment added by the House of Representatives to the congressional redistricting bill passed by the Senate exempts the States of Hawaii and New Mexico from electing their Representatives from single-member districts in the 1968 election.

The bill with the House amendment, as it pertains to congressional redistricting, read as follows:

In each State entitled in the Ninety-first Congress or in any subsequent Congress thereafter to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of section 22 of the Act of June 19, 1929, entitled "An Act to provide for apportionment of Representatives" (46 Stat. 26), as amended, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative (except that a State which is entitled to more than one Representative and which has in all previous elections elected its Representatives at Large may elect its Representatives at Large to the Ninety-first Congress).

Because the House amendment applies to only one election, I feel constrained to accept it.

This means that in the year 1968, Hawaii and New Mexico may, for that election only, elect their Representatives at large. Beginning with the 1970 elections, and for every congressional election thereafter, every State of the Union, with no exception, must elect its Congressman from single-member districts.

The amendment, therefore, actually means that the election of congressional members from single-member districts will be delayed in the State of Hawaii and in the State of New Mexico only for one Congress.

As the amendment delays the implementation of the requirement to elect Members of Congress from single-member districts for only two States and for only one Congress, it is my feeling that the principle which is firmly established in our constitutional traditions, to elect Representatives by single-member districts, will be achieved in 2 years.

To my colleagues in the House of Representatives who have fought to apply the single-member principle to all the 50 States without exception and effective immediately, I wish to express my heartfelt thanks.

They made a valiant effort, as the close vote shows, and the arguments which they so cogently presented against the exemption are still valid. I also wish to extend my deepest appreciation to my good friend, the distinguished Senator from Tennessee [Mr. BAKER], for all his hard work in behalf of my State. Since Hawaii and New Mexico will, in a matter of 2 years, attain what my colleagues in the House of Representatives and we here in the Senate have fought so hard for, I know they will all agree that it is wiser for the State of Hawaii to accept the House amendment.

I therefore ask my colleagues to support this bill as amended by the House of Representatives.

Mr. MILLER. Mr. President, will the Senator yield me 3 minutes?

Mr. BAKER. I am happy to yield.

Mr. MILLER. I should like to ask the distinguished Senator from Hawaii [Mr. INOUYE] a question. During his remarks on the conference report, he pointed out a practical problem that Hawaii has so far as its islands are concerned, but I do not believe I heard him indicate the reason for exempting the State of New Mexico.

Mr. INOUYE. Because I did not feel competent to speak on behalf of the State of New Mexico.

Mr. MILLER. Was the Senator on the conference committee, may I ask?

Mr. INOUYE. No; I was not.

Mr. MILLER. I am wondering whether a Senator in the Chamber who was on the conference committee could enlighten the Senate as to why the State of New Mexico was exempted.

The PRESIDING OFFICER. This bill has not been to conference.

Mr. MILLER. I am sorry. The Senator from Iowa did not understand the statement made by the Chair.

Mr. BAKER. Mr. President, if I may speak on that subject, the Senator from Iowa is correct, in the sense that a bill H.R. 2508, went to conference originally with substantially this provision, and the conference could not agree. On November 8, following the Senate's rejection, 55 to 22, of the conference report on H.R. 2508, the Senator from Indiana [Mr. BAYH] had called up a private immigration bill, H.R. 2775, and introduced an amendment to that bill that would ban at-large elections, except in Hawaii and New Mexico. I then introduced a substitute amendment that would permanently and immediately ban at-large elections in all States, including Hawaii and New Mexico. My amendment passed by a voice vote. The House then amended the Senate's amendment to H.R. 2775 in a way that would permit Hawaii and New Mexico to elect Representatives at large in 1968. Whether to accept the House amendment is the question before us. Thus, H.R. 2775 has never been to conference.

Mr. MILLER. I see the Senator from New Mexico in the Chamber, and perhaps he can enlighten Senators as to the reason why there should be an exemption for the State of New Mexico.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. ANDERSON. Mr. President, I do not know that I can answer the question. There were many people in New Mexico who thought the State would have a three-member delegation the next time and be more easily divided. There were those of us who were not worried. Of course, we could not prophesy that. Now, we find that there will not be a third member of the delegation. The State has not been redistricted and it would cause a lot of trouble at this late hour to redistrict. It does not make any difference what they do. It is not a matter of great importance, I think, any longer to the State of New Mexico.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. INOUYE. I yield.

Mr. HRUSKA. I wish to respond to the question.

The reason assigned by the Senator from New Mexico might appear logical. With respect to the necessity for a later redistricting for three districts instead of two, I do not know that this would be any different than the situation in any other State. I respect the explanation given by the distinguished Senator from New Mexico, but I think a much more practical explanation was given by the gentleman from New York, the chairman of the Judiciary Committee in the House of Representatives.

The bill that was originally offered to the House contained an exception for New Mexico and Hawaii. The opposition filed a motion to recommit with instructions to eliminate this exception.

The Representative from New York protested and said, "This is not right. This should not be done. Let us pass this bill with the least possible fuss and foolishness." He went on to give the explanation:

> The motion to recommit would provide that the States of New Mexico and Hawaii would be compelled to redistrict and could not elect Congressmen at large. Those two States in their histories have never been redistricted. We have considered very maturely this question in the Committee on the Judiciary. We figured it would be unwise immediately to require them to redistrict. We say until 1972. During this interim period they need not redistrict, but after 1972 they will not be permitted to elect at large.
>
> There is a political aspect to this situation. I hate to say this, but there is no doubt about it. I hope that the Democrats will vote against the motion to recommit. The Republicans might as well vote for the motion to recommit, because it has political implications involved there.

I submit that this quotation from the gentleman from New York was made on the floor of the other body, and it is a square answer to the question of the Senator from Iowa.

Mr. BAKER. Mr. President, I wish to continue in this respect.

The PRESIDING OFFICER. How much time does the Senator yield?

Mr. BAKER. I yield whatever time I have remaining.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. BAKER. Mr. President, I would like to underscore a point made by the distinguished Senator from Nebraska. But I would also point out that while there is a reference by the distinguished gentleman from New York [Mr. CELLER] to certain political implications of the rationale of these two exceptions, I would hope this body would instead consider this measure in the light of efforts to bring about fair apportionment, to effectuate the principles of one man, one vote, and to give life and vitality to the concept that the Constitution contemplates. The concept of single-member districts for a unique and special reason has been a nonpartisan undertaking by Members on both sides of the aisle. I am happy to have participated in this undertaking with Senators on the Democratic side. I believe that, until this suggestion, there have been no real partisan overtones to the principles involved in this controversy.

The principles, very briefly, are these. First, the House of Representatives, as distinguished from the Senate, is a unique body, designed by the framers of the Constitution to provide that the people themselves, not a political entity such as a State, but the people themselves, would have immediate and direct access to representation in the legislative branch of Congress.

The Senate does not have such a highly specialized function or characteristic. Its function is broader in scope. But the requirement for single-member districts is in the origins and the beginnings of the Constitution and predicated on the idea that within one State there may be widely divergent interests such as different ethnic groups, different heritage, different religious groups, and the like, and that these minority interests can be adequately represented and heard in the councils of government only if single member districts are provided for the representation of the smallest available area within a State.

This is the only way effectively in our most representative body, the House of Representatives, that the majority can provide for the protection of the minority voice in the councils of government.

History will disclose that since the earliest days of this Republic we have tended toward single-member districts even without a specific provision in the Constitution. The statute law, codified in 1842, provided a requirement for single-member districts, which continued until 1911. Since that time there has not been a statutory requirement except for certain collateral legislation enacted in 1929, and again in 1941.

From 1951 until the Senate acted on the bill now before us, as amended by the House of Representatives, there has been no successful legislative effort to guarantee that maximum responsiveness through single-member districts in the House of Representatives would guarantee maximum representation to all people in all areas.

I think it is high time, as Mr. CELLER said in 1951, that we return to that requirement of 1842. I think it is high time that we look at the principle involved, and with all due deference to my two colleagues from Hawaii, one on the opposite side of the aisle and one on my side of the aisle, that we look to the principles and requirements that maximum protection of the rights of all people and maximum responsiveness to their needs will be attained in the House of Representataives only by guaranteeing the principle of single-member districts. There is no justification, in my judgment, in logic or law for an exception for two or for 20 States from this principle, as distinguished from the names of these States.

I urge the Senate to restate its position in support of this principle and to not involve itself in the maze of complexities that will confront these two States and every other State in the future. I urge that the Senate support the principle and not oppose the two States.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. BAKER. I yield.

Mr. ALLOTT. Mr. President, I compliment the Senator on his statement because it is sound in reason and law.

Would not the Senator agree with me that those of us who are from States which were required to redistrict by decree of court feel and have reason to feel we have been shortchanged a little if these two exceptions are permitted?

In 1962, at an election in Colorado, by a vote of 2 to 1, the people of Colorado in every county of the State of Colorado, including Denver, voted to redistrict the State, upon the basis of the so-called Federal system in which there could be taken into consideration also land areas, economic interests, and things of that nature. Then, after the Supreme Court ruling it was necessary to go into the Federal court. The parties did go into the Federal court and the Federal court entered a decree that Colorado had and would be required to redistrict, and if they did not the court would require a redistricting. As a result, there was convened a special session of the legislature at great expense to the State of Colorado. The State was redistricted but we did it under decree of court.

Therefore, I think there is great logic in the Senator's statement. If under a decree of court one State could be required to be redistricted, there is no excuse for one State, two States, or 20 States to be excepted from that which others had to do.

Mr. BAKER. I agree with my colleague from Colorado. I would briefly point out one of the dangers in creating any exceptions to the principle involved. If we exempt these two States today, who is to say which additional States, now or in the second session of this Congress, might appear before the House and Senate and say, "We are having unique and unusual difficulty with lines, with constitutional conventions, with the number of Representatives, and will you please give us the same treatment you gave Hawaii and New Mexico, and grant us an exception as well?"

There is a real threat that the exceptions made would devour the principle.

Therefore, once again, I emphasize that I have no animosity whatever in this matter. Regretfully, I disagree with my colleagues from Hawaii, but I believe, in this instance, that the principle is far more important than the complexity of the individual, local problems.

Mr. HRUSKA. Mr. President, will the Senator from Tennessee yield?

Mr. BAKER. I am happy to yield 3 minutes to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 3 minutes.

Mr. HRUSKA. I should like to commend the Senator from Tennessee for the stand he has taken consistently and persistently in the Senate on the redistricting issue. On an earlier occasion he and I differed, because the substance of the bill before us at that time was somewhat different.

I want to draw attention to the number of States required to redistrict before the 1968 elections, by reason of a court ruling. There are many States in that situation.

It seems to me that if an exception is not granted to States that will have to redistrict, and some of them at very heavy expense, particularly in the two populous States of New York and California, then it should not be granted to two States because they have more than one Representative. The proposal before us will apply to every State in the Union except two. That is not good legislation. It certainly is not good principle. The Senator from Tennessee stated the case well in urging Senators to reject this legislation as amended by the other body.

Mr. ANDERSON. Mr. President, will the Senator from Hawaii yield?

Mr. INOUYE. Mr. President, I yield 3 minutes to the distinguished Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 3 minutes.

Mr. ANDERSON. Mr. President, I did not come here today to discuss this bill at all; I came into the Chamber on an earlier vote. But let me say that I was the last single Representative from New Mexico. There have been two Representatives since then. They told me at that time that whether there were two or three, it would have little effect, but half a dozen times we got into trouble. Now it is double trouble. We have a Democratic congressional delegation and a Republican Governor.

I do not have the faintest concern about it. I do not know whether anyone else knows whether it would help or hinder, or have it separate. So far as I am concerned, I told them a long time ago it does not bother me. I believe that is the actual fact. I am sure that the Senators from New York may think differently, but we have all watched the votes a great many times. It will not possibly change the result of one party, I do not think.

I have not asked to have two districts or separate districts. I have supported for a long time the one-man, one-vote principle. I do not want the State of New Mexico to be divided in its State legislature because I do not know what the advantage or disadvantages would be to pass the bill.

I do not really care whether we pass the bill or not. I do not believe there will be any political advantage to either side. I do not think that I could find any, and I do not think that anyone else could guess at it.

Mr. BAYH. Mr. President, will the Senator from Hawaii yield?

Mr. INOUYE. Mr. President, I yield 5 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 5 minutes.

Mr. BAYH. The whole issue of congressional districting, let me remind all Senators, has been through a long and tortuous journey in which we have been confronted with varying issues. At the time this matter first arose, I found myself in 100-percent accord with my friend from Tennessee. It then involved, primarily, an effort to insist that we move forward with reapportionment so that each district would contain approximately the same number of votes. We found, when this matter got into conference, that there was a very great amount of disagreement between the House and the Senate conferees. Indeed, there was a disparity between the viewpoint of the majority of the Senate conferees and the vote that had been taken on the floor of the Senate. It was an almost impossible situation.

Finally, after the second vote in the Senate, we tried to salvage what little we could toward a sane redistricting bill.

The Supreme Court has held that all districts should be approximately equal. What the Senator from Tennessee stresses, and I think it is a worthy goal in which I support him, is that if we are going to decide that a Representative should run in single-member districts, then some people might say, "Why is this necessary?"

Well, the reason it is necessary, quite frankly, is the fact that, in some States, a court order has mandated the States to reapportion. There is a great likelihood that, if agreement cannot be reached within a State, the court could well order the entire congressional delegation to run at large.

The purpose of this particular bill is to avoid this possibility. I should like to point out that H.R. 2275, which I personally asked my colleagues on the Judiciary Committee to report, was originally nothing but a private immigration bill. I have been fully in accord with the desire to enact a bill which would eliminate the necessity for Representatives to run at large. Then some may say, "Why in the world are you today supporting a provision which would exempt two States?"

For two reasons: The first is that traditionally New Mexico and Hawaii have had this position for many years. As I

recall—and the two Senators from Hawaii can check me—when the bill was passed for the admission of Hawaii into the Union as a State, Hawaii had only one Representative. The law stated that in the event Hawaii should be entitled to a second Representative, that Representative also would run at large. New Mexico's two Representatives also run at large. As the distinguished Senator from New Mexico said, there has never been a division in the State of New Mexico; that he was the last man to represent Congress as a single Representative. Ever since the State has been entitled to two they have always run at large.

Therefore, there is precedent for this year, at least, to make an exception; if we are going to require the rest of the States to do what they have been doing; namely, run in single-member districts, then let Hawaii and New Mexico do what they have been traditionally doing. But we should not allow a Federal court—if you please—require that congressional candidates must run at large.

The second reason perhaps is more practical; namely, I am concerned about the need to get a bill. We have been hassling over this reapportionment matter for a year now. This may be the last chance of getting it in from a practical standpoint. The House as a whole has insisted on the two exceptions. I am very much concerned that if we do not compromise on this a bit, we are not going to get any act at all.

Let me say that I sympathize 100 percent with what was said by the distinguished Senator from Nebraska when he referred to the fact that we are faced in some cases with a possible court reversal in the next session which might force not one but two redistrictings in certain States.

I do not know whether the Senator realizes this, but in my earlier amendment it was provided that reapportionment should not be required more than one time between now and the 1970 census, in order to avoid whiplashing back and forth. Thus a second reapportionment could not come until after the 1970 census figures were made available. Redistricting is important, but we do not want to get into the position where it becomes a political pawn, where first one and then the other party can change the boundaries. So it is important that we pass this measure now so that the Federal courts do not order elections at large, which could happen in the State of California, for example. The court could, in effect, state, "All right, California, you have not been able to reach agreement. Your Representatives are all going to run at large." I do not think this is what the framers of the Constitution had in mind. I think we need to pass this bill, because if we do not, we very well could have no bill at all.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. The Senator from Indiana has said that we might not get any bill at all. I can understand how that would be of great concern on the House side. I cannot see why it would be particularly of concern on the Senate side. If the House Members want to put themselves in such a mess, that is for them to decide. It is not going to affect the Members of the Senate. All we are trying to do is help the House not get itself into a mess. I cannot understand how, out of 435 House Members, a majority at least would not be interested in avoiding the mess. If we do not have a bill, that is what they are going to have. If someone wants to get into a mess with his eyes open, that is his privilege, but I do not see why the Senator thinks a majority of the House Members will put themselves in a mess.

Mr. BAYH. If my friend from Iowa would like to have my thought on this, there is no way to know for certain what is going to happen, but there have been three different votes on which the House has remained adament in its position. What will happen tomorrow, I do not know, but past history would seem to indicate what is likely to happen.

With regard to the interest of the Senate in this, the Senator from Iowa is rather out of character in propounding that question, because I do not think there is any Member of this body who is more of a stickler about getting proper legislation. I compliment him for that. He looks carefully at the phraseology of all bills. In my opinion, it would seriously affect the Nation when congressional Members are running at large. I think the only difference the distinguished Senator and I have on this particular issue is whether we should make these two exceptions in order that a bill would be passed.

Mr. MILLER. I think it is bad for the Nation——

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

Mr. MILLER. But I do not see that the Senate should be held responsible if we are standing for a principle. If the House does not want to stand for that principle and puts itself into a mess, that is not our responsibility. The Senator's argument is that we should bend that principle just so the House will not get into a mess. There is some expediency there, but I think the Senator from Tennessee has pointed out that what is right is right and what is wrong is wrong.

Who is to say that someone else will not come along and say, "Let us make it three exceptions or four exceptions"? I think we all want what is right. My only point is that the House must assume its responsibility. As we have been standing firm, the House has been receding from its adamancy. I think we have a much better proposition than we had 6 months ago.

Mr. BAKER. Mr. President, the Senator from Indiana has said that this is the third time the House has spoken on the issue, and he believes we will not have a bill if we do not accept this version.

I think it is reasonable to infer from those three votes that the debate and the votes in this body have had some impact and, hopefully, the logic put forth by both sides in this body has had some impact as well on the other body, because on April 27 there were only 86 votes in the House supporting this position, but on October 26 there were 105 votes and on November 28 there were 179 votes.

That certainly is not standing still. I think we are moving closer to the establishment of the principle involved, rather than reacting to the intricacies and local colorations and political requirements of any one State, two States, or 20 States.

Let me reply to the Senator from Indiana in respect to the two points he offers in justification for the exception of the two States: First, that they have traditionally elected Representatives at large. Without disparaging my own State, traditionally in Tennessee we have always been malapportioned until recently. So have no truck at all with a tradition that brings about a violation of a principle. It robs the State of the localized and personal representation that single-member districts provide.

The second point made by the Senator from Indiana is that if we do not take this bill, we will not have a bill. I point to the change in the position of the House of Representatives.

I would point out one further thing. A "no" vote, a vote against accepting the deviation from the principle, would have the effect of sending this matter to conference. I believe we can get a bill. I believe we can get the principle. I believe we can carry this principle forward in this session if we will stick to our guns and vote "no."

Mr. INOUYE. Mr. President, I yield 5 minutes to my colleague from Hawaii.

Mr. FONG. Mr. President, I agree with my distinguished colleague from Indiana that this is the last step; that if we do not get this bill, we never will get a bill.

For 87 years, from 1842 to 1929, we had on the statute books a law requiring single-member congressional districts. From 1929 to 1967, for 38 years, we have had no such statute. If this bill fails of passage, I am afraid, speaking as a Senator from Hawaii, we are not going to get out another redistricting bill.

This bill, as I see it, is framed only for States such as Indiana; under court order to elect their Representatives at large. This bill would relieve these States of this necessity, so that the bill really is drawn to benefit them, and not the State of Hawaii.

Let us look at the history of the bill. The bill as it came from the House of Representatives provides that Hawaii and New Mexico may run their representatives at large until 1972, in other words, for two elections, and for 4 years.

What did the Judiciary Committee of the Senate do? My good friend from Nebraska [Mr. HRUSKA] is a member of the Judiciary Committee and of the conference committee. He said this afternoon that he is against allowing Hawaii and New Mexico to have one more turn as States which elect their representatives at large, because we would be violating the single-member district principle.

Yet, I would point out that the Senator from Nebraska went to conference with the Members of the House and Senate and came back to the Senate with a conference report exempting the States of Hawaii and New Mexico, for two elections, from the requirement of electing their representatives by single-member districts. But nowhere in the conference report was there a require-

ment that the State of Hawaii draw congressional district lines after 1972.

In other words, the Senator from Nebraska, with other members of the conference, would have told Hawaii and New Mexico, "From now on you will never be required to reapportion your State and have your members elected single-district members."

The conference report would never have required single-member districts for Hawaii.

This bill goes much further. It says that Hawaii and New Mexico are allowed only for one Congress, the 91st, to elect their members at large, thereafter, they will be required to elect their members from single-member districts, like any other State.

As a Senator from the State of Hawaii, a State vitally affected by this amendment, I ask that my fellow Senators look at the facts and recognize the realities of the situation.

If we vote down this bill, there will probably not be another redistricting bill enacted in this or the next session of this Congress. By that time, the six States which are eagerly awaiting the passage of a bill so they will not have to redistrict will probably have redistricted, and there will no longer be any urgency to pass a redistricting bill.

Mr. BAYH. Mr. President, will the Senator yield for one brief comment?

Mr. FONG. I yield.

Mr. BAYH. I feel very close to the Senator from Hawaii on this issue. California, I believe, wants this bill more than any other State. I have my legislative assistant on the phone now to determine the facts.

In the largest State in the Union, both Democrats and Republicans are concerned that candidates from that State still might have to run at large.

In Indiana, the general assembly redistricted once, but the court said, "You did not go far enough." I think the court was in error, but we nevertheless always follow its edicts.

I am not sure but that the State of Tennessee is involved also; is that correct?

Mr. BAKER. Tennessee is reapportioned now, and as far as I know we have less than 1½ percent variation.

Mr. BAYH. Tennessee is in an enviable position.

I believe the State of New York is in somewhat the same position as Indiana, as well as the State of Pennsylvania. I know that California is in this predicament.

Mr. FONG. Mr. President, I do not believe the one-man, one-vote issue is involved in this amendment, because every person's vote is accorded the same weight. Rather, we are talking about single member districts.

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

Mr. FONG. I ask for 2 additional minutes.

Mr. INOUYE. I yield my colleague 2 minutes.

Mr. FONG. There will no longer be any urgency if we kill this measure. If this bill is defeated, the realities of the situation will be such that the State of Hawaii may never have a chance to elect a Republican Representative. The National House and the Senate, both having a majority of Democrats, will never accede to a bill presented by a Republican Member to require the State of Hawaii to draw district lines.

I therefore urge my fellow Senators, especially those on this side of the aisle, to vote for the pending measure.

The State of Hawaii has been electing its Representatives at large since 1959; another 2 years will not hurt us.

Beginning in 1970, after 2 years, every State in the Union will be required to elect its Representatives by single-member districts.

I ask my fellow Senators to support the bill.

Mr. INOUYE. Mr. President, I yield 5 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I have no partisan interest in this matter at all. Apparently that is also true as to the Senators from Hawaii, since one is a member of one party, and the other of the other party.

All I can say is that I am a citizen of a county and State which has just gone through a bitter experience in this field. We in Florida have just had a three-judge court, consisting entirely of very eminent jurists, all of whom I recommended to be judges, go through the process of reapportioning our State on the basis of the 1960 census, and endeavoring to follow the Supreme Court directions because that is what is required. It is a completely impractical, unreasonable, and inaccurate redistricting, simply because of the fact that only the 1960 census is available, and only that may be the measure of performance.

In my own county, a large country county which has always voted together since it was created in 1861, 11 precincts on the west side of that county were cut off to vote with a city county, Tampa; and if ever you saw a group of people who are disillusioned, do not know what to do, and do not know how to do it, it is the people in those 11 precincts. Those of us in the remainder of the county, the other 70-odd precincts, feel exactly the same way.

Some of us are here asking these two States, which are requesting this 2-year delay, to submit and subject themselves to a situation which is impractical. In the case of New Mexico, the city in which my distinguished friend—Senator ANDERSON—lives was a much smaller city in 1960. Now it contains one-third or more of the population of the State of New Mexico, by reason of growth since that time.

In the case of Hawaii, we have a State which has already been given, by its statehood act, the very right which it now asserts for itself, to have its two Representatives—and it now has two, having had only one when admitted—elected statewide. We propose to take that right away.

Is it a sin or a crime to give to sovereign States which have peculiar problems 2 years in which to work out those problems? I had rather it were 4 years, myself, so they would have the advantage of the 1970 census; because in my State there will be no fair apportionment until the 1970 figures are available. It is those 1960 figures against which the court will measure any kind of reapportionment that is made now.

I strongly believe we ought to give the relief that Indiana, California, and a dozen other States are entitled to, to prevent candidates from having to run statewide, thus knocking out of competition a great many good people. I think we should accept this amendment and be able to feel we have done a pretty good job by permitting two relatively small States in population, which have never dealt with this problem before, to have a little time to look over their hand before they try to do this job reasonably.

Here is Hawaii, with the island of Oahu containing more than 80 percent of the population, with some islands way out in the Pacific on one side, and another group way out in the Pacific on the other side, and only the 1960 census figures available. How can we expect them to do a decent job against that kind of urgency if we failed to concur with the House, in which case we would require that they either do it themselves, or have a three-judge court do it for them.

As far as I am concerned, I do not want any State to have to submit to having a three-judge court do it for them, because a court cannot do it on the basis of the 1960 census figures, and do a reasonable job. That has already been shown conclusively, to my satisfaction, in the light of the results of the recent attempted redistricting of the State of Florida. I have stated only one of the monstrosities that has been caused to exist by taking a pair of scissors and attempting to cut up the State according to the census of 1960, when, as everybody now knows, there has been great but nonuniform growth and the city county which is next to us now has, in itself, more than enough people to constitute a complete congressional district, yet, on the basis of the 1960 census, they took 11 precincts off of our country county.

That is the kind of problem we are up against. That is the reason why I think we should give them these 2 years. I think we are entitled to believe the Senators of those States; and as far as I am concerned, even if it is only a matter of comity—and it is much more than that, based upon practical experience which I have related in part—I shall certainly vote to stand with them and concur with the House amendment.

Mr. INOUYE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Hawaii has 3 minutes remaining.

Mr. INOUYE. Mr. President, I am pleased to yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I urge the Senate to agree to this amendment, and put an end to this redistricting matter for this time. If we do not do so, we are going to create a situation of chaos next fall, because the Supreme Court will require candidates for Congress in States which do not live up to the one-man, one-vote principle on the basis of the 1960 census to run at large.

I have spent a major portion of my energies since last May trying to obtain the passage of a practical redistricting

bill. It has been impossible to do that, because some have insisted upon absolute perfection, which is something you never obtain in this world.

I appeal to the Senate to approve the House amendment in this matter, so that we will not have congressional elections next fall in which Representatives from many States may have to run at large, unless the pending measures is speedily passed.

We have had redistricting twice in 3 years. It is time to put an end to some of these things.

Mr. BAKER. Mr. President, I yield to the distinguished Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, I have sympathy with the distinguished senior Senator from Hawaii. I certainly share with him his desire to have a Republican elected at large or a Republican elected in Hawaii in the congressional election in 1968.

I also sympathize with the unique problem experienced in Hawaii and New Mexico. However, there is a principle involved, and it is a very important principle. This principle has been acted upon by the Senate very recently by a vote of 55 to 22.

The distinguished junior Senator from Indiana was foremost among those who argued for this principle, as he has stated today. He has always believed, as I understand, in the one-man, one-vote principle. He has always been against elections at large.

It would seem to me that the only reasons that have been advanced so far for supporting the pending measure is first, that it has been this way in New Mexico and it has been this way in Hawaii for a long time, and second that these two States are unique.

There are other States which have the same problem that Hawaii and New Mexico have. The Commonwealth of Massachusetts was ordered to redistrict, and it has redistricted. However, it seems to me that if we are ever going to have the rule apply, the Senate should stand by its former vote of 55 to 22 and that the practical aspects of having the House concur in the conference are greater if the Senate would stand by its original vote.

I urge the Senate to defeat the bill and stand by the principle involved even though Hawaii and New Mexico may encounter some inconvenience in the 1968 election. After all, this measure would postpone it for only one election. It seems to me that both the State of Hawaii and the State of New Mexico would be able to redistrict in time for the 1968 election if we are able to hold our position in conference.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. Mr. President, I yield 1 minute to the distinguished junior Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 1 minute.

Mr. BAYH. Mr. President, I appreciate the thoughtful remarks of the Senator from Massachusetts. I point out two things very quickly.

I just received information a moment ago that California is under the gun to make a decision by December 7. So, the matter then is extremely important to that State.

Second, I do not feel that the supporting of this measure in an effort to try to see to it that 48 States are in fact not ordered by a court to have elections at large is a desertion of the principle of one man, one vote. There is no disparity between the congressional districts if both congressional candidates run at large. I would much prefer that they run from single-member districts.

I think in the light of all that has been said concerning the inconvenience to these two States and the fact that this would prevent several other States from being confronted with a hardship by having to conduct elections at large, that it is in the best interest of the country that we pass this measure.

Mr. BAKER. Mr. President, I reply briefly to the contention of the distinguished Senator from Indiana that running at large assures equality of representation in the House of Representatives. I disagree.

I believe, as I have said previously, that one of the primary objections to at-large elections, as distinguished from elections from single-member districts, is that the very fact of the existence of the at-large elections has a tendency to support the majority at the expense of the minority. A rural population in some States may very well be entirely subordinated in representation by a large population in an urban center in the State. In an urban State it may be entirely possible that the city dweller will be subordinated in the matter of representation to the country dweller, or that an ethnic group concentrated in one area may have no voice at all if the election is on an at-large basis.

I disagree respectfully with the Senator from Indiana.

I believe that the principle of single-member districts and the principle of elections from single-member districts is a vital, essential, and integral part of the concept of equality of representation and responsiveness of government in the Federal House of Representatives.

Mr. INOUYE. Mr. President, I am prepared to yield back the remainder of my time.

Mr. BAKER. Mr. President, I yield back the remainder of my time.

Mr. ALLOTT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ALLOTT. Mr. President, will the Presiding Officer state the question?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Hawaii to concur in the House amendment to the Senate amendment.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Mr. President, am I correct in my interpretation that a "yea" vote would be essentially to support the position of the House of Representatives and to exempt Hawaii and New Mexico, and that a "nay" vote would be to retain the Senate version adopted on June 8 and again on November 28?

The PRESIDING OFFICER. The Senator is correct.

All time having expired, the question is on agreeing to the motion of the Senator from Hawaii to concur in the House amendment to the Senate amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Oklahoma [Mr. HARRIS], the Senator from New York [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I also announce that the Senator from Virginia [Mr. SPONG] is absent because of the death of his uncle.

I further announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], and the Senator from Oregon [Mr. MORSE], are absent on official business.

I further announce that, if present and voting, the Senator from New York [Mr. KENNEDY], would vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

The Senator from Kansas [Mr. CARLSON], the Senator from Arizona [Mr. FANNIN] and the Senator from New York [Mr. JAVITS] are detained on official business.

If present and voting, the Senator from Kansas [Mr. CARLSON], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 54, nays 24, as follows:

[No. 366 Leg.]

YEAS—54

Anderson	Cannon	Hart
Bartlett	Church	Hartke
Bayh	Clark	Hill
Bible	Eastland	Holland
Brewster	Ervin	Hollings
Burdick	Fong	Inouye
Byrd, Va.	Fulbright	Jackson
Byrd, W. Va.	Gruening	Jordan, N.C.

Kennedy, Mass.	McIntyre	Proxmire
Lausche	Metcalf	Randolph
Long, Mo.	Mondale	Ribicoff
Long, La.	Montoya	Smathers
Magnuson	Morton	Stennis
Mansfield	Moss	Talmadge
McCarthy	Muskie	Tydings
McClellan	Nelson	Williams, N.J.
McGee	Pastore	Yarborough
McGovern	Pell	Young, Ohio

NAYS—24

Aiken	Curtis	Jordan, Idaho
Allott	Dirksen	Miller
Baker	Gore	Mundt
Bennett	Griffin	Murphy
Boggs	Hansen	Pearson
Brooke	Hatfield	Smith
Case	Hickenlooper	Thurmond
Cotton	Hruska	Williams, Del.

NOT VOTING—22

Carlson	Javits	Scott
Cooper	Kennedy, N.Y.	Sparkman
Dodd	Kuchel	Spong
Dominick	Monroney	Symington
Ellender	Morse	Tower
Fannin	Percy	Young, N. Dak.
Harris	Prouty	
Hayden	Russell	

So Mr. INOUYE's motion was agreed to.

Mr. INOUYE. Mr. President, I move that the Senate reconsider the vote by which the motion was agreed to.

Mr. BAYH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the distinguished Senator from Hawaii [Mr. INOUYE] demonstrated outstanding skill and ability in handling this proposal that bars at-large congressional elections. The solution offered by the other body for the two States that have traditionally had at-large contests appeared highly satisfactory to the Senate. We are grateful to Senator INOUYE for so persuasively and successfully urging the Senate's concurrence in that solution.

Our thanks go also to the distinguished Senator from Tennessee [Mr. BAKER], whose strong and sincere views were so ably and articulately expressed. We certainly appreciated his splendid cooperation to dispose of the measure as expeditiously as possible, even though his objections to the measure did not meet with success. The Senator from Indiana [Mr. BAYH] and the Senator from Hawaii [Mr. FONG] are to be commended for the cooperation and assistance they rendered on this proposal. And the Senate itself deserves commendation for acting swiftly and with high efficiency in disposing of the measure.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2644) to amend the Atomic Energy Community Act of 1955, as amended, the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended.

The message also announced that the House disagreed to the amendment of the Senate 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; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DULSKI, Mr. HENDERSON, Mr. OLSEN, Mr. UDALL, Mr. DANIELS, Mr. CORBETT, Mr. GROSS, Mr. CUNNINGHAM, and Mr. JOHNSON of Pennsylvania were appointed managers on the part of the House at the conference.

PROGRAM FOR TOMORROW—ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished acting majority leader about the time for convening the Senate tomorrow.

Mr. BYRD of West Virginia. Mr. President, it is the plan of the leadership to have the Senate convene at 9 o'clock tomorrow morning; and in accordance with that plan, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 o'clock tomorrow morning.

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

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW, FRIDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate tomorrow.

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

EXTENSION OF LIFE OF THE CIVIL RIGHTS COMMISSION—CONFERENCE REPORT

Mr. ERVIN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10805) to extend the life of the Civil Rights Commission. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT (H. REPT. NO. 992)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10805) to extend the life of the Civil Rights Commission, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate; on page 1, after line 6, insert a new section as follows:

"SEC. 2. Section 106 of the Civil Rights Act of 1957 (71 Stat. 636; 42 U.S.C. 1975e) is amended to read as follows:

" 'SEC. 106. For the purposes of carrying out the provisions of this Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and for each of the four succeeding fiscal years, the sum of $2,650,000 for each such fiscal year'."

And agree to the same.

JAMES O. EASTLAND,
JOHN L. MCCLELLAN,
SAMUEL J. ERVIN, JR.,
EVERETT MCKINLEY DIRKSEN,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.
EMANUEL CELLER,
PETER W. RODINO, JR.,
BYRON G. ROGERS,
WILLIAM M. MCCULLOCH,
EDWARD G. BIESTER, JR.,
Managers on the Part of the House.

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

There being no objection, the Senate proceeded to consider the report.

Mr. ERVIN. Mr. President, the House conferees receded from the disagreement of the House to the amendment of the Senate, which placed a ceiling of $2,650,000 per year on the authorized expenditures for the Civil Rights Commission for each fiscal year of its existence.

I urge the adoption of this report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

ICC AUTHORIZES MERGER OF "NORTHERN LINES" RAILROADS

Mr. METCALF. Mr. President, about an hour and a half ago some of us from the Northwest were served with a news release from the Interstate Commerce Commission, announcing that the Interstate Commerce Commission had authorized the merger of the "Northern lines" railroads. My distinguished colleagues, the majority leader [Mr. MANSFIELD], and I were amazed at this reversal of the decision that the Commission had arrived at previously, and we were rather surprised that this decision had been made.

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

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

ICC AUTHORIZES MERGER OF "NORTHERN LINES" RAILROADS

The Interstate Commerce Commission announced today that it has approved the "Northern Lines" railroad merger. Because of widespread interest in the transaction, the Commission announced its decision several days prior to service of its report.

The Northern Lines are the Great Northern Railway, the Northern Pacific Railway, the Chicago, Burlington and Quincy Railroad, the Pacific Coast Railroad Company, and the Spokane, Portland and Seattle Railway Company. They will be brought together in a new company called Great Northern Pacific and Burlington Lines, Inc. A rail network will be created of almost 27,000 miles of track extending from the Great Lakes and the Mississippi River through the northern tier of Western states to the Pacific Northwest and California, and by affiliation reaching the Gulf of Mexico.

In approving this merger, the Commission pointed out that this proposal was but a

part of the larger picture of proposed railroad mergers in Western states, and that picture was still evolving. Therefore, the Commission imposed a broad reservation of jurisdiction to impose conditions which may be necessitated by cumulative or crossover problems, stemming from approval of this merger alone, or in combination with other merger transactions which later may be authorized in the territory involved. The door is also being left open for railroads in the territory to seek inclusion in the Northern Lines.

The Commission's action reverses a prior decision denying the applications. Following that denial, in April 1966, the railroad applicants reached job-protective agreements with employees and concluded traffic agreements with the principal protestant railroads, the Chicago, Milwaukee, St. Paul & Pacific Railroad Company and the Chicago and North Western Railway Company. Subsequent to applicants' petitions for reconsideration, the Commission reopened the proceeding to reevaluate the entire record.

Approval of the merger is predicated on a number of conditions, including attrition provisions for employees. In the view of the Commission, "the protection thereby afforded, providing as it does job security as well as monetary benefits, could hardly have been achieved except for the merger."

The Commission's approval of the transactions is also subject to conditions for the protection of other railroads in the territory involved. All conditions sought by the Milwaukee and North Western were imposed. The effect of these conditions will be to strengthen the Milwaukee and the North Western, both as to revenue potential and competitive posture. The Milwaukee, among other benefits, will be given access to Billings, Mont., Portland, Oreg., and Canada. It will, the Commission found, become a "viable transcontinental rail competitor."

The improved financial posture which will result from the merger, the Commission found, will enable the Northern lines to become stronger and more stable, and thus better equipped to meet the growing competition now being felt. Moreover, consolidation of facilities, elimination of wasteful duplication, improved routing, better car utilization, and avoidance of time-consuming interchanges among applicants will result in a more efficient railroad.

It was also found that shippers will benefit from, among other things, faster and more dependable single-line service. This, coupled with the broad choice of new gateways, is extremely important in view of the long distances involved and the nature of the products of the Northwest.

Related applications seeking authority to issue securities and assume certain financial obligations, and to effect a number of minor extensions and abandonments of railroad lines, were also granted.

The Commission concluded that the merger, as conditioned in the report, presents an entirely new perspective in the efficient and economical movement of transcontinental, Western and Pacific Coast traffic.

Copies of the Commission's decision and order will be available at the Commission's offices in Washington, D.C., as soon as the printing process is completed.

Mr. METCALF. Mr. President, the merger of the Great Northern Railway, the Northern Pacific Railway, the Chicago, Burlington & Quincy Railroad, the Pacific Coast Railroad Co., and the Spokane, Portland & Seattle Railway Co. is a merger of the major railroads in the entire Northwest.

The Great Northern Railway and the Northern Pacific Railway are two of the most prosperous railroads in America. Between them they own the complete stock of the Chicago, Burlington & Quincy, which is also one of the most prosperous railroads in America.

Mr. President, this decision of the Interstate Commerce Commission to authorize the merger is prefaced by an announcement that the Commission announced its decision prior to service of the report. Its report is not available to us at this time.

However, the Commission said in the news release that in approving this merger the Commission pointed out that "this proposal was but a part of the larger picture of proposed railroad mergers in Western States and that picture was still evolving."

Mr. President, while we in Montana, Minnesota, Wisconsin, Idaho, Washington, Oregon, and even down to New Mexico are concerned with this merger, I say to Senators from Western States, "Stick around for a while because the Commission has said they are going to have other mergers and that the picture is still evolving."

Mr. President, there were many self-serving declarations in the statement. It is stated in the news release:

The improved financial posture which will result from the merger, the commission found, will enable the northern lines to become stronger and more stable.

Mr. President, I am sure they will be stronger but the kind of service will have to be about half the service we have enjoyed so far in the Northwest.

It is also stated in the news release:

It is also found that shippers will benefit from, among other things, faster and more dependable single-line service.

How taking off half of the trains in the Northwest will improve the status of the shippers is more than I can understand.

Mr. President, I hope that the distinguished Senator from Washington [Mr. MAGNUSON], who is concerned in this matter, as the chairman of the Committee on Commerce, will institute an immediate investigation. I hope he will look into why this merger was authorized at this time, after a reversal of the previous action of the committee, and why this merger which, in spite of the news release, is going to be so detrimental to the interests of the Northwest was allowed between two of the most profitable railroad operations in the United States.

The Northern Pacific Railway is a land-grant railroad. It has thousands and thousands of acres of oil on its lands that were given to it in order that it would serve certain areas in Montana, Minnesota, and Idaho. It has thousands of acres of timber land, probably more valuable today than the right-of-way of the railroad. For a while the Northern Pacific Railway was earning more from oil land than from its railroad operations.

Mr. President, this is a callous disregard of public interest to permit these railroads to curtail the public service they should provide for the entire Northwest.

I urge the chairman of the Committee on Commerce to immediately institute an investigation and as soon as the report is available, to find out just what is behind this reversal of a prior decision of the Commission.

ESTABLISHMENT OF A FEDERAL JUDICIAL CENTER—CONFERENCE REPORT

Mr. TYDINGS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6111) to provide for the establishment of a Federal Judicial Center having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

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

"TITLE I—FEDERAL JUDICIAL CENTER

"SEC. 101. Title 28, United States Code, is amended by inserting, immediately following chapter 41, a new chapter as follows:

"'Chapter 42.—FEDERAL JUDICIAL CENTER

"'Sec.

"'620. Federal Judicial Center.

"'621. Board; composition, tenure of members, compensation.

"'622. Meetings; conduct of business.

"'623. Duties of the Board.

"'624. Powers of the Board.

"'625. Director and staff.

"'626. Compensation of the Director.

"'627. Retirement; employee benefits.

"'628. Appropriations and accounting.

"'629. Organizational provisions.

"'§ 620. Federal Judicial Center

"'(a) There is established within the judicial branch of the Government a Federal Judicial Center, whose purpose it shall be to further the development and adoption of improved judicial administration in the courts of the United States.

"'(b) The Center shall have the following functions:

"'(1) to conduct research and study of the operation of the courts of the United States, and to stimulate and coordinate such research and study on the part of other public and private persons and agencies;

"'(2) to develop and present for consideration by the Judicial Conference of the United States recommendations for improvement of the administration and management of the courts of the United States;

"'(3) to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government, including, but not limited to, judges, referees, clerks of court, probation officers, and United States commissioners; and

"'(4) insofar as may be consistent with the performance of the other functions set forth in this section, to provide staff, research, and planning assistance to the Judicial Conference of the United States and its committees.

"'§ 621. Board; composition, tenure of members, compensation

"'(a) The activities of the Center shall be supervised by a Board to be composed of—

"'(1) the Chief Justice of the United States, who shall be the permanent Chairman of the Board;

"'(2) two active judges of the courts of appeals of the United States and three active judges of the district courts of the United States elected by vote of the members of the Judicial Conference of the United States: *Provided, however,* That the judges so elected shall not be members of the Judicial Conference of the United States; and

"'(3) the Director of the Administrative Office of the United States Courts, who shall be a permanent member of the Board.

"'(b) The term of office of each elected member of the Board shall be four years: *Provided, however,* That section 629 of this chapter shall govern the terms of office of the first members elected to the Board: *And provided further,* That a member elected to serve for an unexpired term arising by virtue of the death, disability, retirement, or resignation of a member shall be elected only for such unexpired term.

"'(c) No member elected for a four-year term shall be eligible for reelection to the Board.

"'(d) Members of the Board shall serve without additional compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

"'§ 622. Meetings; conduct of business

"'(a) Regular meetings of the Board shall be held quarterly. Special meetings shall be held from time to time upon the call of the Chairman, acting at his own discretion or pursuant to the petition of any four members.

"'(b) Each member of the Board shall be entitled to one vote. A simple majority of the membership shall constitute a quorum for the conduct of business. The Board shall act upon the concurrence of a simple majority of the members present and voting.

"'§ 623. Duties of the Board

"'(a) In its direction and supervision of the activities of the Federal Judicial Center, the Board shall—

"'(1) establish such policies and develop such programs for the Federal Judicial Center as will further achievement of its purpose and performance of its functions;

"'(2) formulate recommendations for improvements in the administration of the courts of the United States, in the training of the personnel of those courts, and in the management of their resources;

"'(3) submit to the Judicial Conference of the United States, at least one month in advance of its annual meeting, a report of the activities of the Center and such recommendations as the Board may propose for the consideration of the Conference;

"'(4) present to other government departments, agencies, and instrumentalities whose programs or activities relate to the administration of justice in the courts of the United States the recommendations of the Center for the improvement of such programs or activities;

"'(5) study and determine ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States, and include in the annual report required by paragraph (3) of this subsection details of the results of the studies and determinations made pursuant to this paragraph; and

"'(6) consider and recommend to both public and private agencies aspects of the operation of the courts of the United States deemed worthy of special study.

"'(b) The Board shall transmit to Congress and to the Attorney General of the United States copies of all reports and recommendations submitted to the Judicial Conference of the United States. The Board shall also keep the Committees on the Judiciary of the United States Senate and House of Representatives fully and currently informed with respect to the activities of the Center.

"'§ 624. Powers of the Board

"'The Board is authorized—

"'(1) to appoint and fix the duties of the Director of the Federal Judicial Center, who shall serve at the pleasure of the Board;

"'(2) to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to the performance of the functions of the Federal Judicial Center set forth in this chapter, and each such department, agency, or instrumentality is directed to cooperate with the Board and, to the extent permitted by law, to furnish such information to the Center upon request of the Chairman or upon request of the Director when the Board has delegated this authority to him;

"'(3) to contract with and compensate government and private agencies or persons for research projects and other services, without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), and to delegate such contract authority to the Director of the Federal Judicial Center, who is hereby empowered to exercise such delegated authority.

"'§ 625. Director and staff

"'(a) The Director shall supervise the activities of persons employed by the Center and perform other duties assigned to him by the Board.

"'(b) The Director shall appoint and fix the compensation of such additional professional personnel as the Board may deem necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however,* That the compensation of any person appointed under this subsection shall not exceed the annual rate of basic pay of level V of the Executive Schedule pay rates, section 5316, title 5, United States Code: *And provided further,* That the salary of a reemployed annuitant under the Civil Service Retirement Act shall be adjusted pursuant to the provisions of section 8344, title 5, United States Code.

"'(c) The Director shall appoint and fix the compensation of such secretarial and clerical personnel as he may deem necessary, subject to the provisions of title 5, United States Code, governing appointments in competitive service and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

"'(d) The Director may procure personal services as authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the highest rate payable under General Schedule pay rates, section 5332, title 5, United States Code.

"'(e) The Director is authorized to incur necessary travel and other miscellaneous expenses incident to the operation of the Center.

"'§ 626. Compensation of the Director

"'The compensation of the Director of the Federal Judicial Center shall be the same as that of the Director of the Administrative Office of the United States Courts, and his appointment and salary shall not be subject to the provisions of title 5, United States Code, governing appointments in competitive service, or the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates: *Provided, however,* That any Director who is a justice or judge of the United States in active or retired status shall serve without additional compensation.

"'§ 627. Retirement; employee benefits

"'(a) A Director of the Federal Judicial Center who attains the age of seventy years shall be retired from that office.

"'(b) The Director, the professional staff, and the clerical and secretarial employees of the Federal Judicial Center shall be deemed to be officers and employees of the judicial branch of the United States Government within the meaning of subchapter III of chapter 83 (relating to civil service retirement), chapter 87 (relating to Federal employees' life insurance program), and chapter 89 (relating to Federal employees' health benefits program) of title 5, United States Code: *Provided, however,* That the Director, upon written notice filed with the Director of the Administrative Office of the United States Courts within six months after the date on which he takes office, may waive coverage under subchapter III of chapter 83 of title 5, United States Code (relating to civil service retirement), and elect coverage under the retirement and disability provisions of this section: *And provided further,* That upon his non-retirement separation from the Federal Judicial Center, such waiver and election shall not operate to foreclose to the Director such opportunity as the law may provide to secure civil service retirement credit for service as Director by depositing with interest the amount required by section 8334 of title 5, United States Code.

"'(c) Upon the retirement of a Director who has elected coverage under this section and who has served at least fifteen years and attained the age of sixty-five years the Director of the Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

"'Upon the retirement of a Director who has elected coverage under this section and who has served at least ten years, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

"'(d) A Director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has served at least fifteen years, or equal to that proportion of 80 per centum of such salary that the aggregate number of years of his service bears to fifteen if he has served less than fifteen years, but in no event less than 50 per centum of such salary.

"'(e) For the purpose of this section, "service" means service, whether or not continuous, as Director of the Federal Judicial Center, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, or a civilian official appointed by the President, by and with the advice and consent of the Senate.

"'§ 628. Appropriations and accounting

"'There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter. The Administrative Office of the United States Courts shall provide accounting, disbursing, auditing, and other fiscal services for the Federal Judicial Center.

"'§ 629. Organizational provisions

"'(a) The terms of office of the members first elected to the Board shall commence on the thirtieth day after the first meeting of the Judicial Conference after the date on which this chapter shall take effect.

"'(b) The members first elected to the Board shall continue in office for terms of one, two, three, three, and four years, respectively, the term of each to be designated by the Judicial Conference of the United States at the time of his election.

"'(c) Members first elected to the Board who are designated by the Judicial Conference of the United States to serve terms of office of less than four years shall be eligible for reelection to one full term of office.'

"TITLE II—ADDITIONAL AMENDMENTS TO TITLE 28, UNITED STATES CODE

"SEC. 201. (a) Chapter 41 of title 28, United States Code, is amended by adding at the end thereof a new section as follows:

"'§ 611. Retirement of Director

"'(a) The Director may, by written election filed with the Chief Justice of the United States within six months after the date on which he takes office, waive coverage under subchapter III (relating to civil service retirement) of chapter 83, title 5, United States Code, and bring himself within the purview of this section. Such waiver and election shall not operate to foreclose to the Director, upon separation from service other than by retirement, such opportunity as the law may provide to secure civil service retirement credit for service as Director by depositing with interest the amount required by section 8334 of title 5, United States Code.

"'(b) Upon the retirement of a Director who has elected coverage under this section and who has served at least fifteen years and attained the age of sixty-five years the Administrative Office of the United States Courts shall pay him an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement.

"'Upon the retirement of a Director who has elected coverage under this section and who has served at least ten years, but who is not eligible to receive an annuity under the first paragraph of this subsection, the Administrative Office of the United States Courts shall pay him an annuity for life equal to that proportion of 80 per centum of the salary of the office at the time of his retirement that the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of sixty-five at the time of separation from service.

"'(c) A Director who has elected coverage under this section and who becomes permanently disabled to perform the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office at the time of his retirement if he has served at least fifteen years, or equal to that proportion of 80 per centum of such salary that the aggregate number of years of his service bears to fifteen if he has served less than fifteen years, but in no event less than 50 per centum of such salary.

"'(d) For the purpose of this section, "service" means service, whether or not continuous, as Director of the Administrative Office of the United States Courts, and any service, not to exceed five years, as a judge of the United States, a Senator or Representative in Congress, or a civilian official appointed by the President, by and with the advice and consent of the Senate.'

"(b) The table of contents preceding such chapter is amended by inserting at the end thereof the following new item:

"'611. Retirement of Director.'

"SEC. 202. Section 376, title 28, United States Code, is amended by adding the following new subsections:

"'(r) The Director of the Federal Judicial Center shall be deemed a judge of the United States for the purposes of this section and shall be entitled to bring himself within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. As applied to a Director of the Federal Judicial Center, the phrase "retirement from office by resignation on salary under section 371(a) of this title" as used in subsections (b), (c), (g), (i), and (n) of this section shall mean "retirement from office under subsection (c) or (d) of section 627 of this title or by removal after not less than ten years service", the phrase "salary paid after retirement" as used in subsection (b) of this section shall mean "annuity paid after retirement under subsection (c) or (d) of section 627 of this title", and the phrase "resigns from office other than on salary under section 371(a) of this title" as used in subsection (f) of this section shall mean "resigns from office otherwise than on retirement under subsection (c) or (d) of section 627 of this title or is removed after less than ten years service".

"'(s) The Director of the Administrative Office of the United States Courts shall be deemed a judge of the United States for the purposes of this section and shall be entitled to bring himself within the purview of this section by filing an election as provided in subsection (a) of this section within the time therein specified. As applied to a Director of the Administrative Office of the United States Courts, the phrase "retirement from office by resignation on salary under section 371(a) of this title" as used in subsections (b), (c), (g), (i), and (n) of this section shall mean "retirement from office under section 611 of this title or by removal after not less than ten years service", the phrase "salary paid after retirement" as used in subsection (b) of this section shall mean "annuity paid after retirement under section 611 of this title", and the phrase "resigns from office other than on salary under section 371(a) of this title" as used in subsection (f) of this section shall mean "resigns from office otherwise than on retirement under section 611 of this title or is removed after less than ten years service".'

"SEC. 203. Subsection (a) of section 604, title 28, United States Code, is amended by amending:

"(a) Paragraph (7) to read as follows:

"'(7) Regulate and pay annuities to widows and surviving dependent children of judges, Directors of the Federal Judicial Center, and Directors of the Administrative Office, and necessary travel and subsistence expenses incurred by judges, court officers and employees, and officers and employees of the Administrative Office, and the Federal Judicial Center, while absent from their official stations on official business,';

"(b) Paragraph (9), to insert between the word 'courts' and the word 'and' a comma and the words 'the Federal Judicial Center,';

"(c) Paragraphs (10) and (11), to insert between the word 'courts' and the word 'and' a comma and the words 'the Federal Judicial Center,'.

"SEC. 204. The table of contents to 'PART III.—COURT OFFICERS AND EMPLOYEES' of title 28, United States Code, is amended by inserting after

"'41. Administrative Office of the United States Courts..... 601'

a new chapter reference as follows:

"'42. Federal Judicial Center..... 620'.

"SEC. 205. (a) Except as provided in subsection (b), the amendments made by this title, insofar as they relate to retirement and survivorship benefits of the Director of the Administrative Office of the United States Courts, shall be applicable only with respect to persons first appointed to such office after the date of enactment of this Act.

"(b) The provisions of section 611(a), the first paragraph of section 611(b), and section 376(s), of title 28, United States Code, as added by such amendments, shall be applicable to a Director or former Director of the Administrative Office of the United States Courts who was first appointed prior to the date of enactment of this Act if at the time such Director or former Director left or leaves such office he had, or shall have, attained the age of sixty-five years and completed fifteen years of service as Director of the Administrative Office of the United States Courts and if, on or before the expiration of six months following the date of enactment of this Act, he makes the election referred to in section 611(a) or section 376(s), or both, as the case may be."

Amend the title so as to read: "An act to provide for the establishment of a Federal Judicial Center, and for other purposes."

JOSEPH D. TYDINGS,
SAMUEL J. ERVIN, Jr.,
P. A. HART,
ROMAN L. HRUSKA,
EVERETT M. DIRKSEN,
Managers on the Part of the Senate.
EMANUEL CELLER,
PETER W. RODINO,
BYRON G. ROGERS,
CLARK MACGREGOR,
ROBERT MCCLORY,
Managers on the Part of the House.

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

There being no objection, the Senate proceeded to consider the report.

Mr. TYDINGS. Mr. President, the conference report is a vindication of the careful study and creative treatment afforded H.R. 6111 by the Senate Committee on the Judiciary and by the Subcommittee on Improvements in Judicial Machinery. All of the substance of the Senate's amendments has been accepted; one small pargraph of the Senate version has been modified slightly, and a single word has been added to another paragraph. These two changes, while not substantial, do polish the measure to a luster worthy of our approval.

The first of the modifications to the Senate version agreed upon is the addition of the word "stimulate" to section 620(b)(3), which relates to the Federal Judicial Center's "continuing education" function. As modified the relevant paragraph would read:

(3) to stimulate, create, develop, and conduct programs of continuing education and training for personnel of the judicial branch of the Government, including, but not limited to, judges, referees, clerks of court, probation officers and United States commissioners;

The addition of the word "stimulate" will, the conferees believe, better reflect the Center's role in programs of continuing education for the judiciary. This modification makes explicit what was already implicit in the Senate version: the Center is to be an instigator of such programs, as well as a conductor of them.

The second modification agreed to relates to the Center's responsibility in the area of data processing and systems techniques. The Senate version—section 623(a)(5)—reads:

(5) evaluate proposals for the application of data processing and systems techniques to the administration of the courts of the United States;

It also contained a general reporting provision, requiring the forwarding by the Center of copies of all reports and recommendations furnished to the Judicial Conference to the Attorney General and to the Congress.

The House version had a slightly different emphasis, and included a specific reporting provision. It read:

(3) study and determine ways in which automatic data processing and systems procedures may be used in Federal judicial administration;

* * * * *

(7) submit to the Congress reports of the results of the studies and determinations made by the Board under subsection (3) of this section. The first report shall cover the Board's activities during the first eighteen months following the date of the enactment of this chapter and each succeeding report shall cover such activities during each succeeding twelve-month period thereafter. Each report shall be submitted no later than thirty days following the close of the period for which the report is submitted.

The conference agreed to new language blending the slightly variant themes of each House's data processing language into the structure of the Senate version. Thus, the Center is to "study and determine ways in which automatic data processing and systems procedures may be applied to the administration of the courts of the United States, and include in the annual report required by paragraph (3) of this subsection details of the results of the studies and determinations made pursuant to this paragraph."

Mr. President, a great measure of recognition is due the openmindedness of the conferees on the part of the House. Chairman CELLER, Congressmen ROGERS, RODINO, MCCLORY, and MACGREGOR deserve the praise of the Senate, as well as that of their own Chamber, for their hard work and cooperation, both in moving H.R. 6111 through the House, and in adopting the Senate version.

On our own side of the Capitol, Mr. President, Senators ERVIN, HART, DIRKSEN and HRUSKA have joined me in promoting the success of the conference. I am deeply grateful to them.

Mr. President, I urge the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1967

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 710, H.R. 7819, the Elementary and Secondary Education Amendments of 1967. I do this so that the bill will become the pending business.

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

The ASSISTANT LEGISLATIVE CLERK. A bill H.R. 7819 to strengthen and improve programs of assistance for elementary and secondary education by extending authority for allocation of funds to be used for education of Indian children and children in overseas dependents schools of the Department of Defense, by extending and amending the National Teacher Corps program, by providing assistance for comprehensive educational planning, and by improving programs of education for the handicapped; to improve authority for assistance to schools in federally impacted areas and areas suffering a major disaster; and for other purposes.

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 Labor and Public Welfare, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "Elementary and Secondary Education Amendments of 1967".

ADMINISTRATION

SEC. 2. Rules, regulations, guidelines, or other published interpretations or orders issued by the Department of Health, Education, and Welfare or the United States Office of Education, or by any official of such agencies, in connection with, or affecting, the administration of programs authorized by this Act or by any Act amended by this Act shall contain immediately following each substantive provision of such rules, regulations, guidelines, interpretations, or orders, citations to the particular section or sections of statutory law or other legal authority upon which such provision is based. All such rules, regulations, guidelines, interpretations, or orders shall be uniformly applied and enforced throughout the fifty States.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

PART A—AMENDMENTS TO TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN

SEC. 101. The third sentence of section 203(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "June 30, 1967," and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969,".

RAISING THE DOLLAR LIMITATION FOR STATE ADMINISTRATIVE EXPENSES UNDER TITLE II OF PUBLIC LAW 874

SEC. 102. Effective for fiscal years beginning after June 30, 1967, section 207(b)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "$75,000" and inserting in lieu thereof "$150,000".

TECHNICAL CORRECTIONS WITH RESPECT TO PAYMENTS ON ACCOUNT OF NEGLECTED OR DELINQUENT CHILDREN

SEC. 103. (a) The first sentence of section 203(a)(2) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting "(other than such institutions operated by the United States)" immediately after "living in institutions for neglected or delinquent children", and by striking out "paragraph (5)" and inserting in lieu thereof "paragraph (7)".

(b) Section 205(c)(1)(C) of such Act is amended by striking out "(8)" and inserting in lieu thereof "(11)".

(c) Section 206(a)(3) and section 207(b) of such Act are each amended by striking out "section 205(a)(5)" and inserting in lieu thereof "section 205(a)(6)".

CONFORMING AMENDMENTS TO MAKE STATE OR NATIONAL AVERAGE PER PUPIL EXPENDITURE OPTION AVAILABLE TO STATE AGENCY PROGRAMS UNDER TITLE I

SEC. 104. (a)(1) The second sentence of section 203(a)(6) of the Act of September 30, 1950, is amended by striking out "average per pupil expenditure in the United States" and inserting in lieu thereof the following: "average per pupil expenditure in that State or, if greater, in the United States".

(2) The first sentence of section 203(a)(7) of such Act is amended by inserting after "average per pupil expenditure in that State" the following: "or, if greater, in the United States".

(b)(1) Section 203(a)(2) of such Act is amended by striking out the last sentence thereof.

(2) Section 203(a)(6) of such Act is amended by striking out the last sentence thereof.

(3) Section 203 of such Act is amended by adding at the end thereof the following subsection:

"(e) For purposes of this section, the 'average per pupil expenditure' in a State, or in the United States, shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States (which for the purposes of this subsection means the fifty States and the District of Columbia), as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year."

(4) The first sentence of section 203(a)(2) and the first sentence of section 203(a)(5) are each amended by striking out the matter in the parenthesis immediately after "United States".

USE OF RECENT CASELOAD DATA

SEC. 105. The third sentence of section 203(d) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "latest calendar or fiscal year data, whichever is later" and inserting in lieu thereof "caseload data for the month of January of the preceding fiscal year".

JOINT TRAINING PROGRAMS FOR EDUCATION AIDES AND PROFESSIONAL STAFF

SEC. 106. Section 205(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting a semicolon at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof a semicolon and the word "and", and by adding at the end thereof the following new paragraph:

"(11) in the case of projects involving the use of education aides, the local educational agency sets forth well-developed plans providing for coordinated programs of training in which education aides and the professional staff whom they are assisting will participate together."

ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

SEC. 107. (a) Section 208 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress) is amended (1) by dividing it into two subsections composed, respectively, of the first two sentences as subsection "(a)" and the remainder as subsection "(b)", and (2) by amending the first sentence of such section to read as follows: "If the sums appropriated for any fiscal year for making the payments provided in this title are not sufficient to pay in full the total amounts which all local and State educational agencies are eligible to receive under this title for such year—

"(1) the amount available for each grant to a State agency eligible for a grant under paragraph (5), (6), or (7) of section 203(a) shall be equal to the maximum grant as computed under such paragraph;

"(2) the minimum aggregate amount available for each county, for grants to local educational agencies having school districts in such county, shall be equal to the aggregate amount allocated for such county from appropriations for the preceding fiscal year: *Provided*, That, if the total of such allocations for all counties exceeds the amount remaining after allocations are made under paragraphs (1) and (3) of this sentence, the amounts of allocations pursuant to this paragraph shall be reduced ratably;

"(3) the minimum amount available for payments to each State educational agency for the purposes of section 207(b) shall be equal to 1 per centum of the aggregate amounts available within that State pursuant to paragraphs (1) and (2) of this sentence (including, when applicable, the proviso to paragraph (2)), except that no State shall receive less than the minimum amount provided for in section 207(b)(2); and

"(4) any amount of such appropriations remaining after making the allocations prescribed pursuant to the preceding paragraphs shall be allocated by computing such remainder in accordance with section 203(a)(2) and section 207(b)(1), as ratably reduced: *Provided*, That the aggregate amount allocated to any State under this paragraph and paragraph (3) for the purposes of section 207(b) shall not, except where necessary to provide the minimum amount specified in section 207(b)(2), exceed 1 per centum of the aggregate amount computed for other purposes under this paragraph and paragraphs (1) and (2) (including the proviso to paragraph (2))."

(b) Such section 208 is further amended by adding thereto the following subsections:

"(c) This section shall not apply to States to which allotments are made under section 203(a)(1).

"(d) In the case of any State (or multicounty part thereof) that consists of a single school district, the term 'county', as used in this section, means such State (or multicounty part thereof)."

SPECIAL INCENTIVE GRANTS

SEC. 108. (a) Title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is further amended by—

(1) inserting "PART A—BASIC GRANTS" immediately after the heading of such title;

(2) striking out "this title" wherever it appears in sections 201 through 208 and inserting in lieu thereof "this part";

(3) inserting "PART C—GENERAL PROVISIONS" immediately before the section heading of section 209;

(4) redesignating sections 209 through 214 and references thereto as sections 231 through 236; and

(5) inserting after section 208 thereof the following new part:

"PART B—INCENTIVE GRANTS

"SPECIAL INCENTIVE GRANTS

"SEC. 221. (a) A special incentive grant shall be made for any fiscal year beginning after June 30, 1967, to the State educational agency of each State which has an effort index for such year that exceeds the national effort index for such year. The amount of such special incentive grant shall be determined by multiplying the amount of $1 for each 0.01 per centum by which such State's effort index for such year exceeds the national effort index for such year times the aggregate number of children counted for purposes of entitling local educational agencies within such State to basic grants in accordance with classes (2), (5), (6), and (7) of section 203(a) of this Act. If the sum of the amounts so determined for all the States exceeds the amount appropriated pursuant to this part for any fiscal year, such amounts shall be ratably reduced. No State agency shall receive in any year a grant pursuant to this section which is in excess of 15 per centum of the total amount appropriated for such year for the purpose of this section. The State educational agency shall distribute such grant to those local educational agencies in such State which are in the greatest need of additional funds, for the purposes set forth in section 205(a), and amounts so distributed shall be used by such agencies in accordance with the provisions governing the use of grants to such agencies under this title.

"(b) Grants pursuant to this section shall be made upon application containing such information as the Commissioner may require for the purpose of this section. The Commissioner shall not finally disapprove such an application except after reasonable notice and opportunity for a hearing to the State educational agency.

"(c) For the purpose of this section the term 'State effort index' means the per centum expressing the ratio of expenditures from all sources in a State for public elementary and secondary education to the total personal income in such State, and the term 'national effort index' means the per centum expressing the ratio of such expenditures in all States to the total personal income in all States.

"(d) For the purpose of making grants under this part there are authorized to be appropriated not in excess of $50,000,000 each for the fiscal year ending June 30, 1968 and the three succeeding fiscal years."

(b) Sections 232 and 233(a) of such of such Act (as redesignated by subsection (a) of this section) are each amended by striking out "or 206(b)" and inserting in lieu thereof ", 206(b) or 221(b)".

(c) The amendments made by this section shall be effective with respect to appropriations enacted after the date of enactment of this Act.

AGRICULTURAL WORKERS

SEC. 109. Section 205(c) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by adding at the end thereof the following new paragraph:

"(3) For purposes of this subsection, with the concurrence of his parents, a migratory child of a migratory agricultural worker shall be deemed to continue to be such a child for a period, not in excess of five years, during which he resides in the area served by the agency carrying on a program or project under this subsection."

REDESIGNATING SECTION NUMBERS IN TITLE II OF PUBLIC LAW 874

SEC. 110. For the purpose of avoiding confusion between references to section numbers of title II of the Elementary and Secondary Education Act of 1965 and references to section numbers of title II of Public Law 874, Eighty-first Congress (which latter title is also generally cited as title I of the Elementary and Secondary Education Act of 1965), sections 201 through 208, 221, and 231 through 236 of Public Law 874, Eighty-first Congress, as amended by the preceding sections of this Act, are redesignated as sections 101 through 108, 121, and 131 through 136, respectively, and all references to any such section in that or any other law, or in any rule, regulation, order, or agreement of the United States are amended so as to refer to such section as so redesignated.

STUDY OF IMPACT OF CHILDREN LIVING IN PUBLIC HOUSING

SEC. 111. The Secretary of Health, Education, and Welfare shall make a study of the burden imposed on a local educational agency by the presence of low-rent public housing within the boundaries of its school district. The Secretary shall submit a report on the results of his study to the Senate and House of Representatives on or before January 10, 1968. Such report shall include such recommendations for legislation as the Secretary deems appropriate.

COMPLIANCE WITH CIVIL RIGHTS ACT OF 1964

SEC. 112. Section 182 of title I of Public Law 89–750, Eighty-ninth Congress, is amended by striking the period at the end of section 182, inserting in lieu thereof a colon and the following language: "Provided, That, for the purpose of determining whether a local educational agency is in compliance with title VI of the Civil Rights Act of 1964 (Public Law 88–352), compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with such title VI, insofar as the matters covered in the order or judgment are concerned."

STUDY OF DATA USED TO ESTABLISH ENTITLEMENTS

SEC. 113. The Commissioner of Education and the Secretary of Commerce, acting together, shall prepare and submit to the Senate and House of Representatives, on or before May 1, 1968, a report setting forth a method of determining the information necessary to establish entitlements within each of the several States under title I of the Elementary and Secondary Education Act of 1965 on the basis of data later than 1960. Such report shall include recommendations for legislation necessary to permit the adoption of such method.

PART B—AMENDMENTS TO TITLE II OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

EXTENDING FOR TWO YEARS PROVISIONS RELATING TO SCHOOLS FOR INDIAN CHILDREN AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS

SEC. 121. Section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1968, and the fiscal year ending June 30, 1969".

PART C—REVISION OF TITLE III OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 131. Title III of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"TITLE III—SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES

APPROPRIATIONS AUTHORIZED

"SEC. 301. (a) The Commissioner shall carry out a program for making grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

"(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966; $175,000,000 for the fiscal year ending June 30, 1967; $500,000,000 for the fiscal year ending June 30, 1968; $525,000,000 for the fiscal year ending June 30, 1969; $550,000,000 for the fiscal year ending June 30, 1970; and $575,000,000 for the fiscal year ending June 30, 1971. In addition, there are hereby authorized to be appropriated for the fiscal year ending June 30, 1968, and each of the three succeeding fiscal years, such sums as may be necessary for the administration of State plans, the activities of advisory councils, and the evaluation and dissemination activities required under this title.

"ALLOTMENT AMONG STATES

"SEC. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition for each fiscal year ending prior to July 1, 1969, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary to provide programs and projects for the purpose of this title for individuals on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"(2) From the sums appropriated for making grants under this title for any fiscal year pursuant to section 301(b), the Commissioner shall allot $200,000 to each State and shall allot the remainder of such sums among the States as follows:

"(A) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"(B) He shall allot to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The number of children aged five to seventeen, inclusive, and the total population of a State and of all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

"(c) The amount allotted to any State under subsection (a) for any fiscal year, which the Commissioner determines will not be required for the period for which that amount is available, shall be available for grants pursuant to section 306 in such State, and if not so needed may be reallotted or used for grants pursuant to section 306 in other States. Funds available for reallotment may be reallotted from time to time, on such dates during that period as the Commissioner may fix, among other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates that State needs and will be able to use for that period; and the total of these reductions may be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 301 for any fiscal year shall be deemed to be a part of the amount allotted to it under subsection (a) for that year.

"(d) The amounts made available under the first sentence of subsection (c) for any fiscal year shall remain available for grants during the next succeeding fiscal year.

"USES OF FEDERAL FUNDS

"SEC. 303. (a) Funds appropriated pursuant to section 301 shall, except as provided in subsection (b), be available only for grants in accordance with applications approved pursuant to this title for—

"(1) planning for and taking other steps leading to the development of programs or projects designed to provide supplementary educational activities and services described in paragraphs (2) and (3), including pilot projects designed to test the effectiveness of plans so developed;

"(2) the establishment or expansion of exemplary and innovative educational programs (including dual-enrollment programs and the lease or construction of necessary facilities) for the purpose of stimulating the adoption of new educational programs (including those described in section 503(4) and special programs for handicapped children) in the schools of the State; and

"(3) the establishment, maintenance, operation, and expansion of programs or projects, including the lease or construction of necessary facilities and the acquisition of necessary equipment, designed to enrich the programs of local elementary and secondary schools and to offer a diverse range of educational experience to persons of varying talents and needs by providing, especially through new and improved approaches, supplementary educational services and activities, such as—

"(A) comprehensive guidance and counseling, remedial instruction, and school health, physical education, recreation, psychological, social work, and other services designed to enable and encourage persons to enter, remain in, or reenter educational programs, including the provision of special educational programs and study areas during periods when schools are not regularly in session;

"(B) comprehensive academic services and, where appropriate, vocational guidance and counseling, for continuing adult education;

"(C) specialized instruction and equipment for students interested in studying advanced scientific subjects, foreign languages, and other academic subjects which are not taught in the local schools or which can be provided more effectively on a centralized basis, or for persons who are handicapped or of preschool age;

"(D) making available modern educational equipment and specially qualified personnel, including artists and musicians, on a temporary basis for the benefit of children in public and other nonprofit schools, organizations, and institutions;

"(E) developing, producing, and transmitting radio and television programs for classroom and other educational use;

"(F) in the case of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs (including preschool education), because some or all of its schools are seriously overcrowded, obsolete, or unsafe, initiating and carrying out programs or projects designed to meet those needs, particularly those which will result in more effective use of existing facilities;

"(G) providing special educational and related services for persons who are in or from rural areas or who are or have been otherwise isolated from normal educational opportunities including, where appropriate, the provision of mobile educational services and equipment, special home study courses, radio, television, and related forms of instruction, bilingual education methods, and visiting teachers' programs;

"(H) encouraging community involvement in educational programs; and

"(I) other specially designed educational programs or projects which meet the purposes of this title.

"(b) In addition to the uses specified in subsection (a), funds appropriated for carrying out this title may be used for—

"(1) proper and efficient administration of State plans;

"(2) obtaining technical, professional, and clerical assistance and the services of experts and consultants to assist the advisory councils authorized by this title in carrying out their responsibilities; and

"(3) evaluation of plans, programs, and projects, and dissemination of the results thereof.

"APPLICATIONS FOR GRANTS—CONDITIONS FOR APPROVAL

"SEC. 304. (a) A grant under this title pursuant to an approved State plan or by the Commissioner for a supplementary educational center or service program or project may be made only to a local educational agency or agencies, and then only if there is satisfactory assurance that, in the planning of that program or project there has been, and in the establishment and carrying out thereof there will be, participation of persons broadly representative of the cultural and educational resources of the area to be served. The term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources. Such grants may be made only upon application to the appropriate State educational agency or to the Commissioner, as the case may be, at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes set forth in section 303(a) and provide for such methods of administration as are necessary for the proper and efficient operation of the programs;

"(3) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 303(a), and in no case supplant such funds;

"(4) provide, in the case of an application for assistance under this title which includes a project for the construction of necessary facilities, satisfactory assurance that—

"(A) reasonable provision has been made, consistent with the other uses to be made of the facilities, for areas in such facilities which are adaptable for artistic and cultural activities,

"(B) upon completion of the construction, title to the facilities will be in a State or local educational agency,

"(C) in developing plans for such facilities, (i) due consideration will be given to excellence of architecture and design and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project), and (ii) there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that, to the extent appropriate in view of the uses to be made of the facilities, such facilities are accessible to and usable by handicapped persons, and

"(D) the requirements of section 310 will be complied with;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Com-

missioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) An application by a local educational agency for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant;

"(B) to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project, makes provision for the participation of such children; and

"(3) has been reviewed by a panel of experts.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"STATE ADVISORY COUNCILS AND STATE PLANS

"SEC. 305. (a) (1) Any State desiring to receive payments for any fiscal year to carry out a State plan under this title shall (A) establish within its State educational agency a State advisory council (hereinafter referred to as the 'State advisory council') which meets the requirements set forth in paragraph (2), (B) set dates before which local educational agencies must have submitted applications for grants to the State educational agency, and (C) submit to the Commissioner, through its State educational agency, a State plan at such time and in such detail as the Commissioner may deem necessary. The Commissioner may, by regulation, set uniform dates for the submission of State plans and applications.

"(2) The State advisory council, established pursuant to paragraph (1), shall—

"(A) be broadly representative of the cultural and educational resources of the State (as defined in section 304(a)) and of the public, including persons representative of—

"(i) elementary and secondary schools,

"(ii) institutions of higher education,

"(iii) professional organizations of teachers and school administrators,

"(iv) organizations promoting the improvement of education, and

"(v) areas of professional competence in dealing with children needing special education because of physical or mental handicaps,

but nothing in this subparagraph shall be construed to preclude the appointment of nonresidents of a State to the State advisory council of that State;

"(B) advise the State educational agency on the preparation of, and policy matters arising in the administration of, the State plan, including the development of criteria for approval of applications under such State plan;

"(C) review, and make recommendations to the State educational agency on the action to be taken with respect to, each application for a grant under the State plan;

"(D) evaluate programs and projects assisted under this title;

"(E) prepare and submit a report of its activities, recommendations, and evaluations to the National Advisory Council, established pursuant to this title, at such times, in such form, and in such detail as the National Advisory Council may prescribe; and

"(F) obtain such professional, technical, and clerical assistance as may be necessary to carry out its functions under this title.

"(b) The Commissioner shall approve a State plan, or modification thereof, if he determines that the plan submitted for that fiscal year—

"(1) sets for a program (including educational needs, and their basis, and the manner in which the funds paid to the State under this title shall be used in meeting such educational needs) under which funds paid to the State under section 307(a) will be expended solely for the improvement of education in the State through grants to local educational agencies for programs or projects in accordance with sections 303 and 304: *Provided,* That, in the case of a State educational agency that also is a local educational agency, its approval of a program or project to be carried out by it in the latter capacity shall, for the purposes of this title, be deemed an award of a grant by it upon application of a local educational agency if the State plan contains, in addition to the provisions otherwise required by this section, provisions and assurances (applicable to such program or project) that are fully equivalent to those otherwise required of a local educational agency;

"(2) sets forth the administrative organization and procedures in such detail as the Commissioner may prescribe by regulation to be used in carrying out the State plan, including the qualifications for personnel having responsibilities in the administration of the plan;

"(3) sets forth criteria for achieving an equitable distribution of assistance under this title, which criteria shall be based on consideration of (A) the size and population of the State, (B) the geographic distribution and density of the population within the State, and (C) the relative need of persons in different geographic areas and in different population groups within the State for the kinds of services and activities described in section 303, and the financial ability of the local educational agencies serving such persons to provide such services and activities;

"(4) provides for giving special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four- and five-year-olds and including where appropriated bilingual education, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe;

"(5) provides that, in approving applications for grants for programs or projects, applications proposing to carry out programs or projects planned under this title will receive special consideration;

"(6) provides for adoption of effective procedures (A) for the evaluation, at least annually, of the effectiveness of the programs and projects, by the State advisory council, supported under the State plan in meeting the purposes of this title, (B) for appropriate dissemination of the results of such evaluations and other information pertaining to such programs or projects, and (C) for adopting, where appropriate, promising educational practices developed through such programs or projects;

"(7) provides that not less than 50 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for purposes of paragraphs (1) and (2) of section 303(a);

"(8) provides that not less than 15 per centum of the amount which such State receives to carry out the plan in such fiscal year shall be used for special programs or projects for the education of handicapped children;

"(9) sets forth policies and procedures which give satisfactory assurance that Federal funds made available under this title for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Commissioner, by regulation) that would, in the absence of such Federal funds, be made by the applicant for educational purposes;

"(10) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under this title;

"(11) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the areas served by programs or projects supported under the State plan and in the State as a whole, including reports of evaluations made in accordance with objective measurements under the State plan pursuant to paragraph (6), and for keeping such records and for affording such access thereto as the Commission may find necessary to assure the correctness and verification of such reports;

"(12) provides that final action with respect to any application (or amendment thereof) regarding the proposed final disposition thereof shall not be taken without first affording the local educational agency or agencies submitting such application reasonable notice and opportunity for a hearing; and

"(13) contains satisfactory assurance that, in determining the eligibility of any local educational agency for State aid or the amount of such aid, grants to that agency under this title shall not be taken into consideration.

"(c) The Commissioner may, if he finds that a State plan for any fiscal year is in substantial compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available (pursuant to section 307) to that State that part of the State's allotment which he determines to be necessary to carry out that part of the plan so approved. The remainder of the amount which such State is eligible to receive under this section may be made available to such State only if the unapproved portion of that State plan has been so modified as to bring the plan into compliance with such requirements: *Provided,* That the amount made available to a State pursuant to this subsection shall not be less than 50 per centum of the maximum amount which the State is eligible to receive under this section.

"(d) A State which has had a State plan approved for any fiscal year may receive for the purpose of carrying out such plan an amount not in excess of 33⅓ per centum of its allotment pursuant to section 302 for the fiscal year ending June 30, 1969, 50 per centum thereof for the fiscal year ending June 30, 1970, and 66⅔ per centum thereof for the fiscal year ending June 30, 1971.

"(e) (1) The Commissioner shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State educational agency submitting the plan reasonable notice and opportunity for a hearing.

"(2) Whenever the Commissioner, after reasonable notice and opportunity for hearings to any State educational agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under section 305 or with any requirement set forth in the application of a local educa-

tional agency approved pursuant to section 304, the Commissioner shall notify the agency that further payments will not be made to the State under this title (or, in his discretion, that the State educational agency shall not make further payments under this title to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this title, or payments by the State educational agency under this title shall be limited to local educational agencies not affected by the failure, as the case may be.

"(3)(A) If any State is dissatisfied with the Commissioner's final action with respect to the approval of a plan submitted under subsection (a) or with his final action under paragraph (2), such State may, within 60 days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action as provided in section 2112 of title 28, United States Code.

"(B) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings.

"(C) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"(f)(1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to approval of an application by such local agency for a grant pursuant to this title, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

"(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

"(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"SPECIAL PROGRAMS AND PROJECTS

"SEC. 306. (a) From the amount allotted to any State, pursuant to section 302, which is not available for grants under a State plan approved pursuant to section 305, the Commissioner is authorized, subject to the provisions of section 304, to make grants to local educational agencies in such State for programs or projects which meet the purposes of section 303 and which, in the case of a local educational agency in a State which has a State plan approved, hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. The Commissioner may not approve an application under this section unless the application has been submitted to the appropriate State educational agency for comment and recommendation with respect to the action to be taken by the Commissioner regarding the disposition of the application.

"(b) Not less than 15 per centum of the funds granted pursuant to this section in any fiscal year shall be used for programs or projects designed to meet the special educational needs of handicapped children.

"PAYMENTS

"SEC. 307. (a) From the allotment to each State pursuant to section 302, for any fiscal year, the Commissioner shall pay to each State, which has had a plan approved pursuant to section 305 for that fiscal year, the amount necessary to carry out its State plan as approved.

"(b) The Commissioner is authorized to pay to each State amounts necessary for the activities described in section 303(b), during any fiscal year, except that (1) the total of such payments shall not be in excess of an amount equal to 7½ per centum of its allotment for that fiscal year or $150,000 ($50,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, and (2) in such payment, the amount paid for the administration of the State plan during such year shall not exceed an amount equal to 5 per centum of its allotment for that fiscal year or $100,000 ($35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater.

"(c) The Commissioner shall pay to each applicant which has an application approved pursuant to section 306 the amount necessary to carry out the program or project pursuant to such application.

"(d) Payments under this section may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"(e) No payments shall be made under this title to any local educational agency or to any State unless the Commissioner finds, in the case of a local educational agency, that the combined fiscal effort of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year or, in the case of a State, that the fiscal effort of that State for State aid (as defined by regulation) with respect to the provision of free public education in that State for the preceding fiscal year was not less than such fiscal effort for State aid for the second preceding fiscal year.

"RECOVERY OF PAYMENTS

"SEC. 308. If within twenty years after completion of any construction for which Federal funds have been paid under this title—

"(a) the owner of the facility shall cease to be a State or local educational agency, or

"(b) the facility shall cease to be used for the educational and related purposes for which it was constructed, unless the Commissioner determines in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"NATIONAL ADVISORY COUNCIL

"SEC. 309. (a) The President shall, by January 31, 1968, appoint a National Advisory Council on Supplementary Centers and Services which shall—

"(1) advise the Commissioner in the preparation of general regulations;

"(2) review the administration and operation of this title, including its effectiveness in meeting the purposes set forth in section 303;

"(3) review each State plan and application submitted to the Commissioner pursuant to sections 305 and 306, and make recommendations to the Commissioner with respect to the action to be taken on such plan or application;

"(4) set forth procedures for the submission of reports by State advisory councils to the National Advisory Council;

"(5) review, evaluate, and transmit the reports of State advisory councils to the Congress, the President, and the Secretary;

"(6) evaluate programs and projects carried out under this title and disseminate the results thereof; and

"(7) make recommendations for the improvement of this title, and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of twelve members, a majority of whom shall be broadly representative of the educational and cultural resources of the United States including at least one person who has professional competence in the area of education of handicapped children. Such members shall be appointed for terms of three years except that (1) in the case of the initial members, four shall be appointed for terms of one year each and four shall be appointed for terms of two years each, and (2) appointments to fill the unexpired portion of any term shall be for such portion only. The Secretary shall make available to the Council such technical, professional, secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 20 of each year. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

"(e) The Council is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

"LABOR STANDARDS

"SEC. 310. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

EFFECTIVE DATE

SEC. 132. (a) The amendment made by section 131 shall be effective July 1, 1968, except as specifically provided in subsection (b).

(b)(1) That part of section 305(a) of the Elementary and Secondary Education Act of 1965, as amended by section 131, concerning State advisory councils, and section 309 of such Act, as so amended, shall be effective upon enactment of this Act.

(2) The second sentence of section 301(b) of such Act, as so amended, shall be effective upon enactment of this Act.

(c) The Commissioner is authorized, upon enactment of this Act, to take such steps as he may deem appropriate in order to prepare to implement the amendment made by section 131.

PART D—AMENDMENTS TO TITLE V OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

DURATION OF AND FUNDS FOR TITLE

SEC. 141. (a) Section 501(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 30, 1966, and each of the four succeeding fiscal years,".

(b) Section 501(b) of such Act is amended by striking out "and $50,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: "$65,000,000 for the fiscal year ending June 30, 1968, and $80,000,000 each for the fiscal years ending June 30, 1969, and June 30, 1970; and $85,000,000 for the fiscal year ending June 30, 1971,".

INCLUSION OF TRUST TERRITORY OF PACIFIC ISLANDS

SEC. 142. (a) The first and third sentences of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965, relating to apportionment of appropriations, are each amended by striking out "and" after "Samoa," and by inserting ", and the Trust Territory of the Pacific Islands" after "Virgin Islands".

(b)(1) Paragraph (j) of section 701 of such Act, defining the term "State", is amended by striking out "and for purposes of title II and title III, such term includes the Trust Territory of the Pacific Islands" and inserting in lieu thereof ", and for purposes of titles II, III, and V such term also includes the Trust Territory of the Pacific Islands".

(2) Such section 701 is further amended by inserting ", except when otherwise specified" immediately after "As used in titles II, III, and V of this Act".

REVISION OF APPORTIONMENT FORMULA

SEC. 143. The second sentence of paragraph (1) of section 502(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "The remainder of such per centum of such sums shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the number of public school pupils in the State bears to the number of public school pupils in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him."

ENCOURAGEMENT OF USE OF AUXILIARY PERSONNEL

SEC. 144. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by redesignating paragraphs (7), (8), (9), (10), and (11) as (8), (9), (10), (11), and (12), respectively, and by inserting after paragraph (6) the following new paragraph:

"(7) programs and other activities specifically designed to encourage the full and adequate utilization and acceptance of auxiliary personnel (such as teacher aides) in elementary and secondary schools on a permanent basis;".

COMPREHENSIVE PLANNING GRANTS

SEC. 145. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out "and" at the end of the next to the last paragraph, by striking out the period at the end thereof and inserting a semicolon, and by adding at the end thereof the following new paragraphs:

"(13) programs for providing grants to local educational agencies in metropolitan areas to enable them to engage in comprehensive planning to meet their particular needs, either alone or in cooperation with other such agencies; and

"(14) a program, which shall be included in each such overall program for each fiscal year pursuant to this section, for distributing in the State in an equitable manner on the basis of need among local educational agencies, within the State at least 10 per centum of such amount to be used by such agencies for any of the purposes of this title as applied to a local educational agency in lieu of a State educational agency."

(b)(1) Section 502(a) of such Act is amended by striking out "85" each time it appears and inserting "95" in lieu thereof.

(2) Section 502(a)(2) of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

(3) Section 505 of such Act is amended by striking out "Fifteen" and inserting in lieu thereof "Five".

GRANTS TO INTERSTATE COMMISSIONS

SEC. 146. Section 505 of the Elementary and Secondary Education Act of 1965 is amended by striking out the period at the end of such section and inserting in lieu thereof the following: ", and for grants to public regional interstate commissions or agencies for educational planning and research."

COMPREHENSIVE EDUCATIONAL PLANNING

SEC. 147. (a) Title V of the Elementary and Secondary Education Act of 1965 is further amended by adding "AND FOR STATEWIDE EDUCATIONAL PLANNING" to its heading and by inserting the following immediately below its heading:

"PART A—GRANTS FOR STRENGTHENING LEADERSHIP RESOURCES OF STATE EDUCATIONAL AGENCIES"

(b) Title V of such Act is further amended by striking out the words "this title" wherever they appear and inserting in lieu thereof "this part", and by adding at the end thereof the following new part:

"PART B—GRANTS FOR COMPREHENSIVE EDUCATIONAL PLANNING AND EVALUATION

"AUTHORIZATION

"SEC. 521. To the end of enhancing the capability of the several States to make effective progress, through comprehensive and continuing planning, toward the achievement of opportunities for high-quality education for all segments of the population throughout the State, the Commissioner is authorized to make, in accordance with the provisions of this part, comprehensive planning and evaluation grants to States that have submitted, and had approved by the Commissioner, an application pursuant to section 523, and special project grants, related to the purposes of this part, pursuant to section 524. For the purpose of making such grants, there are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1968, $20,000,000 for the fiscal year ending June 30, 1969, and for each of the two suceeding fiscal years.

"APPORTIONMENT AMONG THE STATES

"SEC. 522. (a)(1) From the sums appropriated for carrying out this part for each fiscal year, 25 per centum shall be reserved for the purposes of section 524 and the remaining 75 per centum shall be available for grants to States under section 523.

"(2) The Commissioner shall apportion not in excess of 2 per centum of the amount available for grants under section 523 among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, according to their respective needs for carrying out the purposes of this part. The remainder of such amount shall be apportioned by the Commissioner as follows:

"(A) He shall apportion 40 per centum of such remainder among the States in equal amounts.

"(B) He shall apportion to each State an amount that bears the same ratio to 60 per centum of such remainder as the population of the State bears to the population of all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him.

For purposes of the preceding sentence, the term 'State' does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(b) The amount apportioned under this section to any State for the fiscal year ending June 30, 1968, shall be available for obligation for grants pursuant to applications approved during that year and the succeeding fiscal year.

"(c) The amount of any State's apportionment for any fiscal year under paragraph (2) of subsection (a) which the Commissioner determines will not be required for grants to that State under section 523 during the period for which such apportionment is available may from time to time be reapportioned by the Commissioner to other States, according to their respective needs, as the Commissioner may determine. Any amount so reapportioned to a State from funds appropriated for any fiscal year shall be deemed to be a part of the amount apportioned to it under subsection (a) for that year.

"COMPREHENSIVE PLANNING GRANTS

"SEC. 523. (a)(1) Any State desiring to receive a grant or grants under this section from its apportionment under section 522 for any fiscal year shall designate or establish a single State agency or office (hereafter in this part referred to as the State educational planning agency) as the sole agency for carrying out or supervising the carrying out of a comprehensive statewide program of systematic planning and evaluation relating to education at all levels (including remedial education and retraining of adults), except that—

"(A) the field of higher education shall be included only if the State so elects and so provides in an application (or amended or supplemental application) under this section, and

"(B) in the event of such election the State may designate or establish a separate State agency (hereafter in this part referred to as the State higher education planning agency) for carrying out or supervising the carrying out of such planning and evaluation program with respect to higher education.

"(2) A grant to a State may be made under this section only upon approval of an application submitted to the Commissioner

through the State educational planning agency, except that, with respect to States electing to include the field of higher education as provided in clause (A) of paragraph (1) of this subsection and designating or establishing a State higher education planning agency as provided in clause (B) of paragraph (1), the Commissioner, by or pursuant to regulation—

"(A) shall authorize the submission of a combined application which includes higher education (or an amended or supplemental application filed upon the making of such election) jointly through both the State's planning agencies involved, or the submission of a separate application (or supplement) through the State's higher educational planning agency as to so much of the State's program as relates to planning and evaluation in the field of higher education, and

"(B) may provide for allocating, between the State's two planning agencies, the amount of any grant or grants under this section from the State's apportionment.

"(3) An application (or amendment or supplement thereto) under this section shall set forth, in such detail as the Commissioner deems necessary, the statewide program referred to in paragraph (1) (or, in the case of a separate application or amendment or supplement with respect to the field of higher education, so much of the statewide program as relates to that field), which shall include provision for—

"(A) setting statewide educational goals and establishing priorities among these goals;

"(B) developing through analyses alternative means of achieving these goals, taking into account the resources available and the educational effectiveness of each of the alternatives (including, in the case of higher education, the resources and plans of private institutions in the State bearing upon the State's goals and plans for public higher education);

"(C) planning new programs and improvements in existing programs based on the results of these analyses;

"(D) developing and strengthening the capabilities of the State to conduct, on a continuous basis, objective evaluations of the effectiveness of educational programs; and

"(E) developing and maintaining a permanent system for obtaining and collating significant information necessary to the assessment of progress toward the State's educational goals.

"(b) Applications (including amendments and supplements thereto) for grants under this section may be approved by the Commissioner only if the application—

"(1) has been submitted to the chief executive of the State for review and recommendations;

"(2) sets forth, if the State has elected to include the field of higher education and has designated or established a separate State higher education planning agency, such arrangements for coordination, between the State's educational planning program in that field and the remaining educational planning program submitted by the State, as will in the Commissioner's judgment be effective;

"(3) contains satisfactory assurance—

"(A) that the assistance provided under this section, together with other available resources, will be so used for the several purposes specified in subparagraphs (A) through (E) of paragraph (3) of subsection (a) of this section as to result in the maximum possible effective progress toward the achievement of a high level of competence with respect to each of them, and

"(B) that assistance under this part will, by the State planning agency involved, be used primarily in strengthening the capabilities of its own planning and evaluation staff or, to the extent that the program is to be carried out under the supervision of that agency by other agencies, the planning and evaluation staffs of such other agencies; but consistently with this objective part of the funds received under a grant under this section may be used, in appropriate circumstances, to employ consultants, or to enter into contracts for special projects with public or private agencies, institutions, or organizations having special competence in the areas of planning or evaluation;

"(4) makes adequate provision (consistent with such criteria as the Commissioner may prescribe) for using funds granted to the applicant under this section, other than funds granted for planning and evaluation in the field of higher education, (A) to make program planning and evaluation services available to local educational agencies, and (B) in the case of such agencies in areas (particularly metropolitan areas) with school populations sufficiently large to warrant their own planning or evaluation staffs, to assist such agencies (financially or through technical assistance, or both) to strengthen their planning and evaluation capabilities and to promote coordinated areawide planning for such areas;

"(5) provides for such methods of administration as are necessary for the proper and efficient operation of the program;

"(6) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid under this part to the State (including any such funds paid by the State to agencies, institutions, or organizations referred to in paragraph (4)(B) or paragraph (3) of this subsection); and

"(7) provides for making such reports, in such form and containing such information as the Commissioner may reasonably require (copies of which shall also be sent to the chief executive of the State), and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(c) A grant made pursuant to an approval of an application under this section may be used to pay all or part of the cost of activities covered by the approved application and included in such grant, but excluding so much, if any, of such cost as is paid for from grants under part A.

SPECIAL PROJECTS

"SEC. 524. (a) The sums reserved pursuant to section 522(a)(1) for the purposes of this section shall be used for grants for special projects in accordance with subsection (b) of this section.

"(b) The Commissioner is authorized to make grants to public or private nonprofit agencies, institutions, or organizations, or to make contracts with public or private agencies, institutions, or organizations, for special projects related to the purposes of this part, to be conducted on an interstate, regional, or metropolitan area basis, including projects for such purposes as—

"(1) metropolitan planning in education in areas covering more than one State;

"(2) improvement and expansion in the educational planning of large cities within a State with due regard to the complexities of adequate metropolitan planning in such places;

"(3) comparative and cooperative studies agreed upon between States or metropolitan areas;

"(4) conferences to promote the purposes of this part and involving different States;

"(5) publications of general use to the planning of more effective and efficient educational services, and other activities for dissemination of information related to the purposes of this part.

"PAYMENTS

"SEC. 525. Payments under this part may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Commissioner may determine."

PART E—AMENDMENTS TO TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, AND RELATED AMENDMENTS

REGIONAL RESOURCE CENTERS, SERVICES FOR DEAF-BLIND CHILDREN, RECRUITMENT OF PERSONNEL

SEC. 151. Title VI of the Elementary and Secondary Education Act of 1965 is amended by—

(1) inserting immediately below the heading of such title

"PART A—ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) inserting immediately above the heading of section 608

"PART E—GENERAL PROVISIONS";

(3) redesignating sections 608, 609, and 610 and references thereto as sections 611, 612, and 613, respectively;

(4) striking out the words "this title" wherever they occur in sections 601, and 603 through 607, and inserting in lieu thereof "this part"; and

(5) inserting immediately after section 607 the following:

"PART B—REGIONAL RESOURCE CENTERS FOR IMPROVEMENT OF THE EDUCATION OF HANDICAPPED CHILDREN

"REGIONAL RESOURCE CENTERS

"SEC. 608. (a) For the purpose of aiding in the establishment and operation of regional centers which will develop and apply the best methods of appraising the special educational needs of handicapped children referred to them and will provide other services to assist in meeting such needs, there authorized to be appropriated $7,500,000 for the fiscal year ending June 30, 1968, $8,000,000 for the fiscal year ending June 30, 1969, $10,000,000 for the fiscal year ending June 30, 1970, and $12,00,000 for the fiscal year ending June 30, 1971.

"(b) Appropriations under this section shall be available to the Commissioner for grants to or contracts with institutions of higher education, State educational agencies, local educational agencies, or combinations of such agencies or institutions, within particular regions of the United States, to pay all or part of the cost of establishment (including construction) or operation of regional resource centers for the improvement of education of the handicapped in such regions. Centers established or operated under this section shall (1) provide testing and educational evaluation to determine the special educational needs of handicapped children referred to such centers, (2) develop educational programs to meet those needs, and (3) assist schools and other appropriate agencies, organizations, and institutions in providing such educational programs through services such as consultation (including, in appropriate cases, consultation with parents or teachers of handicapped children at such regional centers), periodic reexamination and reevaluation of special educational programs, and other technical services.

"(c) In determining whether to approve an application for a project under this section, the Commissioner shall consider the need for such a center in the region to be served by the applicant and the capability of the applicant to develop and apply, with the assistance of funds under this section, new methods, techniques, devices, or facilities relating to educational evaluation or education of handicapped children.

"(d) Payment pursuant to grants or contracts under this section may be made (after necessary adjustments on account of previously made underpayments or overpayments) in advance or by reimbursement, and in such installments and on such conditions as the Commissioner may determine."

"PART C—CENTERS AND SERVICES FOR DEAF-BLIND CHILDREN

"SEC. 609. (a) It is the purpose of this part to provide, through a limited number of model centers for deaf-blind children, a program designed to develop and bring to bear upon such children, beginning as early as feasible in life, those specialized, intensive professional and allied services, methods, and aids that are found to be most effective to enable them to achieve their full potential for communication with and adjustment to the world around them, for useful and meaningful participation in society, and for self-fulfillment.

"(b) The Secretary is authorized, upon such terms and conditions (subject to the provisions of subsection (d)(1) of this section) as he deems appropriate to carry out the purposes of this part, to make grants to or contracts with public or nonprofit private agencies, organizations, or institutions to pay all or part of the cost of establishment (including, when necessary, construction) or operation, or both, of centers for deaf-blind children.

"(c) In determining whether to make a grant or contract under subsection (b), the Secretary shall take into consideration the need for a center for deaf-blind children in the light of the general availability and quality of existing services for such children in the part of the country involved.

"(d)(1) A grant or contract pursuant to subsection (b) shall be made only if the Secretary determines that there is satisfactory assurance that the center will provide such services as he has by regulation prescribed, including at least—

"(A) comprehensive diagnostic and evaluative services for deaf-blind children;

"(B) a program for the adjustment, orientation, and education of deaf-blind children which integrates all the professional and allied services necessary therefor; and

"(C) effective consultative services for parents, teachers, and others who play a direct role in the lives of deaf-blind children to enable them to understand the special problems of such children and to assist in the process of their adjustment, orientation, and education.

"(2) Any such services may be provided to deaf-blind children (and, where applicable, other persons) regardless of whether they reside in the center, may be provided at some place other than the center, and may include the provision of transportation for any such children (including an attendant) and for parents.

"(e) The Secretary is further authorized, either as part of any grant or contract under subsection (b), or by separate grant to or contract with an agency, organization, or institution operating a center meeting the requirements prescribed by or pursuant to subsection (d), to provide for the payment of all or part of the cost of such activities as—

"(1) research to identify and meet the full range of special needs of deaf-blind children;

"(2) development or demonstration of new, or improvements in existing, methods, approaches, or techniques which would contribute to the adjustment and education of deaf-blind children;

"(3) training (either directly or otherwise) of professional and allied personnel engaged or preparing to engage in programs specifically designed for deaf-blind children, including payment of stipends for trainees and allowances for travel and other expenses for them and their dependents; and

"(4) dissemination of materials and information about practices found effective in working with deaf-blind children.

"(f) For purposes of this part, the term 'construction' includes, in addition to those matters set forth in section 701(b), construction of residential facilities; and the cost of construction shall be deemed to include the cost of acquisition of land in connection with any of the foregoing, but not the cost of off-site improvements.

"(g) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to a grant or contract under this part the facility constructed ceases to be used for the purposes for which it was constructed, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

"(h) For purposes of this part, the determination of children who are both deaf and blind shall be made in accordance with regulations of the Secretary.

"(i) Payments pursuant to grants or contracts under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursements, and in such installments and on such conditions as the Secretary may determine.

"(j) For the purpose of carrying out this part, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, $3,000,000 for the fiscal year ending June 30, 1969, $7,000,000 for the fiscal year ending June 3, 1970, and $9,000,000 for the fiscal year ending June 30, 1971.

"PART D—RECRUITMENT OF PERSONNEL AND INFORMATION ON EDUCATION OF THE HANDICAPPED

"GRANTS OR CONTRACTS TO IMPROVE RECRUITING OF EDUCATIONAL PERSONNEL, AND TO IMPROVE DISSEMINATION OF INFORMATION CONCERNING EDUCATIONAL OPPORTUNITIES FOR THE HANDICAPPED

"SEC. 610. (a) The Commissioner is authorized to make grants to public or nonprofit private agencies, organizations, or institutions, or to enter into contracts with public or private agencies, organizations, or institutions, for projects for—

"(1) encouraging students and professional personnel to work in various fields of education of handicapped children and youth through, among other ways, developing and distributing imaginative or innovative materials to assist in recruiting personnel for such careers, or publicizing existing forms of financial aid which might enable students to pursue such careers, or

"(2) disseminating information about the programs, services, and resources for the education of handicapped children, or providing referral services, to parents, teachers, and other persons especially interested in the handicapped.

"(b) To carry out the purposes of this section, there are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1968, and for each of the three succeeding fiscal years."

TRANSFER OF DEFINITION AND OTHER TECHNICAL AMENDMENTS

SEC. 152. (a) Section 602 of title VI of the Elementary and Secondary Education Act of 1965 is redesignated as section 614 and transferred to the end of such title.

(b) Section 601 of such title is amended by—

(1) striking out the section heading and inserting in lieu thereof the heading

"GRANTS TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN";

(2) striking out "(a)" in subsection (a);

(3) redesignating section 601(b) and references thereto as section 602 by striking out "(b)" in subsection (b) and inserting "SEC. 602." in lieu thereof; and

(4) inserting above section 602 as so redesignated the section heading

"APPROPRIATIONS AUTHORIZED".

(c)(1) The portion of section 701 of the Elementary and Secondary Education Act of 1965 (containing definitions) which precedes subsection (a), as amended by section 142(b) of this Act, is further amended by striking out "As used in titles II, III, and V" and inserting in lieu thereof "As used in titles II, III, V, and VI".

(2) Paragraph (j) of such section 701, as amended by section 142(b) of this Act, is further amended by striking out "and V" and inserting in lieu thereof "V, and VI".

INCLUDING SCHOOLS FOR INDIAN CHILDREN OPERATED BY THE DEPARTMENT OF THE INTERIOR AND DEFENSE DEPARTMENT OVERSEAS DEPENDENTS SCHOOLS IN TITLE VI

SEC. 153. (a) So much of paragraph (1) of section 603(a) of the Elementary and Secondary Education Act of 1965 as follows the first sentence is amended to read as follows: "The Commissioner shall allot the amount appropriated pursuant to this paragraph among—

"(A) Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs, and

"(B) for the fiscal year ending June 30, 1968, and the succeeding fiscal year, (i) the Secretary of the Interior according to the need for such assistance for the education of handicapped children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, and (ii) the Secretary of Defense according to the need for such assistance for the education of handicapped children in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this part."

(b) The first sentence of paragraph (2) of section 603(a) of the Elementary and Secondary Education Act of 1965 is amended by changing the period at the end thereof to a comma and adding the following: "except that no State shall be allotted less than $100,000 or three-tenths of 1 per centum of such amount available for allotment to the States, whichever is greater."

SHORT TITLE OF TITLE VI OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 154. Title VI of the Elementary and Secondary Education Act of 1965 is further amended by adding at the end thereof the following new section:

"SHORT TITLE

"SEC. 615. This title may be cited as the 'Education of the Handicapped Act'."

EXPANSION OF INSTRUCTIONAL MEDIA PROGRAMS TO INCLUDE ALL HANDICAPPED CHILDREN

SEC. 155. (a) Subsection (b) of the first section of the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf" (42 U.S.C. 2491 et seq.), is amended to read as follows in order to conform its statement of objectives to amendments made to such Act by Public Law 89-258 and by this Act:

"(b) to promote the educational advancement of handicapped persons by (1) carrying on research in the use of educational media for the handicapped, (2) producing and distributing educational media for the use of handicapped persons, their parents, their actual or potential employers, and other persons directly involved in work for the advancement of the handicapped, and (3)

training persons in the use of educational media for the instruction of the handicapped."

(b) Section 2 of such Act is amended by adding the following at the end thereof:

"(4) The term 'handicapped' means deaf, mentally retarded, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired persons."

(c) Section 3 of such Act is amended by striking out the word "deaf" and inserting in lieu thereof "handicapped" each time it occurs therein.

(d)(1) Subsection (b)(5) of section 3 of such Act is amended by inserting immediately before the semicolon at the end thereof the following: ", including the payment to those persons of such stipends (including allowances for travel and other expenses of such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs".

(2) This subsection shall take effect on the date of enactment of this Act, except that as to payments made pursuant to such section 3 prior to such date this subsection shall be effective as of September 28, 1962.

(e) Section 4 of such Act is amended by striking out "$5,000,000" and inserting "$8,000,000" in lieu thereof and by striking out "$7,000,000" and inserting "$10,000,000" in lieu thereof.

AUTHORIZING CONTRACTS, AS WELL AS GRANTS, FOR RESEARCH IN EDUCATION OF THE HANDICAPPED

SEC. 156. (a) The first sentence of section 302(a) of Public Law 88-164 is amended by inserting ", and to make contracts with States, State or local educational agencies, public and private institutions of higher learning, and other public or private educational or research agencies and organizations, for research and related purposes (as defined in this section) and to conduct research, surveys, or demonstrations," immediately before "relating to education for mentally retarded," and by striking out "for research or demonstration projects".

(b) The second sentence of such section 302(a) is amended by striking out "Such grants shall be made" and inserting in lieu thereof "Payments pursuant to grants or contracts under this section may be made".

PART F—AMENDMENTS TO TITLE VII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

TECHNICAL ASSISTANCE TO RURAL AREAS

SEC. 171. (a) Section 706 of the Elementary and Secondary Education Act of 1965 is amended by redesignating subsection (b) as subsection (c) and by inserting before such subsection a new subsection as follows:

"(b) For such purpose and also for the purpose of carrying out more effectively other provisions of Federal law, the Commissioner, upon request from a State educational agency, shall provide counseling and technical assistance to elementary and secondary schools in rural areas, as defined by the Commissioner, of such State (1) in determining benefits available to such agencies and schools under Federal laws, and (2) in preparing applications and meeting other requirements for such benefits. Assistance pursuant to this subsection may, in accordance with such request, be provided by personnel from the Office of Education or be provided in the form of grants in such amounts as may be necessary for such State educational agency to employ such personnel as may be necessary to provide such assistance."

(b) Section 706 of such Act is amended in subsection (c), as redesignated by subsection (a), by striking out "and not to exceed $2,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$3,500,000 for the fiscal year ending June 30, 1968, $3,700,000 for the fiscal year ending June 30, 1969, $4,000,000 for the fiscal year ending June 30, 1970, and $4,200,000 for the fiscal year ending June 30, 1971".

DEMONSTRATION PROJECTS TO PREVENT DROPOUTS

SEC. 172. Title VII of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end thereof a new section as follows:

"DROPOUT PREVENTION PROJECTS

"SEC. 707. (a) The Commissioner is authorized to arrange by contract, grant, or otherwise, with local educational agencies for the carrying out by such agencies in schools which (1) are located in an urban area, (2) have a high percentage of children from families with an income not exceeding the low-income factor, as defined in section 103(c), and (3) have a high percentage of such children who do not complete their education in elementary or secondary school, of demonstration projects involving the use of innovative methods, systems, materials, or programs which show promise of reducing the number of such children who do not complete their education in elementary and secondary schools.

"(b) The Commissioner shall approve arrangements pursuant to this section only on application by a local educational agency and upon his finding:

"(1) that the project will be carried out in one or more schools described in subsection (a);

"(2) that the applicant has analyzed the reasons for such children not completing their education and has designed a program to meet this problem;

"(3) that effective procedures, including objective measurements of educational achievements, will be adopted for evaluating at least annually the effectiveness of the project; and

"(4) that the project has been approved by the appropriate State educational agency.

"(c) There is authorized to be appropriated not to exceed $30,000,000 for the period ending June 30, 1969, and $30,000,000 each for the fiscal year ending June 30, 1970, and for the succeeding fiscal year for the purpose of this section."

TITLE II—FEDERALLY AFFECTED AREAS

PART A—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN IMPACTED AREAS

CLARIFYING DEFINITIONS OF "FEDERAL PROPERTY"

SEC. 201. Section 15(1) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), and section 303(1) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by—

(a) striking out the second sentence thereof;

(b) striking out "also" in the penultimate sentence thereof; and

(c) inserting immediately before the last sentence thereof the following new sentence: "Such term also includes any interest in Federal property (as defined in the foregoing provisions of this paragraph) under an easement, lease, license, permit, or other arrangement, as well as any improvements of any nature (other than pipelines or utility lines) on such property even though such interests or improvements are subject to taxation by a State or political subdivision of a State or by the District of Columbia."

EFFECTIVE DATE FOR CERTAIN 1966 AMENDMENTS

SEC. 202. The amendment made by section 204, and the amendment made by section 229, of the Elementary and Secondary Education Amendments of 1966 shall be effective only with respect to fiscal years beginning after June 30, 1969.

MODIFYING PROVISIONS RELATING TO SCHOOL CONSTRUCTION ASSISTANCE IN OTHER FEDERALLY AFFECTED AREAS

SEC. 203. (a) Subsection (a) of section 14 of the Act of September 23, 1950 (Public Law 813, Eighty-first Congress) is amended in the following respects:

(1) Paragraph (1) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands", and by inserting ", or that such Indian lands constitute a substantial part of the school district of such local educational agency," immediately after "such agency provides free public education".

(2) Paragraph (2) is amended by striking out "Federal property" and inserting in lieu thereof "Indian lands".

(3) Paragraph (4) is amended by striking out "in its school district" and inserting in lieu thereof "of a substantial percentage of the children in the membership of its schools".

(4) Such subsection (a) is further amended by—

(A) striking out "is attributable to children who reside on Federal property, and which" in the portion of the first sentence of subsection (a) which follows paragraph (4);

(B) striking out "in the case of any application for additional assistance on account of children who reside on Indian lands" in the second sentence of such subsection (a);

(C) striking out "subsection (c)" and inserting in lieu thereof "subsection (d)" in the third sentence of such subsection (a); and

(D) striking out "third" and inserting in lieu thereof "second" in the last sentence of such section (a).

(b) Section 14 of such Act, as amended by this section, is further amended by redesignating subsections (b), (c), (d), and (e) as subsections (c), (d), (e), and (f), respectively, and by inserting immediately after subsection (a) the following new subsection (b):

"(b) If the Commissioner determines with respect to any local educational agency that—

"(1) such agency is providing or, upon completion of the school facilities for which provision is made herein, will provide free public education for children who reside on Indian lands, and whose membership in the schools of such agency has not formed and will not form the basis for payments under other provisions of this Act, and that the total number of such children represents a substantial percentage of the total number of children for whom such agency provides free public education, or that such Indian lands constitute a substantial part of the school district of such local educational agency, or that the total number of such children who reside on Indian lands located outside the school district of such agency equals or exceeds one hundred; and

"(2) the immunity of such Indian lands to taxation by such agency has created a substantial and continuing impairment of its ability to finance needed school facilities;

he may, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest, provide the additional assistance necessary to enable such agency to provide the minimum school facilities required for free public education of children in the membership of the schools of such agency who reside on Indian lands; but such additional assistance may not exceed the portion of the cost of constructing such facilities which the Commissioner estimates has not been, and is not to be, recovered by the local educational agency from other sources, including payments by the United States under any other provisions of this Act or any other law. Notwithstanding the provisions of this subsection, the Commissioner may waive the percentage requirement in paragraph (1) whenever, in his judgment, exceptional circumstances exist which make such action necessary to avoid inequity and avoid defeating the purposes of this section. Assistance may be furnished under this subsection without regard to paragraph (2) (but subject to the other pro-

visions of this subsection and subsection (d)) to any local educational agency which provides free public education for children who reside on Indian lands located outside its school district. For purposes of this subsection 'Indian lands' mean Indian reservations or other real property referred to in the second sentence of section 15(1)."

(c) Subsection (d) of section 14 of such Act, as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)" each time it occurs in such subsection.

(d) Subsection (e) of section 14 of such Act as redesignated by subsection (b) of this section, is amended by inserting "or (b)" immediately after "subsection (a)".

DELETING REQUIREMENT THAT CERTAIN CONTRIBUTIONS BE DEDUCTED

SEC. 204. (a)(1) Paragraph (3) of section 2(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out "(A) other Federal payments with respect to the property so acquired, or (B)".

(2) Section 2(a) of such Act is further amended by striking out in the matter following paragraph (3) of such section the following: ", to the extent such agency is not compensated for such burden by other Federal payments with respect to the property so acquired".

(b) The last sentence of section 2(a) of such Act is amended by striking out ", minus the amount which in his judgment the local educational agency derived from other Federal payments with respect to the property so acquired and had available in such year for current expenditures".

(c) Subsection (b) of section 2 of such Act is amended to read as follows:

"(b) For the purposes of this section any real property with respect to which payments are being made under section 13 of the Tennessee Valley Authority Act of 1933, as amended, shall not be regarded as Federal property."

(d) Section 3 of such Act is amended by striking out subsection (e) thereof, including the heading of such subsection, and by redesignating subsection (f) of such section as subsection (e).

PROVISION FOR INTERNATIONAL BOUNDARY CHANGE

SEC. 205. (a) The last sentence of section 3(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by inserting before the period at the end thereof the following: "; but if, by reason of any other provision of law, this sentence is not considered in computing the amount to which any local educational agency is entitled for the fiscal year ending June 30, 1967, the additional amount to which such agency would have been entitled had this sentence been so considered, shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

(b) Section 5(a)(4) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by inserting before the period at the end thereof the following:"; but if, by reason of any other provision of law, this clause is not considered in computing the maximum payments a local educational agency may receive for the fiscal year ending June 30, 1967, the additional amount such agency would have been entitled to receive shall be added to such agency's entitlement for the first fiscal year for which funds appropriated to carry out this Act may be used for such purpose".

REPEAL OF MANDATORY GROUP RATE PROVISIONS

SEC. 206. (a) Effective for fiscal years beginning after June 30, 1967, subsection (d) of section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended as follows:

(1) The first sentence is amended by inserting "and the local educational agency" following "the State educational agency".

(2) Clauses (1) and (2) of the first sentence are amended to read as follows:

"(1) he shall determine which school districts within the State are in his judgment generally comparable to the school districts of the agency for which the computation is being made; and

"(2) he shall then divide (A) the aggregate current expenditures during the second fiscal year preceding the fiscal year for which he is making the computation, which the local educational agencies of such comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year."

(3) The third sentence is amended by striking out "If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)" and inserting in lieu thereof "If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)".

DISCRETION TO WAIVE CERTAIN REQUIREMENT

SEC. 207. Section 5(e) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended (1) by striking out "subsections (c) and (d)" and inserting in lieu thereof "subsections (c), (d), and (f)", and (2) by inserting before the period at the end thereof the following: "; or (3) he may waive or reduce the requirement contained in subsection (f)".

EFFECTIVE DATE

SEC. 208. The amendments made by sections 201, 203, 204, 205, 206, and 207 of this part shall be deemed to have been enacted prior to June 30, 1967, and shall be effective for fiscal years beginning thereafter.

PART B—ASSISTANCE FOR SCHOOL CONSTRUCTION AND CURRENT EXPENDITURES IN DISASTER AREAS

SCHOOL CONSTRUCTION ASSISTANCE

SEC. 217. Section 16(a) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended to read as follows:

"SCHOOL CONSTRUCTION ASSISTANCE IN CASES OF CERTAIN DISASTERS

"SEC. 16. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which, after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe;

and if the Commissioner determines with respect to such agency that—

"(3) as a result of such major disaster, (A) public elementary or secondary school facilities of such agency (or, in the case of a public agency other than a local educational agency, school facilities providing technical, vocational, or other special education to children of elementary or secondary school age) have been destroyed or seriously damaged, or (B) private elementary or secondary school facilities serving children who reside in the area served by such agency have been destroyed and will not be replaced, thereby increasing the need of such agency for school facilities;

"(4) such agency is utilizing or will utilize all State and other financial assistance available for the replacement or restoration of such school facilities;

"(5) such agency does not have sufficient funds available to it from State, local, and other Federal sources (including funds available under other provisions of this Act), and from the proceeds of insurance on such school facilities, and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, to provide the minimum school facilities needed (A) for the restoration or replacement of the school facilities of such agency so destroyed or seriously damaged or (B) to serve, in facilities of such agency, children who but for the destruction of the private facilities referred to in clause (3)(B) would be served by such private facilities; and

"(6) in the case of any such major disaster, to the extent that the operation of private elementary and secondary schools in the school attendance area of the local educational agency has been disrupted or impaired by such disaster, such local educational agency has complied with the provisions of section 7(a)(4) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), with respect to provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate. the Commissioner may provide the additional assistance necessary to enable such agency to provide such facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available from State, local, and other Federal sources (including funds available under other provisions of this Act, and from the proceeds of insurance, may not exceed the cost of construction incident to the restoration or replacement of the school facilities destroyed or damaged as a result of the disaster. In all cases determined pursuant to clause (1)(B) of this subsection, and in any other case deemed appropriate by the Commissioner, such assistance shall be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest."

CURRENT SCHOOL EXPENDITURES ASSISTANCE

SEC. 218. Section 7 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended to read as follows:

"ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

"SEC. 7. (a) In any case in which—

"(1)(A) the Director of the Office of Emergency Planning determines with respect to any local educational agency (including for the purpose of this section any other public

agency which operates schools providing technical, vocational, or other special education to children of elementary or secondary school age) that such agency is located in whole or in part within an area which after August 30, 1965, and prior to July 1, 1971, has suffered a major disaster as the result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which, in the determination of the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government; or

"(B) the Commissioner determines with respect to any such agency that public elementary or secondary school facilities of such agency have been destroyed or seriously damaged as a result of fire, flood, hurricane, earthquake, storm, malicious action of any person known or unknown, or other catastrophe; and

"(2) the Governor of the State in which such agency is located has certified the need for disaster assistance under this section, and has given assurance of expenditure of a reasonable amount of the funds of the government of such State, or of any political subdivision thereof, for the same or similar purposes with respect to such catastrophe; and if the Commissioner determines with respect to such agency that—

"(3) such agency is utilizing or will utilize all State and other financial assistance available to it for the purpose of meeting the cost of providing free public education for the children attending the schools of such agency, but as a result of such disaster it is unable to obtain sufficient funds for such purpose and requires an amount of additional assistance equal to at least $1,000 or one-half of 1 per centum of such agency's current operating expenditures during the fiscal year preceding the one in which such disaster occurred, whichever is less, and

"(4) in the case of any such major disaster to the extent that the operation of private elementary and secondary schools in the school attendance area of such local educational agency has been disrupted or impaired by such disaster, such local educational agency has made provisions for the conduct of educational programs under public auspices and administration in which children enrolled in such private elementary and secondary schools may attend and participate: *Provided*, That nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction,

the Commissioner may provide to such agency the additional assistance necessary to provide free public education to the children attending the schools of such agency, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest. Such additional assistance may be provided for a period not greater than a five-fiscal-year period beginning with the fiscal year in which it is determined pursuant to clause (1) of this subsection that such agency suffered a disaster. The amount so provided for any fiscal year shall not exceed the amount which the Commissioner determines to be necessary to enable such agency, with the State, local, and other Federal funds available to it for such purpose, to provide a level of education equivalent to that maintained in the schools of such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out the provisions of clause (4) of this subsection. The amount, if any, so provided for the second, third, and fourth fiscal years following the fiscal year in which it is so determined that such agency has suffered a disaster shall not exceed 75 per centum, 50 per centum, and 25 per centum, respectively, of the amount so provided for the first fiscal year following such determination.

"(b) In addition to and apart from the funds provided under subsection (a), the Commissioner is authorized to provide to such agency an amount which he determines to be necessary to replace instructional and maintenance supplies, equipment, and materials (including textbooks) destroyed or seriously damaged as a result of such disaster, to make minor repairs, and to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the disaster.

"(c) There is hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section. Pending such appropriation, the Commissioner may expend (without regard to subsections (a) and (e) of section 3679 of the Revised Statutes (31 U.S.C. 665)) from any funds heretofore or hereafter appropriated for expenditure in accordance with other sections of this Act, such sums as may be necessary for immediately providing assistance under this section, such appropriations to be reimbursed from the appropriations authorized by this subsection when made.

"(d) No payment may be made to any local educational agency under this section except upon application therefor which is submitted through the appropriate State educational agency and is filed with the Commissioner in accordance with the regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approval applications.

"(e) Amounts paid by the Commissioner to local educational agencies under this section may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to a local educational agency and not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States."

TITLE III—DURATION OF AND AUTHORIZATIONS FOR PROGRAMS

EXTENSION OF CERTAIN PROGRAMS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND PUBLIC LAWS 815 AND 874, EIGHTY-FIRST CONGRESS

SEC. 301. (a)(1) Section 102 of title I of the Elementary and Secondary Education Act of 1965 (as redesignated by section 110 of this Act) is amended by striking out "June 30, 1968" and inserting in lieu thereof "June 30, 1971".

(2) The second sentence of section 103(c) of such Act (as redesignated by section 110 of this Act) is amended by inserting "and for each of the three succeeding fiscal years" after "June 30, 1968".

(b)(1) Section 201(a) of the Elementary and Secondary Education Act of 1965 is amended by striking out "during the fiscal year ending June 10, 1966, and each of the four succeeding fiscal years,".

(2) Section 201(b) of such Act is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 30, 1970, and $225,000,000 for the fiscal year ending June 30, 1971".

(c)(1) Section 601 of such Act (as redesignated by section 152 of this Act) is amended by striking out "during the fiscal year ending June 30, 1967, and the succeeding fiscal year,".

(2) Section 602 of such Act (as redesignated by section 152 of this Act) is amended by striking out "and $150,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof the following: $150,000,000 for the fiscal year ending June 30, 1968, $175,000,000 for the fiscal year ending June 30, 1969, $200,000,000 for the fiscal year ending June 3, 1970, and $225,000,000 for the fiscal year ending June 30, 1971".

(d)(1) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out "June 30, 1967" and inserting in lieu thereof "June 30, 1971".

(2) Section 15(15) of such Act is amended by striking out "1962–1963" and inserting in lieu thereof "1966–1967".

(e) Section 2(a), 3(b), and 4(a) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), are each amended by striking out "1968" wherever it occurs and inserting in lieu thereof "1971".

TITLE IV—PROVISIONS FOR ADEQUATE LEADTIME AND FOR PLANNING AND EVALUATION IN ELEMENTARY AND SECONDARY EDUCATION PROGRAMS

ACTS SUBJECT TO THIS TITLE

SEC. 401. The provisions of this title shall apply to title I of the Elementary and Secondary Education Act of 1965 (title II of Public Law 81–874), titles II, III, V, VI, VII, and VIII of the Elementary and Secondary Education Act of 1965, and the Adult Education Act of 1966 (title III of the Elementary and Secondary Education Amendments of 1966), as now in effect or hereafter from time to time amended.

PROGRAM PLANNING AND EVALUATION

SEC. 402. There are authorized to be appropriated, for each fiscal year for which appropriations are otherwise authorized under any title or Act referred to in section 401, such sums as may be necessary, to be available to the Secretary, in accordance with regulations prescribed by him, for expenses, including grants, contracts, or other payments, for (1) planning for the succeeding year programs or projects authorized under such title or Act and (2) evaluation of programs or projects so authorized.

ADVANCE FUNDING

SEC. 403. To the end of affording the responsible State, local, and Federal officers concerned adequate notice of available Federal financial assistance for education, appropriation for grants, contracts, or other payments under any Act referred to in section 401 are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to effect a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under any such Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

EVALUATION REPORTS AND CONGRESSIONAL REVIEW

SEC. 404. (a) No later than March 31 of each calendar year, the Secretary shall transmit to the respective committees of the Congress having legislative jurisdiction over any Act referred to in section 401 and to the respective Committees on Appropriations a report evaluating the results and effectiveness of programs and projects assisted thereunder during the preceding fiscal year, together with his recommendations (including any legislative recommendations) relating thereto.

(b) In the case of any such program, the report submitted in the penultimate fiscal year for which appropriations are then authorized to be made for such program shall include a comprehensive and detailed review and evaluation of such program (as up to date as the due date permits) for its entire past life, based to the maximum extent practicable on objective measurements, together with the Secretary's recommendations as to proposed legislative action.

CONTINGENT EXTENSION OF EXPIRING APPROPRIATION AUTHORITY

SEC. 405.(a) Unless the Congress, in the regular session in which a comprehensive evalution report required by section 404(b) is submitted to Congress, has passed or formally rejected legislation extending the authorization for appropriations then specified for any title, part, or section of law to which such evaluation relates, such authorization is hereby automatically extended for one fiscal year beyond, and at the level specified for, the terminal year of such authorization.

(b) In the event that no appropriation for the purpose of making payments pursuant to title I of the Elementary and Secondary Education Act of 1965 is made prior to the 15th day in May immediately preceding the beginning of any fiscal year, the Commissioner may execute grant agreements for grants pursuant to such title for such fiscal year. Such grant agreements shall be obligations of the United States. The amounts of such grant agreements shall be determined on the basis of an appropriation for the purposes of such title equal to the amount appropriated for such purposes prior to the 15th day in May for the fiscal year in which such day occurs.

AVAILABILITY OF APPROPRIATIONS ON ACADEMIC OR SCHOOL YEAR BASIS

SEC. 406. Appropriations for any fiscal year for grants, contracts, or other payments to educational agencies or institutions under any Act referred to in section 401 may, in accordance with regulations of the Secretary, be made available for expenditure by the agency or institution concerned on the basis of an academic or school year differing from such fiscal year.

TITLE V—EXTENSION OF ADULT EDUCATION PROGRAM

REVISION OF ALLOTMENTS

SEC. 501. The first sentence of section 305(a) of the Adult Education Act of 1966 (title III of Public Law 89–750) is amended to read as follows: "From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot (1) not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section, and (2) $100,000 to each State."

INCLUDING PRIVATE NONPROFIT AGENCIES

SEC. 502. (a) Section 304(b) of the Adult Education Act of 1966 is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and private nonprofit agencies."

(b) Section 306(a)(7) of such Act is amended by inserting immediately after "local educational agencies" the following: "and private nonprofit agencies".

FEDERAL SHARE

SEC. 503. The second sentence of section 307(a) of the Adult Education Act of 1966 is amended to read as follows: "For the fiscal year ending June 30, 1967, and succeeding fiscal years, the Federal share for each State shall be 90 per centum, except that with respect to the Trust Territory of the Pacific Islands such Federal share shall be 100 per centum."

AUTHORIZATION EXTENDED

SEC. 504. Section 314 of the Adult Education Act of 1966 is amended by striking out "and" before "$60,000,000" and by inserting the following after "June 30, 1968,": "$70,000,000 for the fiscal year ending June 30, 1969, $80,000,000 for the fiscal year ending June 30, 1970, and $90,000,000 for the fiscal year ending June 30, 1971,".

TITLE VI—DEMONSTRATION PROJECTS AND STUDY FOR SCHOOLBUS SAFETY

STUDY AND DEMONSTRATION PROJECTS AUTHORIZED

SEC. 601. (a) The Secretary of Health, Education, and Welfare, in cooperation with the Secretary of Transportation, is authorized to conduct or to make grants, contracts, or other arrangements for (1) a study and investigation in order to determine minimum safety standards for the operation of schoolbuses, and (2) demonstration projects for the purposes of such study. Such projects shall include such research and testing activities as the Secretary determines to be necessary to carry out the provisions of this title.

(b) The Secretary of Health, Education, and Welfare shall report the results of such study to the Congress not later than January 31, 1969, together with such recommendations for additional legislation for the establishment of minimum safety standards for school buses as he deems advisable.

APPROPRIATIONS AUTHORIZED

SEC. 602. There is hereby authorized to be appropriated $1,000,000 to carry out the provisions of this title.

TITLE VII—BILINGUAL EDUCATION PROGRAMS

FINDINGS OF CONGRESS

SEC. 701. The Congress hereby finds that one of the most acute educational problems in the United States is that which involves millions of children of limited English-speaking ability because they come from environments where the dominant language is other than English; that additional efforts should be made to supplement present attempts to find adequate and constructive solutions to this unique and perplexing educational situation; and that the urgent need is for comprehensive and cooperative action now on the local, State, and Federal levels to develop forward-looking approaches to meet the serious learning difficulties faced by this substantial segment of the Nation's school-age population.

AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 702. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 707 and references thereto as sections 801 through 807, respectively, and by inserting after title VI the following new title:

"TITLE VII—BILINGUAL EDUCATION PROGRAMS

"SHORT TITLE

"SEC. 701. This title may be cited as the 'Bilingual Education Act'.

"DECLARATION OF POLICY

"SEC. 702. In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, 'children of limited English-speaking ability' means children who come from environments where the dominant language is other than English.

"AUTHORIZATION AND DISTRIBUTION OF FUNDS

"SEC. 703. (a) For the purposes of making grants under this title, there is authorized to be appropriated the sum of $15,000,000 for the fiscal year ending June 30, 1968, $30,000,000 for the fiscal year ending June 30, 1969, and $40,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

"(b) In determining distribution of funds under this title, the Commissioner shall give highest priority to States and areas within States having the greatest need for programs pursuant to this title. Such priorities shall shall take into consideration the number of children of limited English-speaking ability between the ages of three and eighteen in each State.

"USES OF FEDERAL FUNDS

"SEC. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, including research projects, pilot projects designed to test the effectiveness of plans so developed, and the development and dissemination of special instructional materials for use in bilingual education programs; and

"(b) providing preservice training designed to prepare persons to participate in bilingual education programs as teachers, teacher-aides, or other ancillary education personnel such as counselors, and inservice training and development programs designed to enable such persons to continue to improve their qualifications while participating in such programs; and

"(c) the establishment, maintenance, and operation of programs, including acquisition of necessary teaching materials and equipment, designed to meet the special educational needs of children of limited English-speaking ability in schools having a high concentration of such children from families (A) with incomes below $3,000 per year, or (B) receiving payments under a program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, through activities such as—

"(1) bilingual education programs;

"(2) programs designed to impart to students a knowledge of the history and culture associated with their languages;

"(3) efforts to establish closer cooperation between the school and the home;

"(4) early childhood educational programs related to the purposes of this title and designed to improve the potential for profitable learning activities by children;

"(5) adult education programs related to the purposes of this title, particularly for parents of children participating in bilingual programs;

"(6) programs designed for dropouts or potential dropouts having need of bilingual programs;

"(7) programs conducted by accredited trade, vocational, or technical schools; and

"(8) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"SEC. 705. (a) A grant under this title may be made to a local educational agency or agencies, or to an institution of higher education applying jointly with a local educational agency, upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title;

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports;

"(7) provide assurance that provision has been made for the participation in the project of those children of limited English-speaking ability who are not enrolled on a full-time basis; and

"(8) provide that the applicant will utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problems of children of limited English-speaking ability and make optimum use in such programs of the cultural and educational resources of the area to be served; and for the purposes of this paragraph, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"(b) Applications for grants under title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of children of limited English-speaking ability, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (c) of section 704, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"PAYMENTS

"SEC. 706. (a) The Commissioner shall pay to each applicant which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"SEC. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of nine members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. The Commissioner shall appoint one such member as Chairman. At least four of the members of the Advisory Committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful and necessary in carrying out the functions of the Advisory Committee.

"(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"LABOR STANDARDS

"SEC. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

CONFORMING AMENDMENTS

SEC. 703. (a) That part of section 801 (as so redesignated by section 702 of this Act) of the Elementary and Secondary Education Act of 1965 which precedes clause (a) is amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

(b) Clause (j) of such section 801 as amended by this Act is further amended by striking out "and VI" and inserting in lieu thereof "VI, and VII".

AMENDMENTS TO TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 704. (a) The third sentence of section 521 of the Education Professions Development Act (title V of the Higher Education Act of 1965) is amended (1) effective for the fiscal year ending June 30, 1968 only, by inserting after "a career of teaching in elementary or secondary schools" a new phrase as follows: ", a career of teaching children of limited English-speaking ability", and (2) effective with respect to subsequent fiscal years, by inserting ", and including teaching children of limited English-speaking ability" after "including teaching in preschool and adult and vocational education programs".

(b) Effective for the fiscal year ending June 30, 1968, only, section 522(a) of such Act is amended by striking out "ten thousand fellowships for the fiscal year ending June 30, 1968" and inserting in lieu thereof "eleven thousand fellowships for the fiscal year ending June 30, 1968".

(c)(1) Section 528 of such Act is amended, effective with respect to fiscal years ending after June 30, 1967, by striking out "$275,000,000" and inserting in lieu thereof "$285,000,000"; striking out "$195,000,000" and inserting in lieu thereof "$205,000,000"; striking out "$240,000,000" and inserting in lieu thereof "$250,000,000"; and striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1970".

(2) The amendments made by this subsection shall, notwithstanding section 9(a) of Public Law 90–35, be effective with regard to fiscal years beginning after June 30, 1967.

(d) Section 531(b) of such Act is amended by redesignating clauses (8) and (9) thereof as clauses (9) and (10), respectively, and by inserting immediately after clause (7) the following new clause:

"(8) programs or projects to train or retrain persons engaging in special educational programs for bilingual students;".

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

SEC. 705. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and for each of the two succeeding fiscal years" and inserting in lieu thereof "and for the succeeding fiscal year, and $51,000,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the period at the end of clause (3) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

"(4) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

SEC. 706. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a)(4)".

ADJOURNMENT TO 9 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 25 minutes p.m.) the Senate adjourned until tomorrow, Friday, December 1, 1967, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate November 30, 1967:

IN THE COAST GUARD

The following named officers of the U.S. Coast Guard for promotion to the grade of rear admiral:

Capt. John D. McCubbin.

Capt. William L. Morrison.

Capt. Robert E. Hammond.
Capt. William F. Rea III.

The following-named officer of the U.S. Coast Guard Reserve for promotion to the grade of rear admiral:

Capt. Arnold I. Sobel.

HOUSE OF REPRESENTATIVES

THURSDAY, NOVEMBER 30, 1967

The House met at 12 o'clock noon.

Rev. K. Edwin Graham, associate minister, Metropolitan Memorial Church, Washington, D.C., offered the following prayer:

Almighty and most merciful Father, in whose love we live and before whom we unite our hearts in adoration and praise, we thank Thee for all Thy goodness to us and ask Thy help that we may be faithful stewards and agents of Thy good will in a troubled world. Teach us how to use Thy gifts, not for self-aggrandizement but for the inspiration and fulfillment of others. Grant us courage to withstand all temptations and make us wise in our evaluation of the needs of our people. Increase our strength in all those virtues which make us better men and women and create within us a passion to contend against whatever produces disharmony between man and man, nation and nation. Set before us this day the goal of high character and unselfish service which is the true achievement of life.

O patient and loving Father, how much more intelligently and bravely we can serve our fellow men with Thy truth to guide us and Thy spirit to inspire us. Grant us now the mercy of these blessings and we shall praise Thee in all of life. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 7977. An act 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;

H.R. 12638. An act to authorize the exchange of certain vessels for conversion and operation in unsubsidized service between the west coast of the United States and the territory of Guam; and

H.R. 13510. An act to increase the basic pay for members of the uniformed services, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 7977) entitled "An act 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," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONRONEY, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. CARLSON, and Mr. FONG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2211. An act to amend section 509 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1159) to provide for construction aid for certain vessels operating on the inland rivers and waterways.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2247. An act to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges.

EXTENDING LIFE OF CIVIL RIGHTS COMMISSION—CONFERENCE REPORT

Mr. CELLER submitted a conference report and statement on the bill (H.R. 10805) to extend the life of the Civil Rights Commission.

DE GAULLE

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

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

There was no objection.

Mr. CELLER. Mr. Speaker, the story I told the other day about the self-adoring De Gaulle derives from the dismay with which the thinking people of the world as well as of France view his antics. In a world already tragically divided, he seeks to create additional bitterness. We are all aware of his ambitions to project his person as France itself. This can only be sickness.

Many of his remarks were gratuitous insults to nations who had proven in the past their friendship for France, but none was more so than his reference to the centuries of "malevolence that the—the Jews—have provoked." If his words were studied and deliberate, then he must be condemned for this tragic echo of the Nazi creed; if an unexamined outburst, then he proves himself incapable as leader and thinker. How sad it is indeed to see a former hero fall so low. It has within it the elements of a Greek tragedy.

JOHNSON INTERVENES FOR PEACE

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

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

There was no objection.

Mr. MONAGAN. Mr. Speaker, the world has received with relief the news that a settlement has been reached in the Greek-Turkish dispute over Cyprus. One shudders to think what dislocations and complications might have ensued if this dispute had reached the point of actual warfare. For this reason, as well as for the security and safety of the people of Cyprus and of the two contending nations, the decision to resort to peaceful means of settlement has been welcomed by the world community.

In this connection the United States should be proud of the role that its representatives have played. This Nation has been accused—unfairly I think—in many instances of interfering without justification in the affairs of other Nations. In this instance, we have contributed our efforts—at first uninvited, but welcomed—to the cause of world peace. In my judgment President Johnson and his tireless emissary, Cyrus Vance, should be praised by the people of this country and of the world for apprehending the danger and for seizing the initiative to bring these two great allies of the United States back from the brink of destructive war.

Once again the United States has used its power and persuasiveness in the cause of world peace. Let the world take note of this fact.

FOREIGN AID

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

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

There was no objection.

Mr. PASSMAN. Mr. Speaker, on August 25, the House passed a foreign aid authorization bill for mutual security, title I only, in the amount of $2.8 billion. The Senate subsequently passed an authorization bill of $2.6 billion. Subsequently, and incidentally twice in 1 day, the House placed a $2 billion authorization limitation in a continuing resolution.

On November 17, the House passed the foreign aid mutual security appropriation bill of which title I amounted to $2,196,000,000. There was some doubt as to whether this bill could be passed by the House without positive assurance that we would hold the line on this figure when the House conferees met with the Senate conferees.

Many House Members thought that the Senate would follow suit as they did on the authorization bill and reduce the House appropriation bill from $2.2 billion to $2 billion, but we are now told that the Senate Committee on Appropriations has reported out a bill in the amount of $2.7 billion. Incidentally, this is $100 million above what the Senate had originally authorized and $522 million above what the House appropriated.

It is indeed difficult to understand why the other body would take such an unrealistic view on foreign aid when the President recently indicated that the deficit for fiscal 1968 may reach $35 bil-