By Mr. SAYLOR:

H.R. 14487. A bill to amend the Saline Water Conservation Act as it relates to foreign activities; to the Committee on Interior and Insular Affairs.

H.R. 14488. A bill to amend the Saline Water Conversion Act as it relates to foreign activities; to the Committee on Interior and Insular Affairs.

By Mr. VANDER JAGT:

H.R. 14489. A bill to authorize the Federal Government to appropriate funds to the State of Michigan for the establishment of a Sleeping Bear Dunes Park and to provide the technical assistance as needed to consummate land purchases, legal obligations, and the establishment of necessary conservation and recreational safeguards associated thereto; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG:

H.R. 14490. A bill authorizing a survey of Oso Creek, Tex., in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. ROSENTHAL:

H.R. 14491. A bill to provide for the transfer of the Selective Service System to the Executive Office of the President; to the Committee on Armed Services.

By Mr. CONYERS (for himself, Mr. BROWN of California, Mr. BURTON of California, Mr. EDWARDS of California, Mr. FARBSTEIN, Mr. GILBERT, Mr. ROYBAL, Mr. RYAN, Mr. RESNICK, and Mr. ROSENTHAL):

H.R. 14492. A bill to assure to every American a full opportunity to have adequate employment, housing, and education, free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. CONYERS (for himself, Mr. BROWN of California, Mr. BURTON of California, Mr. EDWARDS of California, Mr. FARBSTEIN, Mr. GILBERT, Mr. ROYBAL, Mr. RESNICK, and Mr. ROSENTHAL):

H.R. 14493. A bill to assure every American a full opportunity to obtain adequate employment and employment training, and for other purposes; to the Committee on Education and Labor.

H.R. 14494. A bill to assure every American workingman and woman, without exception, a minimum wage of $2 an hour, and for other purposes; to the Committee on Education and Labor.

H.R. 14495. A bill to assure every American the full opportunity to obtain employment free from any discrimination on account of race, color, religion, national origin, or sex, and for other purposes; to the Committee on Education and Labor.

H.R. 14496. A bill to provide monthly family allowances for the care, education, and advancement of all American children, and for other purposes; to the Committee on Ways and Means.

H.R. 14497. A bill to assure every American a full opportunity to obtain adequate housing for himself and his family, and for other purposes; to the Committee on Banking and Currency.

H.R. 14498. A bill to assure every American a full opportunity to obtain housing for himself and his family free from any discrimination on account of race, color, religion, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 14499. A bill to assist local educational agencies to carry out programs for more effective schools where there are high concentrations of children from low-income families, and for other purposes; to the Committee on Education and Labor.

H.R. 14500. A bill to assure a full educational opportunity beyond high school for all Americans through long-term, low-interest loans and increased construction grants to stimulate a greatly increased number of teachers in low-income areas, and for other purposes; to the Committee on Education and Labor.

By Mr. MOSS:

H.J. Res. 958. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN:

H.J. Res. 959. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RARICK:

H. Con. Res. 602. Concurrent resolution to express the sense of Congress that the Interstate Commerce Commission should exercise its authority to prevent discontinuance of railroad passenger service and that the Postmaster General should continue existing arrangements for railroad mail transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER:

H. Con. Res. 603. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the Republic of France to the United States; to the Committee on Ways and Means.

By Mr. PATMAN (for himself, Mr. ANNUNZIO, Mr. BROWN of California, Mr. BUTTON, Mr. FRIEDEL, Mr. GONZALEZ, Mr. HELSTOSKI, Mr. HICKS, Mr. HOLIFIELD, Mr. KARTH, Mr. MATSUNAGA, Mr. MINISH, Mrs. MINK, Mr. O'HARA of Illinois, Mr. OLSEN, Mr. PUCINSKI, Mr. REES, Mr. RODINO, Mr. ROYBAL, Mr. RYAN, Mr. STEED, Mrs. SULLIVAN, Mr. VANIK, Mr. CHARLES H. WILSON, and Mr. WOLFF):

H. Res. 1006. Resolution to bring about lower interest rates; to the Committee on Rules.

By Mr. BARRETT (for himself, Mr. DANIELS, Mrs. KELLY, Mr. MCFALL, Mr. MOSS, Mr. RHODES of Pennsylvania, and Mr. TENZER):

H. Res. 1007. Resolution to bring about lower interest rates; to the Committee on Rules.

By Mr. MACHEN (for himself and Mr. CLEVELAND):

H. Res. 1008. Resolution authorizing the employment by each Member of the House of Representatives and the Resident Commissioner from Puerto Rico of not more than two additional persons to be paid from the existing basic clerk hire allowance of such Member or Resident Commissioner; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 14501. A bill for the relief of Pasquale Alessi; to the Committee on the Judiciary.

H.R. 14502. A bill for the relief of Biagio Caruso; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 14503. A bill for the relief of Lt. Col. Edward Aaron; to the Committee on Armed Services.

By Mr. CAREY:

H.R. 14504. A bill for the relief of Giuseppe D'Aguanno; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 14505. A bill for the relief of Mr. Alfredo Pizzi; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 14506. A bill for the relief of Lourdes S. Aquino; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 14507. A bill for the relief of Carmelo Galluzzo; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 14508. A bill for the relief of Dr. Carlos T. Toledo; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 14509. A bill for the relief of Dr. Raymond Gerard Joseph Veillet; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 14510. A bill for the relief of Riccardo Giometto; to the Committee on the Judiciary.

H.R. 14511. A bill for the relief of Israel and Rivka Hershkof; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 14512. A bill for the relief of Ng Chan Sun; to the Committee on the Judiciary.

By Mr. McCLORY:

H.R. 14513. A bill for the relief of Zumrut Sooley; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 14514. A bill for the relief of Frederico Guercio; to the Committee on the Judiciary.

H.R. 14515. A bill for the relief of Michelino Miano; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 14516. A bill for the relief of Panagiotis Gougoumis; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 14517. A bill for the relief of Etem Nazifovski; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 14518. A bill for the relief of Federico Barbuto; to the Committee on the Judiciary.

H.R. 14519. A bill for the relief of Riccardo Giometto; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 14520. A bill for the relief of Mr. and Mrs. Domenico Russo and children, Giovanni and Rita Russo; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 14521. A bill for the relief of Timothy L. Ancrum also known as Timmie Rogers; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 14522. A bill for the relief of Dr. Kashmiri L. Arora and Swarn Arora; to the Committee on the Judiciary.

SENATE

THURSDAY, DECEMBER 14, 1967

The Senate met at 9 a.m., and was called to order by the President pro tempore.

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

Let us pray that all who seek to promote goodwill and understanding in the world may be renewed in strength and courage: That men may realize more clearly—not the barriers that divide them—but the bands which unite them: That we may conquer, not as a nation over nation, but as man over himself and his own weakness: That the true spirit of Christmas with all its joy, its hope, and above all, its abiding faith, may dwell among us; that the blessings of peace may be in our hearts, peace to grow in grace, to live in harmony and unity with others, and to look forward with confidence to the future.

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We ask it in Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, December 13, 1967, be dispensed with.

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

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

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

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. 905 and the succeeding measures in sequence.

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

STUDIES BY THE COMMITTEE ON PUBLIC WORKS

The Senate proceeded to consider the resolution (S. Res. 189) to authorize certain additional studies by the Committee on Public Works, which had been reported from the Committee on Public Works with an amendment and reported from the Committee on Rules and Administration without additional amendment.

The amendment of the Committee on Public Works follows:

On page 1, after line 3, strike out:

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

And, in lieu thereof, insert:

"In furtherance of the understanding of matters coming within its jurisdiction, the Committee on Public Works is authorized to contract with public and private agencies, institutions, and organizations and with individuals for the purpose of conducting a study or studies relating to the movement of commuter traffic into and out of the Washington, District of Columbia metropolitan area, to study the relationship between highway facilities and other modes of commuter services in the movement of people from those areas beyond the proposed range of projected mass transit and urban freeway facilities, to the disposal of solid waste originating in the Washington, District of Columbia metropolitan area by such manner and means as will obviate air and water pollution in the Washington, District of Columbia metropolitan area, all designed to measure the impact of proposals which will affect various programs authorized by the Committee on Public Works pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, solid waste disposal, public buildings, and all features of water resource development and economic growth: *Provided, however,* That this study shall not be conducted in such a manner so as to reexamine, compete, delay or interfere with the planning, financing or construction of the rapid transit system presently planned by the Washington Metropolitan Area Transit Authority. The Committee on Public Works will coordinate its activities with the activities of other committees of the Senate having legislative jurisdiction related to the general subject matter of the study or studies to be undertaken."

So as to make the resolution read:

S. RES. 189

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

"In furtherance of the understanding of matters coming within its jurisdiction, the Committee on Public Works is authorized to contract with public and private agencies, institutions, and organizations and with individuals for the purpose of conducting a study or studies relating to the movement of commuter traffic into and out of the Washington, District of Columbia metropolitan area, to study the relationship between highway facilities and other modes of commuter services in the movement of people from those areas beyond the proposed range of projected mass transit and urban freeway facilities, to the disposal of solid waste originating in the Washington, District of Columbia metropolitan area by such manner and means as will obviate air and water pollution in the Washington, District of Columbia metropolitan area, all designed to measure the impact of proposals which will affect various programs authorized by the Committee on Public Works pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, solid waste disposal, public buildings, and all features of water resource development and economic growth: *Provided, however,* That this study shall not be conducted in such a manner so as to reexamine, compete, delay or interfere with the planning, financing or construction of the rapid transit system presently planned by the Washington Metropolitan Area Transit Authority. The Committee on Public Works will coordinate its activities with the activities of other committees of the Senate having legislative jurisdiction related to the general subject matter of the study or studies to be undertaken."

Section 4 of S. Res. 23 as considered, amended, and agreed to by the Senate on February 7, 1967, is further amended by striking the words, "$165,000", and inserting in lieu thereof, "$185,000".

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 923), explaining the purposes of the resolution.

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

Senate Resolution 189 as amended would amend Senate Resolution 23, agreed to February 17, 1967, by authorizing the Committee on Public Works (1) to contract for studies designed to measure the impact of proposals which would affect various programs authorized by that committee pertaining to subjects within its jurisdiction, and (2) to expend not to exceed $20,000 for such purposes through January 31, 1968.

The purpose of the expanded inquiry is expressed by Senator Jennings Randolph, chairman of the Committee on Public Works, as follows:

"The funds which would be authorized by Senate Resolution 189 would be for the purpose of beginning a study of the feasibility of upgrading existing rail rights-of-way in the Washington metropolitan area within a hundred-mile radius of Union Station, to provide high-speed commuter transportation and thereby achieve a substantial reduction in auto congestion on the freeways and in air pollution in the District of Columbia. Also to be examined in this study will be the feasibility of using rails to haul solid waste from the city of Washington to sanitary land fills in the outlying regions."

Pursuant to Senate Resolution 23, the Committee on Public Works is authorized to expend not to exceed $165,000 from February 1, 1967, through January 31, 1968, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, and all features of water resource development and economic growth.

Section 1 of Senate Resolution 189 as amended would augment the committee's investigative jurisdiction as expressed in Senate Resolution 23 by the addition of the following provision:

"In furtherance of the understanding of matters coming within its jurisdiction, the Committee on Public Works is authorized to contract with public and private agencies, institutions, and organizations and with individuals for the purpose of conducting a study or studies relating to the movement of commuter traffic into and out of the Washington, District of Columbia metropolitan area, to study the relationship between highway facilities and other modes of commuter services in the movement of people from those areas beyond the proposed range of projected mass transit and urban freeway facilities, to the disposal of solid waste originating in the Washington, District of Columbia metropolitan area by such manner and means as will obviate air and water pollution in the Washington, District of Columbia metropolitan area, all designed to measure the impact of proposals which will affect various programs authorized by the Committee on Public Works pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, solid waste disposal, public buildings, and all features of water resource development and economic growth: *Provided, however,* That this study shall not be conducted in such a manner so as to reexamine, compete, delay or interfere with the planning, financing or construction of the rapid transit system presently planned by the Washington Metropolitan Area Transit Authority. The Committee on Public Works

will coordinate its activities with the activities of other committees of the Senate having legislative jurisdiction related to the general subject matter of the study or studies to be undertaken."

Section 2 of Senate Resolution 189, as amended, would increase by $20,000—from $165,000 to $185,000—the limitation of expenditures specified for the Committee on Public Works by Senate Resolution 23.

BILL PASSED OVER

The bill (S. 793) to provide for the conveyance of certain real property of the United States to the Alabama Space Science Exhibit Commission was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be passed over.

GREENE COUNTY, MISS.

The bill (S. 1902) for the relief of Greene County, Miss., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Greene County, Mississippi, the sum of $46,455, in full satisfaction of all claims of such county against the United States or reimbursement of expenditures made by such county against the United States for reimbursement of expenditures made by such county for the maintenance from July 1954 through December 1966, of eleven and four-tenths miles of United States Forest Service Road 216 (commonly known as Grafton Road) located in Supervisor's Districts 2 and 3 of Greene, County, Mississippi: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 924), 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 the bill is to authorize and direct the Secretary of the Treasury to pay $46,455, out of any money in the Treasury not otherwise appropriated, to Greene County, Miss. This payment would be in full satisfaction of all claims Greene County has against the United States for reimbursement of expenditures the county made for maintenance of 11.4 miles of Forest Service Road 216 during the period July 1954 through December 1966.

STATEMENT

U.S. Forest Service Road No. 216 (commonly known as the Grafton Road) was constructed by the Civilian Conservation Corps in the 1930's, principally on U.S. Forest Service lands and is located in supervisor's districts 2 and 3 of Greene County, Miss.

That part of Forest Service Road No. 216 in question is 11.4 miles in length, 2.2 miles being located in supervisor's district No. 2, and 9.2 miles being located in supervisor's district 3 of Greene County, Miss.

This U.S. Forest Service road crosses private as well as national forest lands, and in July 1938, the respective owners of the private lands on which these roads are situated conveyed rights-of-way across their lands for this road to the Board of Supervisors of Greene County, Miss. Attached as exhibits are certified copies of the deeds of July 6, 1938, from the private land owners to the county. After title to the rights-of-way across private lands were conveyed to the Board of Supervisors of Greene County, Miss., the board of supervisors, by deed dated July 27, 1938, conveyed all of its right, title, and interest therein to the United States of America. Attached is certified copy of the minutes of the Board of Supervisors of Greene County, Miss., for its July 1938, term, granting permission to the United States of America to construct the Forest Service road and telephone lines and authorizing the conveyance of the county-owned rights-of-way to the United States of America for the Forest Service road. Attached as exhibit is certified copy of deed of July 27, 1938, executed by the Board of Supervisors of Greene County, Miss., to the United States of America, for road right-of-way, in accordance with the resolution of the board of supervisors authorizing this action. It is noted from the deed that this is a *perpetual right-of-way* over and across the lands, *the right-of-way to be used by the United States for the construction, reconstruction, and maintenance of a public road.* It is the contention of Greene County, Miss., that the conveyance of this right-of-way was made for the consideration of the *construction, repair,* and *maintenance* of this road and that the conveyance was made by the county and accepted by the Forest Service on that basis, and constituting a valid, subsisting, and binding agreement between the parties, and which should be honored accordingly.

The conveyance by Greene County to the United States is still valid and outstanding of record, and in full force and effect. The conveyance and agreement have never been changed, altered, or amended by either the county or the Forest Service. On June 2, 1966, the regional forester, J. K. Vessey, had filed in Greene County, Miss., an "affidavit of abandonment," and which shows to have been acknowledged by Mr. Vessey in Fulton County, Ga., on February 25, 1966. However, this is a self-serving instrument, apparently executed in an attempt to force the county to drop its claim, and of no legal effect or purport in the committee's opinion, and the "affidavit of abandonment" is disputed and contradicted by the proposed agreement between the Forest Service and the Greene County Board of Supervisors, of June 3, 1965, a copy of which agreement is attached hereto, and by agreements entered into between the Forest Service and the Mississippi Highway Department.

Forest Service Road No. 273, wholly in district 3 of Greene County, Miss., was taken over by Greene County, Miss., in the year 1961, and the U.S. Forest Service paid some $16,500 to district 3 of Greene County, Miss., for partial reimbursement for past work and maintenance of this road. Greene County has worked the road since 1961 with its own funds.

About July 1954, the U.S. Forest Service arbitrarily stopped maintenance and upkeep of Forest Service Road 216, without notice, abandonment of the road or other official action or agreement or arrangement with Greene County, Miss., and the road was left with no maintenance until about October 1954. The Forest Service continued to use the road and the great majority of traffic on the road was vehicles of the Forest Service, its agents and employees, contractors, and forestry workers and almost all of the loaded vehicles using this road were hauling forestry products obtained from the U.S. forest in the area serviced by Forest Service Road No. 216. In order to serve the public and to keep and maintain this road in a state of usefulness, including extensive use thereof by the U.S. Forest Service, its employees, contractors, and workers, and to move its timber and forestry products, and because of the protests and pressures of forestry personnel and the public, districts 2 and 3 of Greene County were obliged to take over and repair, rebuild and maintain this road. It had been left in an impassable condition and it was necessary that some action then be taken. Districts 2 and 3 of Greene County, Miss., have repaired, rebuilt, kept up, and maintained this road for almost 13 years, at county expense, and during this time the road has been of more benefit to and of more service to the United States for its Forest Service than to the general public of the county or any of its districts.

It is the opinion and feeling of the Board of Supervisors of Greene County, Miss., that districts 2 and 3 of Greene County should be reimbursed and paid for its expenditures in the repair, rebuilding, upkeep and maintenance of this road. Greene County has not received any funds or moneys in the matter of the maintenance, rebuilding, repair, and upkeep of road 216, while surrounding and adjoining areas, counties and supervisor's districts have received reimbursement, payments, benefits, and funds from the U.S. Forest Service in identical and similar situations, far in excess of that to which districts 2 and 3 of Greene County maintain they are entitled.

It is the county's sincere feeling and belief that the county and the districts have not been treated fairly or equitably in the matter and it has repeatedly asked for hearings on these roads, but these requests have not been granted or acknowledged. It is also Greene County's opinion that it has been discriminated against, as adjoining counties and adjoining districts have received substantial benefits from the U.S. Forest Service in identical situations. Repealed requests for favorable consideration and repeated attempts to secure a hearing on the matter have been to no avail.

A meeting was held at New Augusta, Perry County, Miss., in April 1964, and at this meeting there were present, among others, Congressman William M. Colmer, and Mr. Kelley B. Heffner, regional engineer, U.S. Forest Service, Atlanta, Ga.; and Mr. M. M. (Red) Nelson, assistant chief engineer, U.S. Forest Service, Washington, D.C.; and Mr. J. E. Franson, forest supervisor, Jackson, Miss.; and Mr. W. O. Farnum, Jr., chief engineer, Forest Service, Jackson, Miss.; and Mr. Rex Phillips and Mr. Dave Rogers, county engineers for Perry and Greene Counties, Miss., and members of the boards of supervisors from Greene, Perry, and Wayne Counties, Miss. At this meeting the matter of U.S. Forest Service roads, including road 216, were discussed. It was then undertaken to establish and set amounts to be paid by the Forest Service to Greene, Perry, and Wayne Counties, Miss., for reimbursement for funds spent on repairing, rebuilding, maintaining, and improving Forest Service roads in the three counties. The road involved in Perry and Wayne Counties, Miss., was the Forest Service road commonly known as the Mulberry Road, and which had the same status and situation as Forest Service road 216 in Greene County, Miss.

The supervisors concerned in Perry and Wayne Counties were asked to prepare cost estimates and figures on the Mulberry Road and the supervisors from districts 2 and 3 of Greene County asked for the same consideration as pertained to road 216, and the supervisors of Greene County were then requested by the representatives and officials of the U.S. Forest Service not to bring up or ask for reimbursement from the Forest Serv-

ice on road 216 until the matter of the Forest Service road known as the Mulberry Road was taken care of, and that then Greene County would be reimbursed. At the meeting both Mr. Heffner and Mr. Nelson agreed that road 216 was in the same situation as the Mulberry Road and that districts 2 and 3 of Greene County should be paid and reimbursed for the maintenance, upkeep, repair, and construction on this road and that they intended to see that these districts were paid and reimbursed for these services as soon as the matter of the Mulberry Road had been straightened out. The Forest Service requested that the county engineers of Greene County prepare the necessary information on maintenance of this road and have it available so that as soon as the Mulberry Road payments for Perry and Wayne Counties had been disposed of the payments to districts 2 and 3 of Greene County on road 216 could be put in line for payment and consideration the same as the Mulberry Road. This was entirely agreeable to the supervisors of districts 2 and 3 of Greene County, Miss., and they felt that all parties were acting in good faith. At this meeting it was brought up and pointed out that the U.S. Forest Service was receiving from the haulers of forestry products certain funds and payments designated and earmarked for maintenance of these roads and that these should be and would be turned over to the county or supervisor's district for the purpose of maintenance and upkeep of these roads, and for reimbursement for past repairs, upkeep, and maintenance. All estimates and data requested have been furnished by the county to the Forest Service.

After the meeting at New Augusta, Miss., Perry County received cash payment from the U.S. Forest Service in an amount in excess of $64,000 on the Mulberry Road, and Wayne County received a cash payment from the U.S. Forest Service on the Mulberry Road in the sum of about $92,000. At the meeting at New Augusta the Wayne County officials had asked for only $72,000, but the Forest Service payment was in the amount of $92,000.

Greene County points out that Wayne County joins Greene County to the north and Perry County joins Greene County to the west. These are neighboring and adjoining counties and neighboring and adjoining supervisor's districts, and the Mulberry Road was in the same situation and status as road 216 in Greene County, and the same as road 273 before it was taken over by Greene County. Title to all of these roads was still in the U.S. Forest Service and maintenance by the various counties has been the same conditions.

The Forest Service had asked the supervisors of districts 2 and 3 of Greene County to wait until the Mulberry Road matter had been settled and then the Forest Service would settle with districts 2 and 3 on road 216. After the Mulberry matter had been settled, Greene County supplied all engineering data, cost data, maintenance, upkeep, repair, and construction costs, estimates, and data, and the Forest Service, after considerable delay and various excuses, refused to make payments to districts 2 and 3 of Greene County, Miss., which the county feels is an arbitrary position taken by the Forest Service and is discriminatory against Greene County. The Forest Service has not treated Greene County fair, equitably or just, especially in view of the grants made to the counties and districts adjoining districts 2 and 3 of Greene County, Miss.

It is the contention of Greene County that districts 2 and 3 of Greene County should be reimbursed for their expenditures and expenses for the upkeep, repair, and maintenance of this road for some 13 years.

True, road 216 has been designated as a part of Mississippi State Highway No. 42. However, the designation of the road as a State highway did not mean that the highway department had taken over the road or that the State highway department had made available any funds. The State highway department did not have legal or equitable title to the road, as the same was vested in the United States of America, and the designation of the road as a State highway had no effect or consequence, but was for planning purposes only.

Greene County has never accepted road 216 from the U.S. Forest Service or any other agency and the Forest Service had never attempted to abandon this road 216 until the so-called "affidavit of abandonment", was filed for record in Greene County, Miss., on June 3, 1965. This was after the Forest Service had negotiated for some time with Greene County on this road and had offered a token settlement, as evidenced by the agreement attached hereto as an exhibit. In fact, Forest Service Road 216 has been designated as a Forest Service highway, which is contrary to any idea or claim of abandonment, and it is the county's understanding that the Forest Service is authorized to apply funds to the road to bring it up to present acceptable standards and, in fact, the Forest Service has negotiated with and assured the Mississippi State Highway Department that it has the right-of-way for the roads and will furnish to the State highway department whatever rights-of-way are required when this road is made into a State highway, and has pledged funds for the road. It is the contention of Greene County that the Forest Service never abandoned nor intended to abandon the road, but has claimed and does now claim title to and ownership of the road right-of-way.

At the meeting in New Augusta, Miss., in April 1964, this matter was thoroughly and fully discussed and all parties have knowledge of the conditions and circumstances. At that time Mr. Heffner and Mr. Nelson requested figures and estimates for the maintenance and upkeep of the road and also for the bringing of the road up to acceptable standards, and the county engineers of Greene County compiled and furnished to the Forest Service these figures. Then, the Forest Service arbitrarily declined to make any assistance or payments whatever and denied the claims of district 2 and 3.

The Forest Service has contended it abandoned this road, but the county contends that this position is not well taken, because the road has been and now is designated as a U.S. forest highway and the U.S. Forest Service has entered into agreements with the Mississippi State Highway Department regarding the building of this road and has committed or agreed to commit funds to assist in its construction. Further, as late as January 12, 1965, Mr. Edward P. Cliff, of the U.S. Department of Agriculture, Forest Service, contacted the attorney for the Greene County Board of Supervisors regarding the appropriation and transfer of the necessary easement for the road to the State of Mississippi or its nominee. The county contends that this again proves that the Forest Service has title to this road and now is claiming title; otherwise, it could not convey title thereto.

The Forest Service has contended that it has no authority to reimburse district 2 and 3 of Greene County for previous expenditures made by them on the road. This contention is not well taken because such expenditures have been made on the Mulberry road by the Forest Service, the Mulberry road being in counties and districts adjacent to districts 2 and 3 of Greene County. If the Forest Service has the right and obligation to pay for the Mulberry road in adjoining counties and districts, then it also has the right and obligation to pay Greene County for the same maintenance work. Further, in June 1965, the Forest Service proposed an agreement with Greene County for the repair of certain bridges, in total amount of $13,000, on Forest Service Road 216, but Greene was unable to accept this agreement, as the payments provided thereunder were not sufficient to reimburse the county and the agreement contained the provision that it was in termination of all claims. A copy of the proposed agreement is attached hereto as an exhibit.

The supervisors of districts 2 and 3 of Greene County requested the county engineers to prepare figures on the amount necessary to reimburse the districts for maintenance of road No. 216 for the past 12½ years. The engineers were instructed to make a careful study of the matter and make a report as to the minimum amount required for this maintenance. The signed statement and report of the engineers is attached hereto as an exhibit, in total amount of $46,455.

The matter of the granting of the reimbursement to the adjoining counties of Perry and Wayne, and the further granting of funds with which to do additional work is common public knowledge in the three counties and throughout the forestry district, and the officials of Greene County have been subjected to undue criticism because the Forest Service has not treated Greene County the same as the other counties were treated. The Forest Service will give no reasons for its actions and will not grant a hearing on the request of the board.

SUMMARY

Greene County, Miss., claims reimbursement of expenditures made by such county for the maintenance from July 1954 through December 1966, of 11.4 miles of U.S. Forest Service Road 216.

The county, after putting together the title of the right-of-way of road 216, by joining the title to the sections it owned with the title to sections purchased from private individuals, conveyed the entire title to the United States by deed containing the following recitation:

title granted "* * * for and in consideration of the benefits to be derived by the Board of Supervisors and residents of Greene County, Mississippi, from the contruction, repair and maintenance by the Grantee (United States) of a Public Road * * * known as * * * Road #216."

This deed of right-of-way was signed, sealed, delivered, recorded, and accepted by the United States, and it formed a binding contract between the two parties from that moment, obligating the United States for the maintenance costs.

During the period covered by this bill the title continuously remained in the United States, no legal binding action having been taken by the parties to the original contract which would release the United States from its maintenance obligations.

The deed of right-of-way contained the following provision on the right of the United States to abandon the road:

The herein described right of way is granted and conveyed upon the condition that should said right of way be abandoned by said grantee (United States), then said right of way, together with all the rights and privileges appurtenant thereto, shall thereupon terminate and revert to grantors (Greene County), their successors or assigns.

The Department of Agriculture, in its report to the committee, objects to the bill on three grounds, viz.:

(1) It entered into no agreement with Greene County to maintain the road;

(2) It abandoned the road thus averting maintenance to the county;

(3) The road became part of the State highway system in 1954, thus obligating the State to cost of maintenance and relieving the United States of same.

The rebuttal to No. 1, supra, is clear cut and in favor of Greene County. Its deed to the United States was clearly binding and obligatory.

As to the defense of abandonment, the

United States brings forth an affidavit of abandonment dated February 25, 1966, and filed for recordation on June 10, 1966. This document purports to abandon the road as of July 1954, some 12 years earlier, the very period covered by the bill for maintenance. A recitation in the affidavit of abandonment states the United States "abandoned, relinquished, and gave up all rights to said right-of-way in July 1954, and advised two of the Board of Supervisors of Greene County, Miss., of such abandonment at that time. * * *." The committee is of the opinion that this affidavit is a self-serving exercise on the part of the Government and is without legal efficacy. The proper way to abandon a road is to petition the board of supervisors for abandonment, present the original deed as the authority, have the board vote the abandonment, and record a legal document to pass the title. This should be done at the time of abandonment, not 12 years later. This was the procedure required to pass the title to the United States and the reverse procedure is necessary to revert the title. The statement that oral notice was given two members of the board 12 years earlier would be ridiculed out of any court as evidence. The statement is without proof, self-serving, and hearsay. Title to land can only be passed by written document, not by hearsay and undocumented evidence. The committee rejects the affidavit of abandonment.

As to the acceptance of the road into the State highway system the committee is of the opinion that this did not shift the burden of maintenance from the United States to the county. If there is one thing that is clear from the study of this record, it is that the benefits and obligations relating to the road in controversy follow the title. The county gathered together the overall title from various sources and deeded the whole to the United States. The United States took no subtantiated action to abandon until 12 years after it had claimed to do so in its affidavit of abandonment. The United States retained the title and the consequent burden of maintenance concomitant with ownership under its deed.

The designation of the road as a State highway did not mean that the State highway department had taken over the road or that it had made available any funds. The State highway department did not have legal or equitable title to the road, as the same was vested in the United States, and the designation of the road as a State highway had no effect or consequence, but was for planning purposes only.

Damages or cumulative cost of maintenance are not in issue.

The county has filed with the committee (a part of this report) its costs as computed by its assistant county engineer in his official and expert portfolio. The United States has not challenged these costs nor presented any of its own. For lack of pleading, it would seem the Government has waived any challenge.

In view of the foregoing, the committee believes the bill is meritorious and recommends favorable enactment.

Attached hereto and made a part hereof are the substantiating documents from the county and the agency report.

LEASE OF AIRSPACE

The Senate proceeded to consider the bill (S. 1245) to authorize the Commissioners of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment strike out all after the enacting clause and insert:

That this Act may be cited as the "District of Columbia Freeway Airspace Utilization Act."

SEC. 2. When used in this Act—

"Airspace" means so much of the space above, on, and below freeway rights-of-way as is not needed for freeway purposes.

"Commissioner" means the Commissioner of the District of Columbia appointed pursuant to part III of Reorganization Plan Numbered 3 of 1967.

"District" means the District of Columbia.

"Freeway" means any limited access divided highway within the District.

"Right-of-way" means land, property or interest therein acquired for or devoted to a freeway, including connecting ramps.

"United States" means the Government of the United States or any department or agency thereof, including, without limitation, any agency established or authorized to be established by Act of Congress or by interstate compact to which consent of Congress is given.

"Council" means the Council established pursuant to part II of Reorganization Plan Numbered 3 of 1967.

SEC. 3. The Commissioner is hereby authorized—

(a) to make or permit such use of airspace in the District for any municipal purpose, including, without limitation, housing for low-income families, public welfare, public works, park, recreational, and vehicle parking, as will not be detrimental to or impair the efficient use, operation, and maintenance of any freeway;

(b) to enter into contracts or agreements with the United States for the use of airspace and for the purpose of receiving, or qualifying any permittee or lessee to receive, grants or other financial assistance under available Federal programs in connection with the construction, use, or operation of buildings, structures and other things therein;

(c) to enter into agreements with the United States for the granting to the United States of easements to use airspace for the purpose of constructing therein Federal public buildings and for such other purposes as may be agreed upon. Such easements shall, for the purpose of section 355 of the Revised Statutes of the United States, as amended (40 U.S.C. 255), be deemed sufficient and valid title in the United States in the areas in which are to be constructed public buildings or other facilities; and

(d) to enter into leases of, or grant, revocable permits for, the use of airspace in the District, including rights of or for support, access, utilities, light and air to an extent not inconsistent with the use of a freeway by the general public for the purpose of travel, and, in connection with any such lease or permit, to impose such terms and conditions including, but not limited to, the deposit of bond or other security, and to provide for the payment of such rents or fees as the Commissioner may, in his discretion, determine to be necessary or desirable, but the Commissioner may, in connection with the entry into a lease, or the granting of a permit, for the use of such airspace, provide as conditions of any such lease or permit (1) that such airspace shall not be used by the lessee or permittee in such manner as to deprive of its easements of light, air, and access any real property not owned or controlled by such lessee or permittee, and (2) that upon the expiration of the lease or permit and of any renewal thereof, any building or other structure which may have been constructed in such airspace shall, at the direction of the Commissioner, be removed therefrom by and at the expense of the lessee or permittee or his successor in interest, and the airspace shall be restored to the condition which obtained prior to the construction of such building or other structure, all to the satisfaction of the Commissioner.

SEC. 4. (a) The authority contained in section 3 shall be exercised by the Commissioner in furtherance of the Comprehensive Plan for the National Capital prepared pursuant to the National Capital Planning Act of 1952 (40 U.S.C. 71) and in the following order of priority:

(1) The Commissioner shall determine whether such space is required for a municipal purpose, as authorized by subsection (a) of section 3, and if he determines the space is so required, he is authorized to make such use of it.

(2) The Commissioner shall ascertain, through the Executive Director of the National Capital Housing Authority established by the Act approved June 12, 1934 (48 Stat. 930), whether such space is required for the construction therein of dwellings for low-income families at rents in accordance with their incomes, and if the Commissioner finds that such space is so required he is authorized, with or without charge, to make it available for such construction by granting an easement to use such space, and such easement shall constitute sufficient and valid title in the Authority or in the United States, or in any private developer under contract to convey the completed property to the Authority, as the case may be, to construct therein buildings or other facilities. The use of such space by the Authority shall be subject to such agreement as the Authority has entered into with the District respecting the making of payments in lieu of taxes.

(3) The Commissioner shall ascertain through the Administrator of General Services, whether the United States (other than the National Capital Housing Authority) requires such space for the construction therein of a building, other structure, or facility, and if such space is so required, the Commissioner is authorized to make it available without charge to the United States, or on the basis of such charge as may be agreed upon between the Commissioner and the United States.

(4) The Commissioner shall determine whether such space should be leased to a public or private developer to provide housing for low- and moderate-income individuals and families, and if the Commissioner so determines, he may include in such lease, or make such permit subject to, an agreement whereby a preference in admission to the housing will be given to low- and moderate-income individuals and families displaced by urban renewal activities or as a result of other governmental action.

(5) The Commissioner shall determine whether the space should be leased to a nonprofit organization, such as a hospital, welfare agency, or the like, for the construction therein of a building, other structure, or facility to be used in connection with the activities of such organization.

(6) The Commissioner shall determine whether such space should be made available for business purposes, including, without limitation, housing for individuals and families.

(b) In connection with the lease of such space either for housing for low- and moderate-income families and families displaced from urban renewal areas or as a result of governmental action, or for use by nonprofit organizations or for business purposes, the Commissioner is authorized to lease the space either on the basis of competitive bids or on a negotiated basis as the Commissioner determines is in the best interests of the District and of the general public.

SEC. 5. For the purposes of this Act, airspace, and buildings, structures, and improvements constructed or erected within such airspace, pursuant to a lease or permit, shall be deemed to be real property and be liable to assessment and taxation as such from the beginning of the term or period of such lease or permit. For the purposes of real property assessment and taxation, the value of such airspace, other than any building, structure, or improvement constructed or

erected therein, shall be deemed to be the value of the underlying land as if the same were not occupied and used for public purposes. No such tax shall be assessed with respect to any airspace and buildings, structures, and improvements therein (1) for which the United States has been granted an easement (but nothing herein contained shall be construed to abrogate such agreement as the United States may have entered into, or may enter into, with the District with respect to making payments in lieu of real property taxes) or used for the purposes specified in subsections (a), (b), and (c) of section 3 of this Act; or (2) occupied and used by one or more organizations exclusively for a purpose or for purposes which, under section 1 of the Act of December 24, 1942 (56 Stat. 1089), as amended (D.C. Code, sec. 47-801a), would entitle real property so occupied and used to be exempt from taxation. Except as otherwise provided in this section, for the purposes of this Act the provisions of law applicable to special assessments for public improvements, and the provisions of law applicable to sanitary sewer service charges and to water service charges, shall be applicable with respect to airspace and buildings, structures and improvements therein used pursuant to a lease entered into with, or permit granted to, a lessee or permittee under the authority of subsection (d) of section 3 of this Act. The leasehold or permit interest in any airspace so leased or granted, including any building, structure or improvement constructed or erected therein, shall, in cases of nonpayment of real property taxes, nonpayment of special assessments for public improvements, and nonpayment of sanitary sewer service or water service charges, be subject to private, outright sale by the District, without any right in the lessee or permittee to redeem the leasehold or permit interest so sold: *Provided,* That the proceeds from such sale in excess of such delinquent taxes, assessments, or charges, or a combination thereof, including any interest, penalties and costs relating thereto, shall be paid by the District to the lessee or permittee, or to such person as he may, in writing, designate.

SEC. 6. (a) Prior to the entry by the Commissioner into any agreement or lease, or his granting of any permit for the use of airspace, the following actions, except with respect to the construction of public buildings by the Federal or District of Columbia government, shall be taken:

(1) The Zoning Commission of the District of Columbia, after public hearing and after securing the advice and recommendations of the National Capital Planning Commission, shall have determined the use to be permitted in such airspace and shall have promulgated regulations, pertaining thereto, including but not limited to, limitations and requirements respecting the height of any structure to be erected in such space, off-street parking and floor area ratio, which limitations and requirements need not be the same as those provided for properties not within airspace. The provisions of section 10 of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 800; D.C. Code, sec. 5-422), shall be applicable to regulations made pursuant to this section and to violations of such regulations.

(2) The lessee or permittee shall have submitted to the Commissioner and the Zoning Commission for their review and approval, plans, elevations, sections, and a scale model for any structure to be erected in such airspace, and a description of the texture, material, and method of construction of exterior walls.

(3) The Commissioner shall have determined that all necessary precautions will be taken to insure adequate protection from air pollution, dirt, noise, light, and glare emitted by vehicles using the freeway. In making such a determination, the Commissioner shall assume a volume of freeway traffic equal to capacity.

(b) (1) (A) In any case involving the construction of Federal public buildings within any airspace made available to the United States pursuant to this Act, the provisions of section 16 of the Act of June 20, 1938 (52 Stat. 802), as amended (D.C. Code, sec. 5-428), shall be applicable to such construction.

(B) In any case involving the construction of any public building by any agency of the government of the District of Columbia within any airspace made available to the District of Columbia pursuant to this Act, the provisions of section 16 of the Act of June 20, 1938 (52 Stat. 802), as amended (D.C. Code, sec. 5-428), shall be applicable to such construction in the same manner and to the same extent as provided under subsection 5(c) of the National Capital Planning Act of 1952, as amended (40 U.S.C. 71d(c)).

(2) Plans for construction in airspace by the Federal or District Governments shall be subject to consultation, advice, and recommendation of the National Capital Planning Commission in accordance with the National Capital Planning Act of 1952, as amended (40 U.S.C. sec 71 et seq.).

(3) Plans for construction in airspace shall be subject to review and recommendation of the Commission of Fine Arts to the extent required by, and in accordance with, the Act approved May 16, 1930 (46 Stat. 366), as amended (D.C. Code, secs. 5-410 and 411), the Act approved September 22, 1950 (64 Stat. 903; D.C. Code, title 5, chapter 8), and Executive Orders dated October 25, 1910, and November 28, 1913.

(c) Whenever the Commissioner shall find that there is any significant change in, or substantial modifications of, the plans for the proposed structure after such plans have been approved in accordance with the requirements of the preceding subsections of this section and of section 3, or if, after the construction of the structure, he finds there is any significant change in, or substantial modification of, the structure or the use made of it, each such change or modification shall be subject to approval by the agencies specified in this section, as their interests may appear, in like manner as is set forth in subsections (a) and (b) of this section.

SEC. 7. The cost of removing or relocating publicly owned and privately owned facilities in a street, highway, or alley, including, without limitation, water lines and sewers, to the extent that any such removal or relocation is required in connection with the construction of a building in airspace under the authority of this Act, other than a building constructed by or on behalf of the District, shall not be borne by the District, but the cost of any such removal or relocation shall be defrayed by another or by others than the District in accordance with such arrangements as may be acceptable to the Commissioner and be approved by him in writing. The removal or relocation by the District of sewers and water mains, and the removal or relocation of any other facilities in such space, shall be in accordance with plans and schedules approved by the Commissioner.

SEC. 8. Except as provided in section 6, laws and regulations now or hereafter in effect in the District and applicable to the construction, use, and occupancy of buildings and premises, including, but not limited to, building, electrical, plumbing, housing, health, and fire regulations, shall be applicable to buildings, structures, and improvements erected in airspace under lease or agreement entered into or permit issued pursuant to this Act.

SEC. 9. (a) The Council is authorized, after public hearing, to promulgate regulations to carry out the purposes of this Act.

(b) Any regulations adopted under the authority of this section may provide for the imposition of a fine of not more than $300 or imprisonment for not more than ninety days, or both such fine and imprisonment, for any violation of such regulations. Prosecutions for violations of regulations made pursuant to this section shall be conducted in the name of the District by the Corporation Counsel or any of his assistants.

(c) Whenever there exists any violation or failure to comply with regulations adopted under the authority of this Act, or regulations specified in section 8 of this Act, after notice of such violation or failure has been given by the Commissioner, each and every day such violation exists, or each and every day beyond a time limit set for compliance during which there is failure to comply fully with any of the said regulations or with orders issued pursuant to the authority contained therein, shall constitute a separate offense, and the penalty specified for the violation of such regulation shall be applicable to each such separate offense.

SEC. 10. All collections, including rents and fees, received by the District pursuant to this Act shall be deposited in the Treasury of the United States in a trust fund which is hereby authorized and from which may be paid, in the same manner as is provided by law for other expenditures of the District, such expenditures as are necessary to carry out the purposes of this Act, including, without limitation, necessary expenses connected with the operation, maintenance, and disposition of property coming into the possession of the District by reason of default under leases entered into or permits issued pursuant to this Act: *Provided,* That taxes (including payments in lieu of taxes), special assessments, and sanitary sewer and water service charges shall be deposited directly to the respective funds to which such revenues are normally deposited. The unobligated balance in such trust fund as of June 30 of any year which exceeds $100,000 shall be deposited in the Treasury to the credit of such special funds or the general fund of the District in such proportions as the Commissioner shall, in his discretion determine.

SEC. 11. Nothing in this Act shall be construed as modifying or superseding title 23, United States Code: *Provided,* That the use of public space under the authority of this Act shall not be deemed to deprive the District of its eligibility for financial assistance under any federally assisted program, regardless of the fact that the District may, in the case of a privately owned building, receive rental for the use of such public space.

SEC. 12. If any provision of this Act or of the regulations promulgated under the authority of this Act is held invalid, such invalidity shall not affect other provisions either of this Act or of the said regulations which can be effected without the invalid provision, and to this end the provisions of this Act and the said regulations are separable.

SEC. 13. Appropriations to carry out the purposes of this Act are hereby authorized.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 921), 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. 1245 is to allow fuller utilization of space over and under free-

ways by making available for public or private purposes such airspace as is not required for travel.

The Subcommittee on Business and Commerce held hearings on S. 1245 on July 25 and 27, 1967.

NEED FOR THE LEGISLATION

In recent years, the potentialities of a fuller utilization of airspace over and under freeways have become increasingly important to the orderly planning and development of urban areas. If properly controlled, the multipurpose use of air rights can lead to a more efficient and esthetic utilization of urban space. Many cities have already successfully utilized air rights for residential, commercial, and public purposes.

The committee believes that S. 1245 would effectively permit the use of airspace over and under freeways in the District of Columbia. The need for this legislation is especially acute in the District since many of the city's problems arise from the limited availability of space for both public and private uses. The future development of the city can be greatly enhanced by appropriate use of air rights. The committee notes that the comprehensive plan for the Nation's Capital proposed by the National Capital Planning Commission in February 1967 envisions the use of airspace in several areas throughout the District. The new Labor Department Building to be constructed over the center leg freeway in the central business district is a good example of multipurpose use of highway rights-of-way. The District of Columbia Director of Highways indicated to the committee that specific plans for use of space surrounding proposed freeways have been formulated and that such plans would be implemented when freeway construction takes place.

The use of airspace over freeways for relocation of residents displaced from their homes by construction of freeways, by urban renewal projects, and by other public improvement programs, is a particularly important benefit which can arise from this legislation. The adverse economic and social effects of displacement would be minimized by expanding the possible areas for relocation to include structures erected within freeway rights-of-way. Moreover, air rights construction will serve the additional purposes of reuniting sections of the city that would otherwise be separated by the wide ribbon of freeway right-of-way and of providing usable open space for recreation in those areas.

S. 1245 encourages the concept of new expressways as "linear renewal" projects that will replace the single-use auto-oriented concept of the past. The idea of a broad corridor of renewal with the expressway as the spine and with rehabilitation, conservation, and new construction strung upon this spine recognizes a function that is broader than the primary purpose of moving traffic. Those whose lives are disrupted by the freeways present an obvious need for related development, including housing, offices, commercial uses, and public facilities such as educational parks or school, plazas, community centers, or parking garages.

Testimony presented before the committee, particularly with reference to current planning efforts underway in Baltimore, indicates that this type of linear renewal will require replacing the previous reliance only on highway and traffic engineering with an urban design team, including engineers, architects, and landscape architects, economists, sociologists, acoustical, and illuminating specialists, among others. In this way, the public skeleton that is the freeway can become the basis for the design of a new urban environment. With the enactment of this legislation, the committee expects that this kind of planning will now go forward as an integral part of any proposed freeway construction, and that plans which are put forward when the freeway is proposed, to obtain support for such proposals, will in fact be fully implemented when the freeway is constructed.

Critics of airspace construction say that existing use of freeway airspace for housing and other purposes has been unhealthy, unpleasant, and exorbitantly expensive. The committee recognizes that problems do exist and believes strongly that measures must be implemented to solve them. In this regard, the committee is encouraged by the testimony of expert witnesses that the problems can be overcome by thoughtful and far-sighted planning. The problems of noise and air pollution, it was testified, can be taken care of by proper shielding and ventilation. Another solution that has been applied in Tokyo, as an example, is to utilize rooftop highway construction, by putting the expressway on tops of the structures. As to economics, the cost of constructing in freeway rights-of-way may be compensated for by the alternative use of the space and by the public benefits derived from such use. Moreover, the committee was informed that favorable consideration was being given by Federal and local authorities to a joint approach whereby the cost of construction of freeways, now shared by the Federal and local governments, could also include the cost of such matters as constructing underpinnings and slabs necessary for airspace construction. The Federal Highway Administrator testified that his agency, through its Bureau of Public Roads, is willing and stands ready to work with the cities and States to implement a new concept for joint cooperative development of urban freeways, which would promote the development of highway corridors with multiple and complementary uses.

PROVISIONS OF THE BILL

Section 3(a) authorizes the District of Columbia to use or permit the use of airspace for any municipal purpose, including low-income housing, public welfare, public works, park, recreational, and vehicle parking to the extent such use does not impair the efficient use of the freeway. The municipal purposes will not be limited to those listed; this airspace may be used, where feasible, for other municipal uses, including schools, educational parks, or even combinations of uses.

Subsection (b) authorizes the District to enter into contracts or agreements with the United States for the use of airspace and to receive or qualify lessees or permittees to receive grants and other financial assistance; and subsection (c) authorizes agreements with the United States to grant to the Federal Government easements for the use of airspace for Federal public buildings.

Subsection (d) authorizes the District government to enter into leases or revocable permits for the use of airspace in the District. Leases or permits may require that easements of light, air, and access for other property be protected and that, at the expiration of the lease or permit, the airspace will be restored to its former condition.

Section 4 provides that freeway airspace shall be used in furtherance of the comprehensive plan for the National Capital and in the following order of priority: Municipal purposes; low-income housing constructed for the National Capital Housing Authority; other Federal construction; lease to developers, for low- and moderate-income housing, with preference to those displaced by urban renewal; uses by nonprofit organizations; and business purposes.

The erection of buildings, structures, and improvements within airspace for an income-producing purpose should return to the tax rolls improvements on property similar or superior to those removed during the construction of freeways. Section 5 thus provides that facilities erected for persons or organizations other than the Federal or District Governments or tax-exempt organizations shall be treated like real property for taxation and other charges. The leasehold interest in airspace, together with buildings erected in such space, shall in cases of failure to pay taxes or other charges, be subject to outright private sale, without a right of redemption. This provision will enable the District to dispose of the leasehold or permit interest under the circumstances that will best promote the interests of the general public.

Section 6 sets forth the procedures that must be followed before a lease is granted or permit issued. The Zoning Commission, after a public hearing and after receiving the recommendations of the National Capital Planning Commission, determines the use to be made of the airspace. Plans for construction must be approved by the Commissioner and the Zoning Commission, and are subject to review by the Commission of Fine Arts and the National Capital Planning Commission to the extent required by law for other construction.

Subsection (a)(3) provides that precautions will be taken to insure adequate protection from air pollution, dirt, noise, light, and glare from vehicles using the freeway.

Subsection (b) of section 6 generally provides for review by the National Capital Planning Commission and the Commission of Fine Arts, to the extent required by applicable law, of plans for the construction of buildings by or on behalf of the Federal or District Governments. It is the intent of the Committee that airspace construction by the governments be subject to the same review procedure as any other construction by the Government in that part of the District.

Subsection (c) provides that whenever the Commissioner finds there is a significant change or substantial modification in plans, structures, or use of nonpublic structures erected pursuant to the act, such changes or modifications will be subject to the same approvals as were the original plans.

Section 7 specifies that the cost of removing or relocating publicly owned or privately owned facilities in a street, highway, or alley as made necessary by the construction of a building in space leased under the act will not be borne by the District of Columbia, and that plans and schedules for this activity will be approved by the Government.

Section 8 provides that, except as provided in section 6, construction, use, and occupancy of airspace structures shall be subject to building, electrical, plumbing, housing, health, and fire regulations.

Section 9 authorizes the District of Columbia Council to promulgate regulations and establishes penalties for violations.

Section 10 establishes a trust fund into which shall be deposited rents and fees received for the use of airspace, other than taxes, special assessments, and sewer and water charges. The trust fund will be available to carry out the purposes of the act. Amounts exceeding $100,000 shall be credited to such special funds or the general fund in such proportions as the District government shall determine.

Section II provides that nothing in the act shall be construed to modify or supersede title 23 of the United States Code dealing with the Federal highway program. Section 12 is a saving provision and section 13 authorizes appropriations to carry out the purposes of the act.

CONCLUSION

The committee believes strongly that the use of airspace over and under freeway rights-of-way would benefit the District of Columbia through expanded development space for public uses, added incentive for investment in renewal and rehabilitation of

decaying sections of the District, improved design and construction of freeways, and more flexible design possibilities in urban renewal and other development areas. For these reasons, the committee concludes that the controlled and regulated use of freeway airspace would significantly benefit the District, and recommends prompt approval of this legislation.

The title was amended, so as to read: "A bill to authorize the Commissioner of the District of Columbia to lease airspace above and below freeway rights-of-way within the District of Columbia, and for other purposes."

USE OF PUBLIC SPACE

The Senate proceeded to consider the bill (S. 1246) to authorize the Commissioners of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under their jurisdiction, other than freeways, and for other purposes which had been reported from the Committee on the District of Columbia, with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "District of Columbia Public Space Utilization Act".

SEC. 2. The Congress finds that on occasion there is need within the District of Columbia for public space in, on, over, and under the streets and alleys to be used in a manner not inconsistent with the right of the general public to use such streets or alleys for purposes of travel, for the purpose of constructing in such space buildings or portions of buildings having for their purpose, either wholly or in principal part, the providing of essential public facilities, or to be utilized for governmental or business purposes. The Congress further finds that the use of such space, properly controlled and supervised by appropriate governmental agencies, will benefit the District and will provide an incentive for additional investment, particularly in the central business district. Accordingly, the Congress intends by this Act to authorize the Commissioner of the District of Columbia to lease space in, on, over, and under the streets and alleys of the District under his jurisdiction, other than freeways, or to use or permit the use of such space, for the purpose of constructing therein buildings or parts of buildings having for their purpose, either wholly or in principal part, the provision of essential public facilities, or to be used for governmental or business purposes, except that nothing herein contained shall be construed as being applicable to the use of public space (1) in accordance with the provisions of regulations promulgated under the authority of the first paragraph under the caption "District of Columbia" of the Act approved March 3, 1891 (26 Stat. 868), as amended (D.C. Code, sec. 5–204), (2) by a public utility company for the installation and maintenance of any of its equipment or facilities, under permit issued by the District, (3) under the authority of subsection (d) of the first section of the Act approved December 20, 1944 (58 Stat. 819), as amended (D.C. Code, sec. 1–244(d)), or (4) under the authority of section 7 of the Act approved September 1, 1916 (39 Stat. 716), as amended (D.C. Code, sec. 7–901).

SEC. 3. When used in this Act—

"Commissioner" means the Commissioner of the District of Columbia appointed pursuant to part III of Reorganization Plan Numbered 3 of 1967.

"District" means the District of Columbia.

"Freeway" means any limited access divided highway within the District.

"Public space" means so much of the space above, on, or below a street or alley as the Commissioner shall find is not needed for the purpose of travel by the general public.

"United States" means the Government of the United States or any department or agency thereof, including, without limitation, any agency established or authorized to be established by Act of Congress or by interstate compact to which consent of Congress is given.

"Council" means the Council established pursuant to part II of Reorganization Plan Numbered 3 of 1967.

SEC. 4. The Commissioner is hereby authorized to enter into leases for the use of public space located in, on, over, or under any of the streets or alleys in the District under his jurisdiction, other than freeways, to an extent not inconsistent with the use of such space by the general public for the purpose of travel. A lessee of public space under the authority of this Act shall be a person having a fee simple title in the real property abutting such public space on both sides of the street or alley in which such public space is located. Such leases shall impose such terms and conditions, including, but not limited to, the deposit of bond or other security, and payment of such rents or fees as the Commissioner may, in his discretion, determine to be necessary or desirable, which rents or fees may include amounts for the payment of taxes as if such public space were owned by the owner of the abutting privately owned property. Any such lease shall provide among other conditions (1) that such space shall not be used by the lessee in such manner as to deprive of its easements of light, air, and access any real property not owned or controlled by such lessee; (2) that such space shall be used by the lessee for the construction of a building, structure, or improvement to connect with any new or existing buildings, structures, or improvements, or portions thereof, located on the land owned by such lessees on both sides of the street or alley; (3) that there will be a clearance of at least sixteen feet between the recorded grade of the roadway of any such street or alley and the lowest portion of any building or other structure constructed over such space, not including the columns, if any, supporting such building or structure; and (4) that upon the expiration of the lease and any renewal thereof, any building or other structure which may have been constructed in such space shall, at the direction of the Commissioner or if required by the terms of the lease, be removed therefrom by and at the expense of the lessee or his successor in interest, and the public space shall be restored to the condition which obtained prior to the construction of such building or other structure, all to the satisfaction of the Commissioner. Each such lease shall include provisions particularly describing the real property abutting the leased public space and providing that the lessee covenants for himself, his heirs, successors, and assigns (1) that all the rights, duties, terms, conditions, agreements, and covenants set forth and contained in such lease shall run with the abutting real property owned by the lessee, and shall inure and apply to and bind the lessee, his heirs, legal representative, successors, and assigns, and (2) that each of the subsequent owners of the abutting real property shall assume and be bound by all of the terms and conditions of such lease, such covenants in each and every particular to run with the abutting real property and to be construed as real covenants running with the land, the intent thereof being to make the lessee and all persons succeeding to the interest of the lessee in the abutting real property equally liable, as principals, to all of the terms and conditions of the lease. Each such lease shall also include a requirement that the lessee will, at his expense, record a copy of the lease among the land records in the Office of the Recorder of Deeds of the District of Columbia.

SEC. 5. The Commissioner is authorized, with respect to property subject to the requirements of section 2 of the Act approved May 31, 1900 (31 Stat. 248; D.C. Code, sec. 7–117), to allow the same use to be made of such property as, under the authority of this Act, is to be made of the public space abutting such property and leased by the Commissioner under the authority of this Act. Any such use of such property may be authorized in the lease applicable to the abutting public space, and, if so authorized, shall be subject to the same conditions as are applicable to the use of the abutting public space leased under the authority of this Act, including, without limitation, the provisions of section 9.

SEC. 6. (a) The Commissioner shall not execute a lease authorized by this Act until the following actions have been taken:

(1) The Zoning Commission of the District of Columbia, after public hearing and after securing the advice and recommendations of the National Capital Planning Commission, shall have determined the use to be permitted in such space and shall have promulgated regulations pertaining thereto, including but not limited to, limitations and requirements respecting the height of any structure to be erected in such space, off-street parking and floor area ratio, which limitations and requirements shall be consistent with those applicable to the abutting privately owned properties. The provisions of section 10 of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 800; D.C. Code, sec. 5–422), shall be applicable to regulations made pursuant to this section and to violations of such regulations.

(2) The lessee shall have submitted to the Commissioner for his review and approval, plans, elevations, sections, and a scale model for any structure to be erected in such space, and a description of the texture, material, and method of construction of exterior walls.

(3) The lessee, with respect to any structure proposed to be constructed in an area subject to the Shipstead-Luce Act approved May 16, 1930 (46 Stat. 366), as amended (D.C. Code, secs. 5–410 and 411), or the Old Georgetown Act approved September 22, 1950 (64 Stat. 903; D.C. Code, title 5, chapter 8), shall have submitted to the Commission of Fine Arts for its review and approval, plans, elevation, sections and a scale model for such structure, and a description of the texture, material, and method of construction of exterior walls.

(4) The lessee, with respect to any structure proposed to be constructed in public space utilized or to be utilized for the construction and operation of a subway of the Washington Metropolitan Area Transit Authority shall have submitted to such agency for its review and approval the plans, elevations, sections, and a scale model of such structure.

(5) The Commissioner, with respect to any use proposed by a lessee for public space, the underlying title to which is in the United States, shall have consulted the General Services Administration concerning such proposed use.

(b) No permit for the construction of a building authorized by this Act to be constructed in such public space shall be issued by the Commissioner until he has received, in writing, to the extent required by this Act, the approvals of the Commission of Fine Arts and the Washington Metropolitan Area Transit Authority respecting the plans for the proposed structure: *Provided*, That if either of the said agencies fails to report to the Commissioner its approval or

disapproval of the plans for the proposed structure within sixty days from the date on which such plans were forwarded to it, such failure shall be deemed to constitute approval of the plans by such agency.

(c) Whenever the Commissioner shall find that there is any significant change in, or substantial modification of, the plans for the proposed structure after such plans have been approved in accordance with the requirements of the preceding subsections of this section and of sections 4 and 5, or if, after the construction of the structure, he finds there is any significant change in, or substantial modification of, the structure or the use made of it, each such change or modification shall be subject to being approved by the agencies specified in this section, as their interests may appear, in like manner as is set forth in subsections (a) and (b) of this section.

(d) The authority contained in section 4 shall be exercised by the Commissioner in furtherance of the comprehensive plan for the National Capital prepared pursuant to the National Capitol Planning Act of 1952 (40 U.S.C. 71).

SEC. 7. The cost of removing or relocating publicly owned and privately owned facilities in a street or alley, including, without limitation, waterlines and sewers, to the extent that any such removal or relocation is required in connection with the construction of a building in public space leased under the authority of this Act, shall not be borne by the District, but the cost of any such removal or relocation shall be defrayed by another or by others than the District in accordance with such arrangements as may be acceptable to the Commissioner and be approved by him in writing. The removal or relocation by the District of sewers and water lines, and the removal or relocation of any other facilities in such space, shall be in accordance with plans and schedules approved by the Commissioner.

SEC. 8. Except as provided in section 6, laws and regulations now or hereafter in effect in the District and applicable to the construction, use, and occupancy of buildings and premises, including, but not limited to, building, electrical, plumbing, housing, health, and fire regulations, shall be applicable to buildings, structures, and improvements constructed in public space leased under the authority of this Act.

SEC. 9. For the purposes of this Act, public space and buildings, structures, and improvements constructed or erected within such public space pursuant to a lease entered into under the authority of this Act shall be deemed to be real property and be liable to assessment and taxation as such from the beginning of the term or period of such lease. For the purposes of real property assessment and taxation, the value of such public space, other than any building, structure, or improvement constructed or erected therein, shall be deemed to be the value of the underlying land as if the same were not occupied and used for public purposes. No such tax shall be assessed with respect to any public space and buildings, structures, and improvements therein (1) occupied exclusively by the District or by the United States under an easement granted by the District (but nothing herein contained shall be construed to abrogate such agreement as the United States may have entered into, or may enter into, with the District with respect to making payments in lieu of real property taxes); or (2) occupied and used by one or more organizations exclusively for a purpose or for purposes which, under section 1 of the Act of December 24, 1942 (56 Stat. 1089), as amended (D.C. Code, sec. 47-801a), would entitle real property so occupied and used to be exempt from taxation. Except as otherwise provided in this section, for the purposes of this Act the provisions of law applicable to special assessments for public improvements and the provisions of law applicable to sanitary sewer service charges and to water service charges, shall be applicable with respect to public space and buildings, structures, and improvements therein used pursuant to a lease entered into with a lessee under the authority of section 4 of this Act. The leasehold interest in any public space so leased, including any building, structure, or improvement constructed or erected therein, shall, in cases of nonpayment of real property taxes, nonpayment of special assessments for public improvements, and nonpayment of sanitary sewer service or water service charges, be subject to sale by the District in accordance with the provisions of the Act approved February 28, 1898 (30 Stat. 250), as amended (D.C. Code, sec. 47-1001, et seq.): *Provided,* That the proceeds from such sale in excess of such delinquent taxes, assessments, or charges, or a combination thereof, including any interest, penalties, and costs relating thereto, shall be paid by the District to the lessee, or to such person as he may, in writing, designate.

SEC. 10. All collections, including rents and fees, received by the District pursuant to this Act shall be deposited in the Treasury of the United States in a trust fund which is hereby authorized and from which may be paid, in the same manner as is provided by law for other expenditures of the District, such expenditures as are necessary to carry out the purposes of this Act, including, without limitation, necessary expenses connected with the operation, maintenance, and disposition of property coming into the possession of the District by reason of default under leases entered into pursuant to this Act: *Provided,* That taxes (including payments in lieu of taxes), special assessments, and sanitary sewer and water service charges shall be deposited directly to the respective funds to which such revenues are normally deposited. The unobligated balance in such trust fund as of June 30 of any year which exceeds $100,000 shall be deposited in the Treasury to the credit of such special funds or the general fund of the District in such proportions as the Commissioner shall, in his discretion, determine.

SEC. 11. Upon the expiration of any lease entered into under the authority of this Act, or upon the expiration of any renewal of any such lease, or upon the termination of such lease resulting from the lessee's violation of its provisions or his failure to comply with its terms and conditions, the Commissioner is authorized to require observance of so much of the provisions of such lease as obligates the lessee or his successor in interest to remove any building or other structure constructed under the authority of such lease, and to restore the space formerly occupied by such building or other structure to its former condition, all to the satisfaction of the Commissioner, without cost to the District. Should such building or other structure not be so removed by the lessee or his successor in interest, the same shall be removed by the Commissioner, and the cost of such removal and the restoration to its former condition of the space formerly occupied by such building or other structure shall be assessed equally against the abutting properties as a tax, to be collected in like manner as is provided by section 6 of the Act approved March 1, 1899, as amended (D.C. Code, sec. 5-506).

SEC. 12. (a) The Council is authorized, after public hearing, to promulgate regulations to carry out the purposes of this Act.

(b) Any regulations adopted under the authority of this section may provide for the imposition of a fine of not more than $300 or imprisonment for not more than ninety days, or both such fine and imprisonment, for any violation of such regulations. Prosecutions for violations of regulations made pursuant to this section shall be conducted in the name of the District by the Corporation Counsel or any of his assistants.

(c) Whenever there exists any violation or failure to comply with regulations adopted under the authority of this Act, or regulations specified in section 8 of this Act, after notice of such violation or failure has been given by the Commissioner, each and every day such violation exists, or each and every day beyond a time limit set for compliance during which there is failure to comply fully with any of the said regulations or with orders issued pursuant to the authority contained therein, shall constitute a separate offense, and the penalty specified for the violation of such regulation shall be applicable to each such separate offense.

(d) The Commissioner is further authorized to maintain an action in the United States District Court for the District of Columbia to enjoin the continuing violation of any regulation adopted by the Council or by the Zoning Commission under the authority of this Act, or of any of the regulations referred to in section 8 of this Act.

SEC. 13. The Commissioner is hereby further authorized—

(a) to make or permit such use of public space in the District for any municipal purpose, including, without limitation, housing for low-income families, public welfare, public works, park, recreational, and vehicle parking as will not be detrimental to or impair the efficient use, operation, and maintenance of such public space; and

(b) to enter into contracts or agreements with the United States for the use of public space and for the purpose of receiving, or qualifying any permittee or lessee to receive, grants or other financial assistance under available Federal programs in connection with the construction, use, or operation of buildings, structures, and other things in such space.

SEC. 14. The United States and District of Columbia governments, without regard to the requirements of sections 4 through 11 of this Act, each are authorized to construct one or more buildings located partly on land owned by such governments and partly in public space, in, on, over, and under streets or alleys of the District of Columbia, subject to the following conditions:

(1) The government proposing to construct any such building shall have fee simple title to so much of the property on both sides of the street or alley as is to be occupied by those portions of such building not located within the area between the building lines of such street or alley.

(2) Such public space shall not be used by the government proposing to construct any such building in such manner as to deprive of its easements of light, air, and access any real property not owned or controlled by such government.

(3) The construction of any such building by the United States Government across a street or alley the title to which is in the District of Columbia shall be in accordance with an agreement between the Commissioner of the District of Columbia and the Administrator of General Services, whereby the Commissioner, subject to such terms and conditions as the Commissioner and the Administrator agree to include in the agreement, grant to the United States an easement to use the public space over and under such street or alley for the purpose of constructing therein a portion of a building, the remaining portions of which are to be located on both sides of such street or alley. They granting of such easement to the United States Government by the Commissioner shall, for the purpose of section 355 of the Revised Statutes of the United States, as amended (40 U.S.C. 255), be deemed to be sufficient and valid title in the United States to such portion of the building site as is located within the building lines of such street or alley.

(4) Prior to the use or permitting the use of public space, the underlying title of which is in the United States, the Commissioner of

the District of Columbia shall consult the General Services Administration.

(5) (a) In any case involving the construction of Federal public buildings within any public space made available to the United States pursuant to this Act, the provisions of section 16 of the Act of June 20, 1938 (52 Stat. 802), as amended (D.C. Code, sec. 5–428), shall be applicable to such construction.

(b) In any case involving the construction of any public building by any agency of the government of the District of Columbia within any public space made available to the District of Columbia pursuant to this Act, the provisions of section 16 of the Act of June 20, 1938 (52 Stat. 802), as amended (D.C. Code, sec. 5–428), shall be applicable to such construction in the same manner and to the same extent as provided under subsection 5(c) of the National Capital Planning Act of 1952, as amended (40 U.S.C. 71d(c)).

(6) The construction of any such building by the United States or the District of Columbia shall be subject to the review or approval of the National Capital Planning Commission to the extent that any such review or approval is required by the National Capital Planning Act of 1952, as amended (40 U.S.C. 71 et seq.).

(7) The construction of any such building by the United States or the District of Columbia shall be subject to the review or approval of the Commission of Fine Arts to the extent required by the Act approved May 16, 1930 (46 Stat. 366), as amended (D.C. Code, secs. 5–410 and 411), or the Act approved September 22, 1950 (64 Stat. 903; D.C. Code, title 5, chapter 8), as the case may be.

SEC. 15. Nothing in this Act shall be construed as modifying or superseding title 23, United States Code: *Provided*, That the use of public space under the authority of this Act shall not be deemed to deprive the District of its eligibility for financial assistance under any federally assisted program regardless of the fact that the District may, in the case of a privately owned building, receive rental for the use of such public space.

SEC. 16. If any provision of this Act or of the regulations promulgated under the authority of this Act is held invalid, such invalidity shall not affect other provisions either of this Act or of the said regulations which can be effected without the invalid provision, and to this end the provisions of this Act and the said regulations are separable.

SEC. 17. Appropriations to carry out the purposes of this Act are hereby authorized.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an except from the report (No. 922), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of S. 1246 is to grant authority to the District of Columbia government to make available through lease agreements the public space above and below city streets under its jurisdiction, to be used for the construction of buildings, portions of buildings, or other structures or improvements, and also to allow the use of such space for the construction of buildings by the United States and District Governments.

A hearing was conducted on S. 1246 by the Subcommittee on Business and Commerce on July 25 and 27, 1967.

NEED FOR THE LEGISLATION

In recent years the potentialities of a fuller utilization of space over and under city streets have become increasingly important to the orderly planning and development of urban areas. If properly controlled, the multipurpose use of air rights can lead to a more efficient and esthetic utilization of urban space. Many cities have already successfully utilized air rights for residential, commercial, and public purposes.

The benefits that could accrue to the District of Columbia by enactment of S. 1246 are substantial. By allowing broader and more flexible use of existing public space, significant incentives would be created for the investment of private capital in the rehabilitation and renewal of older sections of the city. Its provisions would particularly encourage investment in the rebuilding of the central business district of the city, where plans are already underway by at least one major department store for the utilization of public space in the expansion and development of its facilities.

The use of airspace over and under city streets makes possible the multipurpose and multilevel development of land within the city that would otherwise be withheld from productive use. This kind of development will create taxable property and property that generates additional taxes where none now exists. It will preserve the rapidly disappearing open spaces in and around the city by channeling the development pressure toward the central city, and it will foster compact urban development as an alternative to suburban sprawl!

Authorization for airspace construction over and under the streets of the District of Columbia will follow the trend, already noticed in other cities and being utilized extensively in new cities that are being built from the ground up, toward the evolution of a multilevel downtown core. The committee heard testimony that there is a growing recognition among leading architects and city planners that planning should not be two dimensional. Instead of having primarily "retail" areas, or "office" areas, or "government" areas, the tendency now is toward an all-purpose mix, utilizing multilevel construction. The committee agrees with the witnesses that urban planning for the District should focus on more efficient use of the existing space by such three-dimensional planning.

The committee has been assured that authorization for airspace construction does not necessarily lead to a depressingly dark and crowded downtown district. The spaces can be made beautiful by selective grouping of buildings and by imaginative use of natural and artificial lighting and trees and vines. Moreover, the restrictions contained in the bill, limiting airspace construction to those who own the land abutting on both sides of the street, and requiring approval by those agencies responsible for orderly planning, will assure that the authority to construct in airspace over city streets will not be abused.

Utilization of airspace over and under the Streets of the District of Columbia is not a completely new idea. There are many examples in existence today. Examples include Scott Circle, Thomas Circle, Dupont Circle, and Washington Circle, each of which involves a city street passing under a park. Other examples include the 12th Street underpass and the Liberty Loan Building which is actually an air rights building over the ramp that connects Maine Avenue with 14th Street. This ramp carries 6,000 vehicles a day. Still another example of airspace construction is the bridgelike structure connecting the U.S. Department of Agriculture buildings across Independence Avenue.

The committee foresees use of airspace over the District streets for a wide variety of purposes. In the downtown area where retail stores predominate, one large department store which has two buildings across the street from each other already has plans to connect the buildings by means of a bridgelike structure. Office and Government buildings and schools could be built to straddle the streets, and space over depressed roadways could be used for parks and recreation facilities or for other municipal purposes.

The title was amended so as to read: "A bill to authorize the Commissioner of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under his jurisdiction, other than freeways, and for other purposes."

BILL PASSED OVER

The bill (S. 1418) to make several changes in the passport laws presently in force was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MARSHALL COUNTY, IND.

The bill (H.R. 11542) for the relief of Marshall County, Ind., 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. 928), 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 the proposed legislation is to relieve Marshall County, Ind., of liability to the United States in the amount of $1,801.25, representing Federal civil defense matching funds advanced to the county in July 1961 in connection with the purchase of civil defense communications equipment made in the fiscal year preceding that in which the project application for the purchase was actually approved.

STATEMENT

The facts appear in the House report (No. 968) on H.R. 11542, as follows:

"The Department of the Army in its report to the committee on the bill stated that it had no objection to its enactment and recommended that the bill be amended to provide relief for Marshall County, Ind., which actually made the application in behalf of the town of Bremen, Ind.

"Marshall County, Ind., submitted a project application for financial assistance for the procurement of certain civil defense communications equipment. The application is dated September 9, 1960. The date of approval by the State is the same. The OCD regional director approved the application for the Federal Government on January 19, 1961.

"Subsequently, the State requested and received an 'advance' of funds in the amount of $2,235.50 for the Federal share of this procurement. Such advances are granted upon request only and prior to procurement under specified conditions as, for example, where the funds must be on hand at the time of procurement.

"It was ascertained subsequently that, in fact, Marshall County had issued a bid advertisement on March 14, 1960, and issued a purchase order for the equipment on April

15, 1960. This was prior to the date of approval of the project application and was in fiscal year 1960.

"The Comptroller General has ruled that project applications may not be approved where the procurement has occurred prior to the availability of the Federal appropriation sought to be charged (31 C.G. 308 B-106964, Jan. 17, 1952). Therefore, the funds available for fiscal year 1961, which was the only available appropriation, could not legally be used to contribute to the cost of this equipment.

"For this reason OCD made demand for the return of the advance. The $434.25 has been returned. The total amount due is $1,801.25.

"During 1960, the Congress amended the Federal Civil Defense Act to provide that retroactive financial contributions (many of them similar to this one) approved and made to the States prior to June 30, 1960, were ratified and affirmed (Public Law 87-390, 75 Stat. 820). This ratification, however, is not applicable to the instant case since the project application was not approved until January 1961.

"The communication equipment does meet a civil defense need. The only reason OCD has demanded return of the funds is because of the retroactive nature of the financial assistance. The Congress has in similar special cases in the past granted relief (see, for example, Public Law 87-241).

"The OCD contribution was made to Marshall County, Ind. Here there is no question but that the committee agrees that it is proper that it be amended to grant relief to the county rather than to the town of Bremen.

"In view of the position of the Department of the Army and in recognition that the circumstances of this case are such that this amount would have been paid had the procurement occurred in the year that the project application was approved, this committee recommends that the bill as amended be considered favorably."

After a review of all of the foregoing, the Senate concurs in the recommendation of the House of Representatives and recommends that the bill, H.R. 1542, be considered favorably.

CHARLES A. BUCKLEY POST OFFICE AND FEDERAL OFFICE BUILDING, NEW YORK

The bill (H.R. 13833) to provide that the post office and Federal office building to be constructed in Bronx, N.Y., shall be named the "Charles A. Buckley Post Office and Federal Office Building" in memory of the late Charles A. Buckley, a Member of the U.S. House of Representatives from the State of New York from 1935 through 1964, 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.), explaining the purposes of the bill.

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

GENERAL STATEMENT

Charles Anthony Buckley was born in New York City on June 23, 1890. He was educated in the schools of the Bronx and engaged in the building business in New York City for most of his adult life. He first was elected to public office in 1918 as a member of the board of aldermen of New York City, serving until 1923 when he resigned in his third term to accept appointment as State tax appraiser for the State of New York. He served as tax appraiser for 5½ years and then was appointed city chamberlain of the city of New York on January 3, 1929, and served in this capacity of chamberlain until his resignation on October 8, 1933. He was elected to the 74th Congress as a Member of the House of Representatives on November 6, 1934, and served consecutively for 30 years throughout the 88th Congress.

During his 30 years of service in the House of Representatives Charles A. Buckley became recognized as an expert in the fields of public works and also established a reputation as an outstanding leader of the liberal bloc of the House. He supported legislation throughout his career in Congress which he felt would be beneficial to the American public as a whole. He was one of the few men in the history of the Congress to serve 30 consecutive years in the House of Representatives.

He became chairman of the Committee on Public Works in the 82d Congress and continued his service as chairman through the 84th, 85th, 86th, 87th, and 88th Congresses. During his tenure as chairman and service with the committee such significant legislation came into being as the Federal-Aid Highway Act of 1956, the development of water pollution legislation, the Appalachian program, the Public Works Acceleration Act, as well as the full-scale development of the Federal building program through the Public Buildings Act of 1959. This was in addition to the many other projects in the fields of rivers and harbors, flood control, and in the great Tennessee Valley watershed that were authorized while Mr. Buckley was chairman.

POST OFFICE AND FEDERAL OFFICE BUILDING, BRONX, N.Y.

This post office and Federal office building, which is to be constructed in the Bronx, N.Y., was approved by the Committee on Public Works of the House of Representatives on July 31, 1963, and by the Committee on Public Works of the Senate on August 20, 1963. The construction of this post office and Federal office building will greatly enhance the activities of the Federal agencies serving the Bronx by consolidating their operation and by providing adequate and suitable office space. It is estimated that the total maximum cost for this new building will be $17,960,000.

The naming of the post office and Federal office building in the Bronx after the late Charles A. Buckley is a particularly unique honor, in the committee's opinion. The late Congressman Buckley was chairman of the Committee on Public Works when the committee authorized the construction of the Bronx Post Office and Federal office building.

COMMITTEE VIEWS

The committee believes it is highly fitting and proper to name the post office and Federal office building to be constructed in the Bronx N.Y. after this distinguished public servant. Charles A. Buckley served with vigor and integrity during his tenure in the Congress. He served his country and his fellow man to the best of his ability and the committee feels this would be a fitting tribute to Congressman Buckley's outstanding work during the many years he served his community, the Bronx, the State of New York, and the Nation as a U.S. Representative in Congress.

BILLS PASSED OVER

The bills (H.R. 13933) to amend section 103 of title 23, United States Code, to authorize modifictions or revisions in the interstate system; and (S. 1637) to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the TVA, were announced as next in order.

Mr. MANSFIELD. Mr. President, I ask that these bills go over.

The PRESIDING OFFICER. The bills will be passed over.

LAWS RELATING TO MEMBERS OF THE ARMED SERVICES

The bill (H.R. 8547) to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy Air Force, and Marine Corps, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

STORAGE OF HOUSEHOLD EFFECTS OF MEMBERS IN A MISSING STATUS

The bill (H.R. 12961) to amend title 37, United States Code, to authorize the nontemporary storage of household effects of members in a missing status 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. 932), explaining the purposes of the bill.

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

PURPOSE

This bill would permit the Secretary of a military department to authorize the storage for a period of 1 year or longer, if justified, of the household and personal effects of a member of the Armed Forces who is in a missing status.

EXPLANATION

Sections 406(b) and 554(b) of title 37, United States Code, entitle a member of the uniformed services who is in a missing status to the storage of household effects for not more than 180 days. In cases where a member is declared missing this maximum period of 180 days is often insufficient. In such circumstances the dependents suffer mental stress and indecision. In contrast to the law applicable to persons in a missing status, the law governing the storage of household effects for dependents of a member who has been declared dead permits storage for a period of 1 year.

Under this bill the Secretary concerned could authorize in individual cases a storage period of longer than 180 days when he considers this action necessary for a member who has been in a missing status for a period of 30 days or longer. The Secretary may authorize storage of household effects for a period of 1 year, or longer when there is justification.

COST

The Department of Defense estimates that the annual cost of the bill would be $124,000.

ACCUMULATION OF LEAVE

The Senate proceeded to consider the bill (H.R. 1341) to amend section 701 of title 10, United States Code, to authorize additional accumulation of leave in certain foreign areas, which had been reported from the Committee on Armed Services with an amendment on page 2, line 8, after the word "after", strike out "June 30, 1966" and insert "January 1, 1968".

The amendment was agreed to.

The amendment was ordered to be en-

grossed 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. 933), explaining the purpose of the bill.

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

PURPOSE

This bill would allow a member of the Armed Forces to accumulate more than 60 days of leave if the member has served more than 120 days in a foreign area where there is hostile activity.

EXPLANATION

Section 701 of title 10, United States Code, limits to 60 days the amount of leave that a member of an Armed Force may accumulate. This limitation has resulted in the loss of some leave by members of the Armed Forces serving in Vietnam. For instance, some members have built up their leave accruals to nearly 60 days. If these members are reassigned to Vietnam without there being time for them to take extension leave, which accrues at the rate of 2½ calendar days for each month of active service, it will result in an accumulation of more than 60 days.

Under this bill a member of the Armed Forces who has served more than 120 days in a foreign area where there is hostile activity could accrue up to 90 days of leave. The leave in excess of 60 days could be credited only for use and not for payment if not used. Accumulated leave in excess of 60 days would have to be used before the end of the fiscal year following the fiscal year in which service in the designated foreign area ends.

Because of the administrative problems involved if the bill were retroactive in effect, the committee recommends that its provisions be effective only beginning January 1, 1968.

COST

There should be no direct cost resulting from the enactment of this bill.

RELATING TO TRANSPORTATION OF HOUSE TRAILERS AND MOBILE DWELLINGS OF MEMBERS OF THE UNIFORMED SERVICES

The Senate proceeded to consider the bill (H.R. 3982) to amend section 409 of title 37, United States Code, relating to the transportation of house trailers and mobile dwellings of members of the uniformed services which had been reported from the Committee on Armed Services with an amendment to strike out all after the enacting clause and insert:

That the second sentence of section 409 of title 37, United States Code, is amended by striking out "51 cents" and inserting in lieu thereof "74 cents".

The amendment was agreed to.

The amendment was 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. 934), explaining the purposes of the bill.

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

PURPOSE OF THE AMENDMENT

The committee amendment in effect deletes the present ceiling of 51 cents per mile on the movement by commercial means of household trailers owned by military personnel on a permanent change of station and inserts a new ceiling of 74 cents per mile.

The purpose of the amendment is to recognize the need for an increase in the existing allowance for the movement of trailers but at the same time continue the maintenance of a specific monetary ceiling on the amount which may be paid by the Government for the transportation of household trailers or mobile dwellings by commercial means. In addition, the amendment deletes certain other liberalizing features of the House bill incidental to the movement of housetrailers.

EXISTING LAW

Existing law (sec 409 of title 37, United States Code limits the cost to the Government for moving housetrailers by commercial means to the lesser of (a) the current average cost for commercial transportation; (b) 51 cents a mile; or (c) the cost of transporting the baggage and household effects of the member or his dependents plus the amount of a dislocation allowance.

BILL AS PASSED BY HOUSE

The bill as passed by the House would—

(*a*) Remove the present limitation of 51 cents per mile payable for transporting trailers when the Government makes arrangements by commercial means for this transportation;

(*b*) Permit the payment of a dislocation allowance when a trailer is moved at Government expense;

(*c*) Permit a member of a uniformed service to ship both a trailer and household goods and baggage when the member is ordered overseas or returns from overseas;

(*d*) Limit the allowable cost of moving the trailer to what it would cost the Government to move the maximum weight of household goods and baggage for a person of the same military grade;

(*e*) Allow the member to be reimbursed for tolls, charges, and permit fees when the Government does not arrange for the transportation by commercial means and the member makes his own personal arrangements.

DISCUSSION OF SENATE COMMITTEE AMENDMENT

The committee would like to make the following observation with respect to the committee amendment:

(1) The committee recognizes the need for some relief with respect to the current ceiling of 51 cents per mile in the movement of the household trailers. The current information is that this allowance is inadequate in many instances. At the same time, the committee is unwilling to liberalize the trailer allowance provisions to the extent recommended by the House bill. The House version, in providing for a ceiling equal to the cost of the movement of the maximum weight allowance for household goods and baggage for a person of the same military grade, removes any specific monetary ceiling on what the Government will pay per mile for the movement of household trailers. The Senate has previously rejected similar legislation passed by the House.

(2) The maintenance of a monetary ceiling of 74 cents per mile represents a continuation of the legislative policy which has existed since the enactment of the original trailer allowance provision in 1955. A monetary ceiling, first enacted in the 1955 act, was 20 cents per mile; subsequent amendments increased the ceiling to 36 cents, and later to 51 cents which is current law.

(3) The Department of the Army has advised that under the statutory ceiling of 74 cents per mile, more than 90 percent of the trailer owners would be fully reimbursed for the cost of moving their household trailers. The monetary ceiling should therefore cause no hardship on the overwhelming percentage of military personnel who own trailers.

(4) The increasing cost of moving household trailers could place the Government in a position of paying more than the cost of the trailer itself after reimbursing the owners for a limited number of trailer movements. Under such circumstances, in the interest of economy and efficiency, a case could be made that the best interests of the Government might be to maintain the trailers in place rather than to pay for their constant movement with each permanent change of station.

As examples of the current cost of transporting housetrailers, the cost at 74 cents per mile would be as follows for the cited locations

Fort Bragg, N.C., to Fort Knox, Ky	$445
Fort Leavenworth, Kans., to San Francisco, Calif	1,357
Fort Lorton, Wash., to Fort McPherson, Ga.	1,920
Westover AFB, Mass., to McClellan AFB, Calif	2,197

For trailers in the larger category of 12 feet 6 inches in width, movements from the east coast to the west coast exceed $3,000 one way.

These circumstances underscore the need for a reasonable monetary ceiling.

(5) With respect to the deletion of the provision providing for the reimbursement for tolls and permit fees, it should be observed that this precedent has not yet been extended for certain other types of military travel. Moreover, certain toll and fee arrangements are included in the computation of the newly proposed ceiling of 74 cents per mile.

With respect to the deleted proposal for authorizing a dislocation allowance in addition to the trailer allowance, the committee was not convinced that the normal dislocation expense exists to the same degree for trailer owners as for the nontrailer owners. The Military Pay Act of 1955 initially did not extend the dislocation allowance to those who became entitled to the allowance for the movement of their household trailers.

AUTHORIZED STRENGTHS BY GRADE FOR MEDICAL AND DENTAL OFFICERS

The Senate proceeded to consider the bill (H.R. 10242) to amend title 10, United States Code, relating to the authorized strengths by grade for medical and dental officers on active duty in the Army, Navy, and Air Force which had been reported from the Committee on Armed Services with amendments on page 1, line 10, after the word "grades", strike out "above captain" and insert "below brigadier general"; on page 2, line 14, after the word "grades", strike out "above lieutenant, and" and insert "below rear admiral, and"; and on page 3, line 5, after the word "grades', strike out "above captain" and insert "below brigadier general".

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. 935), explaining the purposes of the bill.

There being no objection, the excerpt

was ordered to be printed in the RECORD, as follows:

EXPLANATION OF AMENDMENTS

The amendments limit the effect of the bill to the grades of colonel or equivalent and below.

PURPOSE

This bill would authorize the establishment of a common and improved promotion system for Medical and Dental Corps officers of the Army, Navy, and Air Force under which the grades held by such officers would not count against the officer grade authorizations applicable to these military departments.

EXPLANATION

The authorized officer strength of the military departments is fixed by law. These authorizations apply to all officers irrespective of whether they are in the line or staff corps. Consequently, the promotion opportunity for all officers has ordinarily been uniform. The military departments therefore must choose between offering the same promotion opportunity to medical officers as is afforded line officers or giving medical officers special promotion opportunity and at the same time reducing the promotion opportunity of line officers by a comparable degree. Usually the military departments have chosen the first alternative.

The following three examples illustrate the kinds of problems that occur under current practices:

Under existing law and policies of the departments, it is not unusual for an officer who has completed 3 or 4 years of residency training in a specialty, and who has then practiced in that specialty and successfully passed a written and oral examination by a national board, to have the same military grade as a physician who has just graduated from medical school and who is serving a military internship.

Secondly, the medical corps of the Army is 35 percent below the strength it considers necessary in the grade of colonel. Yet, the physicians who are now filling colonel positions as lieutenant colonels are subject to a promotion board selection rate under which less than one-half of those in the eligible zone may be selected for promotion, regardless of their qualifications and the vacancies existing in the higher grade.

Third, there are wide fluctuations in time-in-grade requirements both within a service and among the services. These fluctuations make it difficult for a prospective medical officer to have a clear indication of career opportunities. For example, Medical Corps officers in the Navy are now being promoted to captain approximately 5 years before the time their contemporaries in the Army Medical Corps are being promoted to colonel.

Under this bill the Secretary of Defense would prescribe regulations for the military departments to follow in establishing a new promotion system for physicians. These regulations are intended to assure that medical officers of one service are afforded an opportunity to be considered for promotion at the same career service points and with the same selection opportunities as medical officers of the other services.

MEDICAL OFFICER RETENTION PROBLEMS

The losses of career medical officers have exceeded gains for each of the last 5 fiscal years. During fiscal year 1967, the losses of career medical officers amounted to 735. This represented a loss of 27 percent of the total career medical force in 1 year.

The tabulations that follow show the Medical Corps officers on active duty, the career Medical Corps officer losses, and the career Medical Corps officer gains for the last 6 fiscal years.

MEDICAL CORPS OFFICERS ON ACTIVE DUTY

	DOD total	Army	Navy	Air Force
Career [1]	2,716	1,012	983	721
Noncareer	12,033	5,291	3,347	3,395
Total	14,749	6,303	4,330	4,116
Career officers as percent of total	18	16	23	17

[1] Those with 8 or more years of active Federal service as of June 30, 1967.

DOD REGULAR COMPONENT MEDICAL CORPS GAINS

	Fiscal year 1962	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965	Fiscal year 1966	Fiscal year 1967 [1]
Army	175	142	116	183	203	164
Navy	270	219	242	115	140	193
Air Force	28	48	140	122	148	180
Total	473	409	498	420	491	537

[1] Estimated.

CAREER MEDICAL CORPS OFFICER LOSSES

	Fiscal year 1961	Fiscal year 1962	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965	Fiscal year 1966	Fiscal year 1967
Resignations	222	174	401	393	427	349	545
Retirements	99	89	95	137	119	192	190
Total	321	263	496	530	546	541	735

This bill is only one of several actions the Department of Defense has proposed to improve the retention of career medical officers. Another action directed toward the retention of more career military physicians is the provision for continuation pay that is included in the Uniformed Services Pay Act of 1967. Under the continuation pay concept, the Secretaries of the Departments would have permissive authority to pay medical officers who agree to remain on active duty beyond their period of obligated service as much as 4 months of basic pay for each additional year the physician agrees to remain on active duty.

Although the bill is broad enough to apply to Dental Corps officers, the Department of Defense informed the committee that it does not intend to extend the provisions of the bill to dental officers, because the retention problems for officers of the Dental Corps are not nearly so severe as those for officers of the Medical Corps. While the Department had to place a selective service call for more than 2,000 physicians during the summer of 1967, there was no such call for Dental Corps officers. In fact, the number of Dental Corps officers volunteering for active duty in the summer exceeded the requirements of the Departments. Moreover, the median annual income (after office expenses and before taxes) for physicians is reported to exceed that of dentists by approximately $11,000 annually. And, finally, in contrast to the 27-percent loss figure mentioned earlier as having been experienced for career medical officers last year, the dental losses for that year amounted to only 5 percent. Consequently, the committee understands that this bill will not be applied to Dental Corps officers under current circumstances.

COST

If this bill is enacted approximately 1,300 Medical Corps officers who would not otherwise be promoted during fiscal year 1968 will be promoted. The cost of these promotions is estimated to be $2 million. The future annual cost should be approximately $500,000.

Mr. MANSFIELD. That concludes the call of the calendar, Mr. President.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

THE NATIONAL ANTHEM

Mr. LAUSCHE. Mr. President, I have received a letter from station WIRO in Ironton, Ohio. In the letter the writer complains about a supposed rule adopted by the Department of Defense which prohibits the playing of the national anthem as a prelude to the presentation of films that are shown by it to military personnel.

The writer is disturbed about this supposed new rule. He writes to me to ask what I know about it. Mr. President, the only information I have on the subject is what is contained in his letter.

Mr. President, the following is a report issued by the National Sojourners, a patriotic organization, dealing with the subject:

It has come to the attention of this chapter that the National Anthem is no longer being played as part of the opening portion of motion pictures presented at theaters on this post, and that the practice has been discontinued by the Army and Air Force Motion Picture Service. Upon querying responsible officials, it was found that this change affected all theaters under jurisdiction of the Army and Air Force Motion Picture Service (AAFMPS). A representative of the AAFMPS Western Division was purported to have stated that the National Anthem was deleted because of recent occurrences of adverse audience reaction to the short ceremony, and that they served no useful purpose, although this reason cannot be verified at this level.

Mr. President, I do not know whether the charge is true. If it is true, it is incomprehensible to me. It is simply shocking to think that the Department of Defense would discontinue playing the

national anthem as a prelude to the showing of moving pictures issued by the Department of Defense because there have been some adverse reactions by irresponsible young men to the playing thereof.

If the charge is true it means a surrender of Government to rioters; and it means supremacy of the lawless and the abandonment of authority by those in whom authority has been vested by law and the Constitution.

I cannot bring myself to the belief that in our country the time has come when the Government does not dare play the national anthem as a part of the opening portion of motion pictures it distributes. I contemplate making inquiry of the Department of Defense as to the actual facts.

Mr. President, in the letter which I have received from radio station WIRO, the writer makes mention of Stokely Carmichael, another instance of the lawless governing and the elected administrators being obedient and subservient to the Carmichaels and Rap Browns.

Mr. President, I listened to Mr. Katzenbach on television yesterday morning. He gave an explanation as to why Carmichael could not be prosecuted under the passport laws. Then he added a sentence at the conclusion of his remarks to the effect he did not know whether there are other facts which might make Carmichael amenable to criminal prosecution, and that he was not speaking upon that item.

There is no graver responsibility resting with the Department of Justice in these times than to use the law, whenever it has been violated, to bring the perpetrators to the bar of justice. I regrettably state that in my opinion the Department of Justice is not fulfilling that responsibility.

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

Mr. LAUSCHE. I yield.

Mr. STENNIS. Mr. President, I heartily commend the Senator for bringing to the attention of the Senate the situation he mentioned in connection with our National Anthem. It is shocking and unbelievable that that could happen.

I am glad that the Senator is going to check further to ascertain the facts. The Senator renders a service when he presents this matter.

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

Mr. LAUSCHE. I yield.

Mr. BYRD of West Virginia. Mr. President, I congratulate the Senator on the statement, and I share his views.

Mr. LAUSCHE. I thank the Senator.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection?

There being no objection, the Senate proceeded to consider executive business.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of John T. Curtin, to be U.S. district judge for the western district of New York.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

John T. Vance, of Montana, and Richard W. Yarborough, of Texas, to be Commissioners of the Indian Claims Commission;

Jerome K. Kuykendall, of Virginia, to be a Commissioner of the Indian Claims Commission; and

Max N. Edwards, of New Mexico, to be an Assistant Secretary of the Interior.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Sixty-three postmaster nominations.

LEGISLATIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

SOCIAL SECURITY AMENDMENTS OF 1967—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, a point of order. Under the rules, does the conference report on H.R. 12080 automatically come down at this point, or must I make a motion?

The PRESIDING OFFICER. Not until after 2 hours have expired following the convening of the Senate.

Mr. LONG of Louisiana. Mr. President, I move that the conference report on H.R. 12080 be laid before the Senate.

The PRESIDING OFFICER. The clerk will state it.

The LEGISLATIVE CLERK. A bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The question now is on adoption of the conference report.

The motion was agreed to.

Mr. LONG of Louisiana. I move that the vote by which the conference report was agreed to be reconsidered.

Mr. BYRD of West Virginia and Mr. DIRKSEN moved to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. STENNIS. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. Because there was no recorded vote on adoption of the conference report, I have asked the Senator to yield to me for a very brief statement, to let me say that I think the conferees did an excellent job in working out the differences in the House and Senate versions of the bill.

I said, when the bill passed the Senate, that I would vote against it but if certain conditions were met and reductions made, to be frank about it, I hoped to support the bill that came from the conference committee. I highly commend the conferees and I do support the measure that has just been brought before the Senate. Had there been a rollcall vote on it, I would have supported it and would have spoken in support of the position taken by the Senator from Louisiana.

Mr. LONG of Louisiana. Let me say to the distinguished Senator that so far as I am concerned, I would have had severe doubt about voting for that bill the way it passed the Senate, had I not known that the House conferees were not going to give billions of dollars which were lowered into the bill when there were no taxes to pay for it. That would have been irresponsible. That is probably what tilted the Senator's vote against the bill. I knew, of course, that when we talked to the House, they would automatically take the view that if we did not provide the money to pay for it, they would not take the amendments.

Naturally, if those amendments are offered with no funds to pay for them, they automatically go by the board, and they will not consider them. We reduced the cost of it because it was necessary to make the bill financially responsible. I believe that the Senator will agree that after he has thoroughly studied it, he will say that it is a good bill.

Mr. STENNIS. I do agree, and I commend the Senator again for a long, hard job on a very difficult bill, handling himself and the bill in an excellent way.

Mr. COTTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. I join the distinguished Senator from Mississippi not only for myself, but also for the Senator from Vermont [Mr. PROUTY] who is, as the Senator knows, absent because of illness. The Senator from Vermont has been deeply interested in this whole social security problem. I join in commending the distinguished Senator from Louisiana and his associate conferees in doing the very best possible job they could, to uphold the wishes of the Senate, and to save the bill.

This year, Congress has taken care of many of the needs of our people. It has taken care of raising military pay. It

has taken care of raising the pay of our civilian employees in consonance with the cost of living. It has taken care of foreign aid. It has taken care of and made appropriations and authorizations for the poverty program. It has appropriated money for model cities. It has gone down the line for the American people.

If we, in this session of Congress, went home and left the social security bill hanging in the air, it would mean that we had failed our elderly retirees, many of whom are living under great difficulty today with the social security payments which they receive.

That is why I commend the Senator from Louisiana. I wanted this bill to be a little different. I wanted a higher rate for those getting the minimum. I wanted $70 a month for them. I thought it was highly important. But the most important thing is that we do not go home from this Chamber without having taken care of those who are obliged to live on social security.

Once more, I congratulate the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I thank the distinguished Senator from New Hampshire. Let me say that this bill provides for the largest increase in cash benefits of any social security bill in the history of the United States. It is necessary, because, since the last social security bill was passed, the cost of living has gone up 8 percent, yet those on social security have had their meager income reduced by that 8 percent. This will be a guaranteed 13-percent increase. It will overcome the increase in the cost of living. Also, the fact is, benefits never were really fully adequate to meet the needs of our people. Now 24 million of our older people can get the help they need. Many of them have exhausted their medicare benefits. This will give them 45 more days, with $20 deductible, which will be more meaningful for those who have used up their medicare benefits—those who need it most—because with the smallest check, the percentage increase is biggest—a 25-percent increase, if they were living on a pitiful check. I would like to make it $70. I would like to have all sorts of needs taken care of. We took care of first things first. We took care of the most disadvantaged group—24 million of our older people—who will be benefited. Every social security retiree will be benefited under the bill.

Mr. MANSFIELD. Mr. President, I was unavoidably absent from the Senate Chamber when, like a flash of lightning, the conference report on the social security bill was agreed to.

What was done is fully within the rules and regulations and procedures of the Senate, but I think the way it was done raises a most serious question so far as the rights of any individual Senator are concerned.

I am not on the side of those who had intended to talk on the conference report. I felt that what they were doing was unwise. I was in favor of the conference report. I have said I intended to make a speech to that effect today, even though it has some deficiencies which I abhor and which I would hope could be corrected, but, so far as the conference report as a whole was concerned, we were faced with accepting it or having nothing at all.

In my judgment, the Senate should have approved it and should have then sought, next year, through various ways and means, either in Congress or in considering the feelings of interested people in various parts of the country, in that way to create a sentiment which would bring about the necessary modifications.

I want to compliment the distinguished Senator from Louisiana, the deputy majority leader, and the conferees on both sides for doing what they could to get the best possible bill out of the committee. And it is a good bill, a very good bill in many respects, because it gives 24 million of our elderly citizens a 13-percent increase in benefits. It increases medicare by 60 days. It extends the hospitalization benefits. And there are other aspects of it which make the bill, despite its deficiencies, a meritorious and necessary one at this time, with the needs of the oldsters and the others being taken into careful consideration.

But, Mr. President, there is such a thing as decorum and dignity in this body. There is such a thing as the right of every single individual Senator, regardless of his views, being protected; and I would like at this time, because I think in this instance this group of Senators has been treated most unfairly, to ask unanimous consent that this conference report be reconsidered.

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I speak in this regard not as assistant majority leader; I speak as the chairman of the Senate conferees and the chairman of the Senate Committee on Finance—I am well on notice that some Senators did not intend to permit us to vote on this conference report in this session, which means we would have to go back and tell these fine old people—24 million of them—that they would have to go without their social security increase.

Frankly, I have done a lot of filibustering in my day. One thing we know about filibustering—if you do not want the Senate to vote, you had better start talking or engage in some dilatory tactic, otherwise, the Senate is going to vote. When I came here I was taught by men like Alben Barkley, who used to bring down that gavel so fast it would make your head swim.

We had three consecutive votes. Any Senator could have suggested the absence of a quorum or started talking, or have done anything he wanted to do. I have served in the Senate for almost 20 years. I have served under Republican leaders and under Democratic leaders of this body, and those with whom I have served have taken the view that if you have a filibuster on your hands, you had better break it if you can. One way to break a filibuster is to vote when you have a chance to vote.

Mr. MANSFIELD. Mr. President, will the Senator yield there?

Mr. LONG of Louisiana. Yes.

Mr. MANSFIELD. May I say I had intended to stay in session until this bill was disposed of. May I say I was even considering fairly seriously the possibility of invoking cloture in an effort to bring this debate to an end. May I say that when the leader is called out on official business, he ought to be given some consideration because of his responsibilities as far as this whole body is concerned. And had I been here, I would have objected, and the Senator from Louisiana, who is deputy majority leader at the same time he is chairman of the committee, I believe would recognize that fact. I must apologize for not being here, but I just could not be here. I had an official call I had delayed.

But I do ask, in behalf of the rights of these few Senators, that this matter be reconsidered. I am hopeful if it is—although I have no assurances—that the debate will not be too long and, if possible, we will be able to get to a vote this week or, if need be, next week. I would not object to coming in at 8 o'clock in the morning and staying until 12 o'clock to give them a chance to dramatize their case. I have told Senators and others who have advocated it that there would be no round-the-clock session. But I do think they are entitled to be heard. They have not been heard except haphazardly and incidentally. They do not have the votes and they will not have the votes under any circumstances at all, in December or January, to stop the acceptance of this conference report.

So I hope, in view of the unusual situation which has developed, that the proper consideration will be given to these Senators. May I say that if it were only one Senator and I were opposed to him completely, 100 percent, I would ask for the same consideration under conditions of this sort.

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

Mr. MANSFIELD. I yield——

Mr. LONG of Louisiana. Mr. President, I believe I have the floor.

Mr. MANSFIELD. I had the floor.

The PRESIDING OFFICER. The Senator from Montana has the floor. To whom does the Senator from Montana yield?

Mr. LONG of Louisiana. If the Senator will yield to me——

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. I would say to the Senator that if the majority leader had made a commitment to someone who wanted to oppose the conference report that he was going to prevent this matter from coming to a vote until he or they were here to prevent it from coming to a vote, that would put this in a different light.

Mr. MANSFIELD. I made no such commitment, but I feel I have an obligation.

Mr. LONG of Louisiana. I would be willing to permit a motion to reconsider to be entered. I am not willing to go beyond that point because to do so means, if we are forced to resort to a cloture motion, it would require a two-thirds vote, whereas a motion to reconsider would permit us the opportunity for debate, and we could have a vote between now and New Year's because if a motion to table were made, it would not

be debatable. I have no objection to adopting that position. I do object to this bill, involving the hopes and needs of retirees and 24 million social security beneficiaries, being killed by dilatory tactics.

If the Senator would be content that we would agree that a motion to reconsider would be in order, then I would not object to such a motion being entered.

Mr. MANSFIELD. May I say I am on the same side as the distinguished Senator from Louisiana, chairman of the committee which reported the conference report; and I would hope that, regardless of our personal feelings, we would have a chance to reconsider. I know the feelings of a number of Senators on both sides of this measure, and I appreciate their feelings, and I sympathize with all of them. But there does come a time when we do have to recognize that any individual Senator, let alone any group, no matter how small or how large, should be given the full protection of the Senate. I would hope that, regardless of our feelings, we would allow a reconsideration of the matter at this time because of the unusual situation which has developed.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that a motion to reconsider may be in order.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN and Mr. COTTON addressed the Chair.

Mr. DIRKSEN. Mr. President, there was a unanimous-consent request by the distinguished majority leader, and obviously the deputy majority leader cannot present his request until that is first acted on.

Mr. LONG of Louisiana. Mr. President, I object to the first one, and I ask unanimous consent that a motion to reconsider might be in order.

Mr. COTTON. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. COTTON. Mr. President, reserving the right to object, I agree with the distinguished majority leader, of course, that it is the duty of every Senator to try to guard and protect the rights of every other Senator. But when the conference report was adopted on a voice vote, there were on the floor of the Senate Senators who represent the majority leadership, even though the distinguished leader himself could not be called to the Chamber at the time. All the other officials were in the Chamber. I saw also in the Chamber, Senators who are interested in delaying, if not defeating, the adoption of the conference report. The matter was, as has been stated by the Senator from Louisiana, the subject of three voice votes.

I speak as a Senator who had intended to object and to vote against laying aside the conference report or to taking up any other business until we had acted upon the report. I speak as one who feels that after Congress has provided for many segments of the population, it would be sad and a disgrace to go home and leave the recipients of social security hanging on a thread, dependent on what might happen next year. Speaking as one who intended to make certain that action was taken, I suggest that we meet halfway the Senators who oppose the conference report.

I sat in my chair last night, prepared to sit there for an hour. But those who wish to debate and express their views against the conference report did not choose to do so, and the Senate adjourned in 10 minutes.

I certainly join the majority leader in not wanting to see any Senator deprived of his chance to be heard. But there is certainly ground for suspicion that the purpose of those Senators is, in the last hours of this session, to debate until such time as the conference report is not acted upon.

If they want unanimous consent to have the Senate rescind the action that was taken on the floor of the Senate—and certainly I would be anxious not to impinge upon their rights—then let us have a quorum call and obtain a unanimous-consent agreement that if the action by which the conference report was agreed to is rescinded, there be a limitation of debate, the time to be long enough to enable them to be heard, before we vote again. If the vote is rescinded without that kind of arrangement, it will be highly questionable, indeed, whether the Senate will have a chance to vote on the conference report.

If the Senate is to agree to rescind its action, it would seem to me to be fair that those Senators who have inadvertently lost their opportunity should first agree that there shall be some limitation on debate. I do not care whether it be 4 hours, 10 hours, a day, a day and a half, or even 2 days. But I think we should have a unanimous-consent agreement to vote on this matter. If we do not, I am afraid I shall be constrained to object even to the request of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I hope the Senator understands that the request I made is that a motion, which is debatable, would be in order, so that in due course, at such time as the Senate felt that there had been adequate opportunity for everyone to be heard and express his views, we could proceed to a vote.

Mr. PASTORE. Mr. President, just a word.

First, I wish to say this: All of us have just as much interest in children under 21 as we have in our "golden agers" above 65. All of us who are interested in the elimination of the freeze are naturally for the increase in social security. I do not think any Senator, in good conscience, even though we cannot achieve our purpose of eliminating the freeze, would wish to do anything to balk or stop this very necessary increase to our elderly citizens under social security. So I say the idea of a filibuster can be banished from everyone's mind, because I do not think there will be a filibuster at all.

However, I do quite agree with my good friend from New Hampshire, who is a very reasonable man, that we ought to have some kind of an understanding here to vote at a time certain; whether it should be 5 o'clock today, 12 o'clock tomorrow, or 5 o'clock tomorrow I do not know and do not care, as long as we can obtain that assurance for anyone who even imagines there might be a filibuster in process here, so that that apprehension can be eliminated completely from our thoughts.

But I do wish to call to the attention of the leadership that it has been my unfortunate responsibility—and I use those words most advisedly—for the last 2 or 3 years, to manage both the foreign aid bill and the supplemental appropriation bill, which are usually the last two bills considered by Congress. There has been a lot of talk in the newspapers—and I hope that I might have the attention of Senators who are in private conversation; I hope I am not wasting my time—about adjournment fever.

Realizing the fact that Congress wants to adjourn sine die on Friday night, we have been working night and day, not only on the foreign aid bill but also on the poverty bill. Now we have resolved the foreign aid bill. We agreed with the House conferees yesterday afternoon, and in all probability the matter will come to the Senate for consideration either today or tomorrow.

In the meantime, we have just reported out the poverty bill. Not only do we have to go through the process of consideration on the Senate floor, we have to meet in conference, the House has to accept the report of that conference, and then the conference report must come back to the Senate for action.

I ask only this: Let us agree on a time certain to vote on this social security bill, but at the same time allot to my committee 2 or 3 hours to resolve on the floor the poverty bill, so that we can go to conference, and then all we shall have pending before the Senate will be four reports, and I think we can all get out of here by 5 o'clock tomorrow night.

But if I am going to be required to wait here and wait here, and then, after the Senate gets through with this hassle, go through the process of bringing up the poverty bill, then go over to the House of Representatives and hold our conference, and then come back here, I announce to the Senate now that I have no intention of staying here Saturday, and if we do not get it done by Friday, we will have to go over until next week, my patience is now at a breaking point.

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

Mr. PASTORE. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. What the Senator says is correct; and, if I may have the attention of the distinguished minority leader, the distinguished Senator from Delaware [Mr. WILLIAMS], the distinguished Senator from New Hampshire [Mr. COTTON], the manager of the bill, the distinguished Senator from Oklahoma [Mr. HARRIS], the distinguished Senator from Maryland [Mr. TYDINGS], and the distinguished Senator from Rhode Island [Mr. PASTORE], I ask the Senator from New Hampshire, would he withdraw his reservation or qualification if I could give him assurance—which I am giving in the utmost good faith—that the vote on the pending conference report will take place at 11 o'clock tomorrow, Friday, morning?

I make this request after discussing the matter. I think it brings this situation to a head. It will protect the rights of the Senators who are raising questions about the conference report, and I think it will meet the feelings of the great majority of the Senate, if this could be agreed to and a reconsideration brought about.

Mr. COTTON. Mr. President, I have little doubt in my mind that the distinguished majority leader would be able to fulfill his perfectly sincere assurance—but, Mr. President, I do have that little doubt. I have been here too long and seen too many recalcitrant Senators come on the floor who were not present when an assurance was given. I cannot see why the distinguished majority leader cannot make his request for a unanimous-consent agreement to vote at whatever hour he designates on Friday, and if that consent is obtained, then, of course, we can all be perfectly sure.

Mr. MANSFIELD. Mr. President, just to emphasize what the distinguished Senator from Louisiana has already said, I ask unanimous consent that the vote on the conference report which has just been agreed to by the Senate, be reconsidered, and that another vote on the conference report take place at 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Before that unanimous-consent request can be considered, the unanimous-consent request of the Senator from Louisiana will have to be withdrawn or acted upon.

Mr. LONG of Louisiana. I withdraw it. Mr. President, I ask unanimous consent that I might amend my request to provide that a motion to reconsider be in order, and that if that motion to reconsider be agreed to, that the Senate agree, by unanimous consent, that we will vote on the conference report at 11 a.m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered; and that the vote on the adoption of the conference report occur tomorrow at 11 a.m.

The unanimous-consent agreement was subsequently reduced to writing, as follows:

Ordered, That the Senate proceed to vote on the adoption of the conference report on H.R. 12080, Social Security Amendments of 1967, at 11 o'clock a.m., Friday, December 15, 1967.

(This order was subsequently modified to provide for the vote to be had at 11:30 a.m.)

Mr. TYDINGS. Mr. President, for the record, the failure to object at the time of the passage of the conference report was my error and my mistake.

I take full responsibility for what happened. I was standing at my seat in the rear of the Chamber after the morning hour waiting to be recognized for the purpose of opposing the adoption of the conference report. It was my understanding that an agreement had been reached to take up the matter of the consideration of the supplemental appropriations before the social security conference report. Naturally, had I realized that the report being slipped through was the social security conference, I would have objected. I mistakenly assumed the majority whip was passing the supplemental appropriation which I supported.

To that extent, I think that the Senator from Oklahoma [Mr. HARRIS] and others should be protected from any responsibility to detect this unusual tactic. Unfortunately, in this great deliberative body, at times one learns the hard way. I will be a little older and a little wiser because of the error and I will certainly use better judgment in the future in my reliance on certain traditions and customs of the Senate.

It took 30 seconds after the morning hour for the conference report to be moved through.

Mr. LONG of Louisiana. Mr. President, when I was serving my first term, I was filibustering the Basing Point bill. The then Senator from Illinois, Mr. Douglas, and I made a motion to reconsider when the chairman had put the motion on the conference report. And we were able to obtain agreement that we would debate the motion to reconsider which was subject to a motion to table. It was subject to a motion to reconsider, and we were in a position that we had to permit the matter to come to a vote when, as far as I was concerned, they had every intention of filibustering that bill to death.

There is nothing at all new about someone losing some of his parliamentary rights because of his failure to object or to start speaking when a measure comes before the Senate.

It has happened to me.

Mr. TYDINGS. Mr. President, for the RECORD, I did not intend, nor did any of my associates, to filibuster this matter. I have a speech of some 1½ hours duration the substance of which I have delivered before, but which I had hoped to deliver again. Now that we have a unanimous-consent agreement, I hope that I will have that opportunity. I merely wanted to point out where the responsibility lay as far as the failure to object is concerned.

Mr. LONG of Louisiana. Mr. President, I agreed to the unanimous-consent request in order to accommodate other Senators. I will not be here tomorrow to vote on that conference report, because I have made longstanding commitments that require me to be in Louisiana. However, to accommodate other Senators, I was willing to agree to a unanimous-consent request so that other Senators could make their speeches.

I trust the good judgment of the Senate, even though I will not be here to respond to their arguments. I am confident that the conference report will be agreed to. Everybody can make his speech and the Senate can vote on the matter tomorrow.

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

Mr. LONG of Louisiana. I yield.

Mr. BYRD of West Virginia. Mr. President, I made the motion to table the motion to reconsider a little while ago in the normal course of things, as we do ordinarily when a motion to reconsider is made. We normally make a motion to table that motion.

My motion to table the motion to reconsider was made as we ordinarily make it and without any thought or desire to shut off those who wish to delay action on the conference report.

The failure of the Senator from Maryland to object does not reflect any discredit on him. There was a good bit of moving about and talking in the Senate Chamber. I do not think the Senator from Maryland heard or was aware of what was taking place.

I am glad we have been able to work this matter out so that all Senators will have an opportunity to express their feeling and we will have an opportunity to get on with the work of the Senate.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the conference report on the social security bill.

SUPPLEMENTAL APPROPRIATIONS, 1968

Mr. PASTORE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 924, H.R. 14397, the supplemental appropriation bill.

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

The BILL CLERK. A bill (H.R. 14397) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with amendments.

Mr. PASTORE. Mr. President, without losing my right to the floor, I suggest the absence of a quorum so that word will go abroad as to what we are considering.

The PRESIDING OFFICER. (Mr. YOUNG of Ohio in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PASTORE. 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. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. The supplemental appropriations bill.

Mr. PASTORE. The House reported the supplemental appropriations bill, 1968 (H.R. 14397), the morning of Tuesday, December 12, and passed the bill that afternoon. The Senate subcommittee commenced taking testimony on Tuesday afternoon and concluded yesterday, December 13.

In executive session yesterday afternoon, the committee recommendations were made, as summarized in Senate Re-

port No. 938, including explanations of all items in the bill. Briefly, these items include the provisions of $1,980,000,000 for the Office of Economic Opportunity. The amount recommended is the total authorized in the recently approved authorization act. The House version of the bill would have provided $1,612,500,000.

The committee recommendations also include the provision of $64,985,000 for Appalachian regional development programs, and administrative expenses, which is the full budget estimate and $10,278,500 above the House bill.

Other major adjustments recommended by the committee include $2,800,000 for plans for the James Madison Memorial Building. There has also been added to the bill by the committee $17,247,269 for claims and judgments rendered by the Indian Claims Committee. Additional items relating to the Senate amounting to $278,040 are detailed in the report.

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

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

CHAPTER I

Independent offices

Appalachian Regional Commission

Salaries and expenses

Appropriation, 1967	$1,100,000
1968 estimate	785,000
House allowance	706,500
Committee recommendation	785,000

Restoration of $78,500 is recommended by the committee, to provide the full amount of the budget estimate of $785,000 for salaries and expenses of the Appalachian Regional Commission, to cover the expenses of the Federal Cochairman and his staff and the Federal share of the cost of supporting staff. The Committee is advised that a large portion of the matching funds from the States involved has already been paid into the trust fund.

Funds Appropriated to the President

Appalachian regional development programs

Appropriations for 1965, 1966, and 1967 to Agriculture, Commerce, Corps of Engineers, Health, Education and Welfare, and Interior totaled	$164,630,000
Authorization in Public Law 90-103 for 1968 and 1969	170,000,000
1968 budget estimate	[1] 60,000,000
House allowance	54,000,000
Committee recommendation	64,200,000

[1] Excludes $4,200,000 previously considered as budget estimates in other appropriation bills.

Restoration of $10,200,000 is recommended by the committee, to provide the full amount of the original budget estimate of $64,200,000 for the Appalachian regional development programs, now funded through appropriation to the President and distributed to projects approved by the Commission.

The committee agrees with the House that inadequate housing, lack of education and illiteracy are all matters of urgency which are being attacked in this program; that the third year funding of the Appalachian program here provided is directed to meeting these problems, alleviating rural poverty, and developing the region; and that the program, although in its incipiency, has shown that it can make a major contribution in meeting these challenges.

The highway portion of the program was previously funded in the regular bill at $70 million instead of the budget estimate of $100 million.

CHAPTER II

Department of the Interior

Office of Saline Water

Salaries and expenses

Appropriation, 1968	$7,500,000
Supplemental request	[1] 13,482,000
House allowance	10,000,000
Committee recommendation	10,000,000

[1] Included in H. Doc. 15, pt. 1, 90th Cong., 1st sess., 1967.

The committee recommends an appropriation of $10 million, the same as the allowance of the House of Representatives and $3,482,000 less than the budget estimate. The amount recommended is within the authorized appropriation ceiling which was increased by Public Law 90-30, June 24, 1967, after passage of the fiscal year 1968 appropriation act.

The additional amount is necessary now in order to permit a reasonable program to be continued, and to avoid closing down projects currently underway and programed for continued funding during the remainder of fiscal year 1968.

Public Land Law Review Commission

Salaries and expenses

Appropriation, 1968	$860,000
Supplemental estimate	None
House allowance	2,200,000
Committee recommendation	2,200,000

The committee recommends an appropriation of $2,200,000 for studies and contract costs. These funds were not included in the fiscal year 1968 budget request because the work program was not then sufficiently developed to prepare a sound estimate of needs, and the committee was so advised at the 1968 hearings. Recently enacted legislation requires that the report of the Commission be submitted to the President and to the Congress by June 30, 1970, and that the Commission shall cease to exist at the end of that year.

CHAPTER III

Executive Office of the President

Office of Economic Opportunity

Economic opportunity program

1967 appropriation	$1,687,500,000
1968 budget estimate	2,060,000,000
1968 authorization	1,980,000,000
House allowance	1,612,500,000
Committee recommendation	1,980,000,000

The committee recommends an appropriation of $1,980 million, the full amount authorized, an increase of $367,500,000 over the House allowance and $292,500,000 over the 1967 appropriation, and a decrease of $80 million below the budget estimate.

The Director of the Office of Economic Opportunity testified that an appropriation of $1,788 million for fiscal year 1968 will be necessary to maintain current programs at the 1967 level. He further stated that an appropriation of $1,788 million will not provide funds for the following:

Special summer programs: $75 million supplemental appropriation for 1967.

Headstart-Followthrough: $120 million budget estimate.

Emergency food and medical services: $25 million authorization.

Rural and urban slum impact programs: $60 million authorization.

Small business technical aid: $10 million authorization.

Day Care: $25 million authorization.

The committee figure of $1,980 million is to be distributed by program in accordance with the authorization act.

The committee strongly suggests that at the earliest possible date, and whenever feasible, the scattered areas being served by large, single-purpose statewide Headstart operations be converted into the several local community, or area, biracial community action program operations.

The Office of Economic Opportunity is directed to examine, reexamine and keep its programs under constant evaluation with a view toward weeding out programs that are inefficient and replacing them with either proven or new programs which are more promising. The committee strongly feels that much greater concentration can be directed toward the worst areas of poverty. The committee is to be kept informed.

CHAPTER IV

Legislative Branch

Senate

Salaries, officers and employees

Office of the Secretary

The committee recommends the inclusion of language in the bill, which will fix the compensation of the Assistant Reporter of Debates at not to exceed $17,860 gross per annum. The purpose of this language is to give the Secretary of the Senate necessary discretion in the initial compensation paid to any future appointee to the position of Assistant Reporter of Debates.

Administrative and clerical assistants to Senators

The committee recommends the inclusion of language in the bill which will increase the clerk-hire allowance of each Senator from the State of Indiana and each Senator from the State of New Jersey. These increases have been made by the committee in view of the increase in the population of these States, Indiana moving into the population-size category of 5 and 6 million, and New Jersey moving into the population-size category of 7 and 8 million. No funds have been included in the bill for this purpose since it is expected that there are sufficient funds available in this account at the present time.

Contingent Expenses of the Senate

Folding documents

For the appropriation, "Folding documents," the committee recommends the amount of $8,000 for additional funds to finance the activities of the Service Department, made necessary by the late adjournment of the Congress. The committee was informed that the workload in the Department has been exceedingly heavy during the past months, and it is anticipated that it will increase markedly early in the next calendar year.

Postage stamps

The increased postage rate bill, recently approved by the Congress, increases the airmail postage rate from 8 cents to 10 cents. The current allowances for airmail and special delivery stamps are $800 for Senators from States east of the Mississippi and $1,000 for Senators from States west of the Mississippi. In order to provide for this increased rate, it will be necessary to raise the respective allowances to $960 and $1,200 a year. The committee, therefore, recommends the additional sum of $9,040 to cover this increased cost for the remainder of the fiscal year.

Architect of the Capitol

Capitol Buildings and Grounds

Extension of the Capitol

The committee concurs in the allowance of the House of Representatives for $135,000, by transfer, for necessary emergency repair work on the west central front of the Capitol, which has shown increasing signs of deterioration. The Committee for the Extension of the Capitol, after receipt of an engineering report, has approved the following work on the west front:

(1) Putting temporary posts of heavy tim-

bers under the remaining unsupported architrave stones of the portico;

(2) Installing additional shoring and bracing to the old Senate and House sections;

(3) Repointing joints, filling cracks, and repainting the stone masonry to protect it against weathering, and establishing points for observation of movement of the structure and recording the location of same.

The funds allowed will make it possible for the repair work to begin in the spring of 1968.

Senate Office Buildings

For Senate Office Buildings, the committee recommends a total of $231,000, as follows: $123,000 for changes and improvements in the telephone exchange, New Senate Office Building; $83,000 for remodeling a portion of the vacated telephone exchange; and $25,000 to provide a special room for a magnetic tape addressing system in the New Senate Office Building.

The first two items result from the installation of the new Centrex telephone system. Temporary facilities required for the initial switching to this new system have been provided from available funds but permanent changes and improvements will be financed by this appropriation. In addition, the area in the New Senate Office Building formerly required for the telephone exchange will be greatly reduced, and it has been estimated that this vacated space can be remodeled into 13 rooms for the use of Senators and their staffs. Under a remodeling plan approved by the Committee on Rules and Administration, the following areas would be provided:

One Senator's suite consisting of five rooms;

One Senator's suite consisting of six rooms; and

Two connecting odd rooms, to be assigned to the same use.

The committee was informed that this work would begin next spring upon completion of the primary work in the telephone exchange, mentioned above.

The $25,000 allowed will provide for preparation of a special room to house a new system, which has been approved by the Committee on Rules and Administration, for addressing high-volume mail for Members of the Senate. The equipment for this purpose must be housed in space which provides independently controlled temperature and humidity and is dust free. Shock-free flooring, extensive acoustical treatment, and independent electrical circuitry are also required.

Pay of Superintendent of the Senate Office Buildings

Under the Supplemental Appropriation Act, 1966, the salary of the Superintendent of the Senate Office Buildings was established at a base rate of $7,700 per annum. That base yields a gross annual compensation of $21,231. That gross would be increased by 4½ percent, or $955, in the pay bill recently approved by the Congress, to a total of $22,186.

In the pay bill (H.R. 7977), the base pay of five other key employees of the Architect of the Capitol (including the Superintendent of the House Office Buildings) was increased from $7,700 to $8,200 per annum. No change, however, was made in the base pay of the Superintendent of the Senate Office Buildings, who is currently receiving the same pay as these five employees.

In order to correct this discrepancy, the committee recommends the inclusion of the following provision:

ADMINISTRATIVE PROVISION

The second paragraph under the heading "Senate Office Buildings" in the Supplemental Appropriation Act, 1966 (79 Stat. 1147), is amended by striking out "$7,700" and inserting in lieu thereof "$8,200".

This change, together with the 4½ percent provided under the pay bill, would yield a gross salary of $23,634 per annum, the same as that of the Superintendent of the House Office Buildings.

The chairman of the Senate Committee on Rules and Administration and the Architect of the Capitol recommend this increase in salary for the Superintendent of the Senate Office Buildings.

LIBRARY BUILDINGS AND GROUNDS

Library of Congress, James Madison Memorial Building

The committee recommends an appropriation of $2,800,000 for preparation of final plans for a new building for the Library.

Testimony before the committee established that the Library of Congress is now authorized to spend more than $880,000 annually for rented space outside the two library buildings and that this expenditure of public funds could be stopped upon occupancy of the new building. The committee was advised further that the cost of constructing the new building is escalating at the rate of over $2 million a year. Thus for each year of delay in beginning the final planning and construction, a total of more than $2,880,000 is being lost with no tangible return except the temporary space being provided for the Library in widely dispersed locations.

Under these circumstances and in view of the well established, urgent need for the building, the committee considers the appropriation of $2.8 million at this time an exercise of prudent judgment.

CHAPTER V

Claims and judgments

The committee recommends an appropriation of $17,247,269 to pay a number of Indian Claims Commission awards which have been finalized. This money is due the Indians concerned, and is needed to pay expenses incurred in prosecution of the claims the incident to determining distribution of the awards.

CHAPTER VI

General provisions

Section 602

The committee recommends a provision which will give the Corps of Engineers the necessary authority to proceed with sponsorship of construction of the airport at Kelley Flats, Mont. This airport project would be utilizing funds for the Corps of Engineers, local interests, and the Federal Aviation Administration, providing a permanent facility benefiting all interests.

Mr. PASTORE. Mr. President, the bill totals $2,077,510,309, which is $398,073,809 over the House bill but $43,274,691 under the budget estimates.

Mr. President, although this bill was reported by the House on Tuesday, December 12, was passed that afternoon, and we of the Senate committee began taking testimony the same afternoon and concluded yesterday, December 13, I want the Senate and the people at large to understand that all parties concerned were heard. Every item was gone into exhaustively. No one need have any fear about that. A conscientious job does not depend upon the time that is devoted to a problem. It is the quality of the devotion that counts. The members of the committee met, questions were asked, answers were given, and I am ready at this time to answer any question from anybody on anything contained in this appropriation.

Mr. President, at this time I ask unanimous consent that the committee amendments be considered en bloc, without prejudice to any amendments being made thereto or to the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 10, strike out "$706,500" and insert "$785,000".

On page 2, at the beginning of line 18, strike out "$54,000,000" and insert "$64,200,000".

On page 3, line 10, after the word "amended," strike out "$1,612,500,000" and insert "$1,980,000,000".

On page 4, after line 11, insert:

"SENATE

"Salaries of officers and employees

"Administrative and Clerical Assistants to Senators

"Effective January 1, 1968, the clerk hire allowance of each Senator from the State of Indiana shall be increased to that allowed Senators from States having a population of five million, the population of said State having exceeded five million inhabitants; and that the clerk hire allowance of each Senator from the State of New Jersey shall be increased to that allowed Senators from States having a population of seven million, the population of said State having exceeded seven million inhabitants."

At the top of page 5, insert:

"OFFICE OF THE SECRETARY

"Effective January 1, 1968, the Secretary may fix the compensation of the assistant reporter of debates at not to exceed $17,860 gross per annum."

On page 5, after line 4, insert:

"CONTINGENT EXPENSES OF THE SENATE

"Folding documents

"For an additional amount for 'Folding Documents', $8,000."

On page 5, after line 8, insert:

"POSTAGE STAMPS

"For an additional amount for airmail and special delivery stamps for Senators and the President of the Senate, $9,040: *Provided*, That the President of the Senate and each Senator from a State east of the Mississipi River shall be allowed an additional $80, and each Senator from a State west of the Mississippi River shall be allowed an additional $100."

On page 6, after line 6, insert:

"SENATE OFFICE BUILDINGS

"For an additional amount for 'Senate Office Buildings', $231,000, to remain available until expended."

On page 6, after line 9, insert:

"LIBRARY BUILDINGS AND GROUNDS

"Library of Congress James Madison Memorial Building

"For an additional amount for 'Library of Congress James Madison Memorial Building,' $2,800,000, to remain available until expended."

On page 6, after line 15, insert:

"ADMINISTRATION PROVISION

"The second paragraph under the heading 'Senate Office Buildings' in the Supplemental Appropriation Act, 1966 (79 Stat. 1147), is amended by striking out '$7,700' and inserting in lieu thereof '$8,200'."

On page 6, after line 20, insert:

"CHAPTER V—CLAIMS AND JUDGMENTS

"For payment of Indian Claims Commission awards in Indian Claims Commission Docket numbered 220, awarded February 14, 1967; in Docket numbered 314–E, awarded July 18, 1967; in Dockets numbered 142, 359, 360, 361, 362, and 363 (excluding the general accounting claim denominated

'Second Claim' in the first amended petition in Docket numbered 363), awarded July 25, 1967; in Dockets numbered 177, 181A, and 181B, awarded September 7, 1967; and in Docket numbered 316, awarded September 29, 1967, $17,247,269, together with such amounts as may be necessary to pay interest (as and when specified in said claims or provided by law): *Provided,* That no award herein appropriated for shall be paid until it shall become final and conclusive against the United States by failure of the parties to appeal or otherwise: *Provided further,* That unless otherwise specifically required by law, payment of interest wherever appropriated for herein shall not continue for more than thirty days after the date of approval of this Act."

On page 7, line 16, change the chapter number from "V" to "VI".

On page 7, line 17, in the heading strike out "Provision" and insert "Provisions".

On page 7, at the beginning of line 18, change the section number from "501" to "601".

On page 7, after line 20, insert a new section, as follows:

"SEC. 602. Funds heretofore appropriated to the Department of the Army for the Libby Dam and Reservoir project in Montana may be used in an amount not to exceed $140,000 in participation with local interests and the Federal Aviation Administration for the construction of an airport facility at Kelley Flats, Montana, in a manner deemed appropriate by the Chief of Engineers."

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

Mr. PASTORE. I yield.

Mr. CLARK. Mr. President, I should like to congratulate the Senator from Rhode Island on a magnificent job as chairman of the subcommittee which has brought this supplemental appropriations bill to the floor.

I am almost speechless in my admiration for the sound tactics and strategy by which he brought the entire amount of the 1968 authorization of $1,980,000,000 for the Office of Economic Opportunity through his committee and to the floor.

I note with special pleasure the comments on page 4 of the report, where it is pointed out succinctly why this entire sum is desperately needed for the poverty program. I ask unanimous consent that the discussion and the figures under the heading on page 4, "Executive Office of the President, Office of Economic Opportunity, Economic Opportunity Program," be printed in full at this point in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Economic Opportunity

Economic Opportunity Program

1967 appropriation	$1,687,500,000
1968 budget estimate	2,060,000,000
1968 authorization	1,980,000,000
House allowance	1,612,500,000
Committee recommendation	1,980,000,000

The committee recommends an appropriation of $1,980 million, the full amount authorized, an increase of $367,500,000 over the House allowance and $292,500,000 over the 1967 appropriation, and a decrease of $80 million below the budget estimate.

The Director of the Office of Economic Opportunity testified that an appropriation of $1,788 million for fiscal year 1968 will be necessary to maintain current programs at the 1967 level. He further stated that an appropriation of $1,788 million will not provide funds for the following:

Special summer programs: $75 million supplemental appropriation for 1967.

Headstart-Followthrough: $120 million budget estimate.

Emergency food and medical services: $25 million authorization.

Rural and urban slum impact programs: $60 million authorization.

Small business technical aid: $10 million authorization.

Day Care: $25 million authorization.

The committee figure of $1,980 million is to be distributed by program in accordance with the authorization act.

The committee strongly suggests that at the earliest possible date, and whenever feasible, the scattered areas being served by large, single-purpose statewide Headstart operations be converted into the several local community, or area, biracial community action program operations.

The Office of Economic Opportunity is directed to examine, reexamine and keep its programs under constant evaluation with a view toward weeding out programs that are inefficient and replacing them with either proven or new programs which are more promising. The committee strongly feels that much greater concentration can be directed toward the worst areas of poverty. The committee is to be kept informed.

Mr. CLARK. I hope that no effort will be made to cut back the recommendation of the committee. Having had this problem as probably my own major senatorial responsibility this year, as the chairman of the Subcommittee on Manpower, Employment, and Poverty, and having, to the extent possible, shepherded the authorization bill through the subcommittee, the full committee, the floor, and then through conference, I can say without hesitation that every nickel of this money is desperately needed to help solve the problem of almost 30 million Americans who are living in a state of poverty at the moment.

I understand that the Senator from New York, who is a valued member of the Appropriations Committee, will engage in a colloquy with the Senator from Rhode Island with respect to some of the earmarking which appeared in the House-passed bill; and, as the chairman of the legislative committee, I should like to wish him success in his efforts.

One of the items we believed most important in the Senate committee dealing with the authorization was to hold the earmarking to an absolute minimum, and also to give as much flexibility and local authority as possible to the community action agencies across the country which, by and large, with some exceptions, are doing a fine job in carrying out the intent of Congress.

Mr. President, I close by again congratulating the distinguished Senator from Rhode Island for a superb job.

Mr. JAVITS. Mr. President, I shall be very brief, because I believe Senator PASTORE has done an extraordinary service for our Nation. We often permit these matters to pass with the banal words "a fine job." This is an extraordinary service to the Nation, and for this reason: Senator PASTORE has convinced the Appropriations Committee of the wise course, as this problem will have to be settled in conference, the Senate should consider a poverty appropriation bill at the full amount of the authorization which was arrived at after the most considered deliberation.

Considering the time available, it is extraordinary that so much thought has gone into what was done and into the statements which are here reflected, and it is best that the matter be left now with that directive, following the authorization bill, to our chief negotiator—to wit, Senator PASTORE.

I do not intend, Mr. President, by anything I say or do, to change that basic strategy, which I believe is extremely sound and is a great credit to the Senator from Rhode Island and what makes him one of our really great Members.

Mr. President, the key issues are very well stated, and they are two: The other body, acting in that kind of twilight zone of congressional procedure, has sought to do something which is not in the authorization legislation and which, if put in the appropriation bill, would have been subject to a point of order and to the requirement of a two-thirds vote, and so forth—to wit, earmark the funds appropriated in a way which is not reflected in the authorization bill. They have sought to do that in the report. I refer specifically to the report on the supplemental appropriation bill for 1968, as made to the other body.

Mr. President, by putting this in the report you put it beyond the reach of amendment and you put it beyond the reach of being affected in any way at all except by some other report or legislative history.

It amounts to an injunction to the administering agency that will incur the displeasure of the legislative committee in the other body, and perhaps of the other body itself for all we know, although we cannot tell as this was not susceptible to action on the floor of the House.

Our approach, as shown by the report, and this was the subject of statement of the distinguished Senator from Pennsylvania [Mr. CLARK] a few months ago, provides that the amount of money which is ultimately arrived at "is to be distributed by program in accordance with the authorization act." That means to all programs, whether they be essentially old programs such as community action or special impact or small business assistance or new programs such as day care.

There is also pointed out in our report what is elementary commonsense. Our committee states that the OEO should be constantly evaluating its programs and it should weed out those programs which are inefficient and replace them with new or proven programs which are more promising. There are a number of rewritten or new programs in the authorizing legislation which give the Director a range of directives.

For example, there is a meeting now in session in the conference room of the Committee on Agriculture, being presided over by the Administrator of the Small Business Administration with directors of small business development centers from the slums and ghettos all over the United States.

I had the honor to arrange for that meeting myself in which the Adminis-

trator of the Small Business Administration is seeking to develop with the directors of these small business development centers the best business assistance program for people who live in the slum areas. This program, which is a rewrite of an old program, aims at people who are able to go into business themselves and who could be helped in going into business for themselves by being given technical assistance.

This is the kind of creativity and revision which is needed in this program. There is also a great interest in the legislative committee in a bill which originated with the distinguished Senator from Mississippi [Mr. STENNIS] to provide emergency food and medical services in the amount of $25 million, since we had found there was starvation in some areas of the United States—which was absolutely unbelievable to us.

With the help of the distinguished Senator from Mississippi [Mr. STENNIS] and the help of many other legislators of good will, we have developed an emergency approach for that problem.

I now wish to ask the distinguished Senator from Rhode Island [Mr. PASTORE], if he feels free to answer, and I know full well his views on the subject, whether he feels the kind of directive he has in our report to be the more sensible business approach, based upon an evaluation of the worth of all programs. Then, I wish to ask the Senator whether he feels the effort in the report of the other body to earmark very large sums, well over $1 billion, is not binding on the Director of the OEO, in view of the fact that the Senate has now taken a different and, I think, far more businesslike course.

Mr. PASTORE. Mr. President, turning to page 5 of our report, we use the following language:

> The committee figure of $1,980,000,000 is to be distributed by program in accordance with the authorization act.

This is in direct refutation of the language used in the House report.

It has been brought to my attention that, since the writing of the House report, there has been some conversation with the administration and the members of the House Committee on Appropriations—and I am not saying there is an understanding—but I think there is an inclination toward an understanding that it could do some harm.

Therefore, we, in our report, vitiated that. We will go into conference and talk about it and I do not think we will have much trouble.

The Senator is correct. If you handcuff the hands of the administration by picking out a few favorite programs, and they are good and popular programs, and say, "Here you cannot cut," and then you do make another cut so far as the overall authorization, you are going to suffocate other programs, especially this program initiated by our distinguished friend, the Senator from Mississippi [Mr. STENNIS], to feed the hungry.

This is a sad paradox in our great country. We are the most affluent society in the world. Mankind has never known the affluence America enjoys today. What a sad commentary on our progress that we have 90 million people in America who live on the edge of poverty, and that we have great pockets of population in our country where children go to bed at night crying because they are hungry. One would not believe that unless he heard the testimony.

Mr. JAVITS. Mr. President, there is one other point which bears exactly on this line of discussion.

Does not the Senator from Rhode Island feel that the sentence he has read—and he used exactly the right word in terms of legislative intent in saying it would vitiate what was done in the other body—is also to be read with the last paragraph which asks the Director to feel free to weed out what is not working and substitute programs that will work, and that these two provisions must be read together?

Mr. PASTORE. The Senator is correct, and that is made clear in the report. That was the suggestion of our distinguished colleague, the Senator from Maine [Mrs. SMITH], who is quite disturbed over the fact that sometimes we do have a program that is not going along as well as it should and not doing the work it was intended it might do. In that case I do not think we should remain steadfast. We should have the courage, good judgment, and judiciousness to stop that kind of program and get into what serves the people in the objectives of the entire program.

Mr. JAVITS. Mr. President, I point out one very key area in which that philosophy would obtain, which would please many Members here and in the other body. I refer to dealing with rural poverty. One of the major aspects we had impressed upon us was that there is enormous rural poverty. It will be noted that one of the programs which the Director is to undertake is under the heading of the rural and urban slum impact program, for which there is an authorization of $60 million.

Finally, the committee in the other body said:

> It definitely is not the intention of the committee to supplement this appropriation at a later date.

Our report does not say that. I do not contemplate nor does anyone contemplate that we yield any initiative or right to do or not to do whatever we think is deserved by a supplemental. To prevent that now after what we experienced last summer, and to say that is not to be done, is to behave like an ostrich.

Again, I must say that the wise and businesslike approach taken by our committee stands in marked contrast in this respect to what was said in the other body.

Mr. President, I do not think there is any question about the need for money. The antipoverty program is one of the most noble our country has ever undertaken. I happen to be uniquely identified with it because I am the ranking minority member on the Committee on Labor and Public Welfare which deals with the question legislatively, I am a member of the Subcommittee on Investigations of the Government Operations Committee, which is investigating riots and violence, and I am also a member of the Appropriations Committee which worked closely with our beloved chairman, the Senator from Rhode Island [Mr. PASTORE].

I must say that, most objectively, the approach taken by the Senate is something which is as deeply gratifying to me as anything I have encountered in all my Senate service. I attribute this most heavily to the wisdom of the members of the committee and to the outstanding leadership of its chairman, the Senator from Rhode Island [Mr. PASTORE].

Mr. President, I yield the floor.

AIRPORT AT KELLEY FLATS, MONT.

Mr. MANSFIELD. Mr. President, the language in this bill which applies to an airport facility at Kelley Flats, Mont., to support the Libby Dam and Reservoir project is provided to insure that the Federal Government receives the greatest tangible return from its expenditures.

The facts simply stated are as follows:

The Corps of Engineers needs an airstrip at Libby Dam for survey and inspection operations, supply missions, and management control. Congress has appropriated $132,300 toward the construction costs of this airport. For that amount, the Corps of Engineers can build an inadequate unsurfaced airport, without lights, capable of handling aircraft no larger than 16,500 pounds wheel load capacity.

This airport will be built on rented land, thus requiring additional Federal expenditures. Maintenance costs will be borne by the Corps of Engineers during its entire use and after approximately 7 years, the airport will be abandoned.

The proposed alternative is to allow the Corps of Engineers to participate with the Federal Aviation Administration and the local Montana community by expending the same $132,300 on an airport that will meet FAA specifications. It will be longer, wider, paved, lighted, and will certainly be safer.

All operation and maintenance costs of this airport would be borne by the local people. This is estimated to cost $10,000 per year. The Federal Government will receive free use of the facility for 100 years.

This proposal will provide a facility from which dependable scheduled air service can operate, thereby greatly reducing the ground transportation costs for Government agencies involved. This service alone will save an estimated $200,000 during the construction of the dam, according to the Corps of Engineers. It will provide a reliable air medical evacuation facility which will greatly reduce contractor insurance costs and Government costs. I might add that Government contractors will be required to pay the usual fees and charges to use the proposed airport.

In other words, the Government can probably recoup its entire investment from savings of appropriated funds during the dam construction if it has access to a modern airport.

Under this proposal, the Corps of Engineers will contribute its $132,300; the Federal Aviation Administration will grant 53 percent of the total final construction costs, and the local community will contribute approximately $40,000 for construction costs, as well as assuming the responsibility for maintenance and

operation of the field at a cost of $10,000 per year.

This measure will not require the appropriation of one additional cent. An airfield will be constructed at the damsite, and an airfield will be constructed for the community at some future date. The Federal Government will have a substantial investment in both fields. Is it not wiser to recognize that by authorizing only one airfield at this time which will effect substantial savings for the Government is far more responsible than to allow construction of an airfield which will not produce savings at the dam and which will be abandoned in less than 10 years?

If we are sincerely interested in fiscal responsibility, this language can be defended under the closest scrutiny. I submit that the drawbacks to this project are that it is too logical, it will produce substantial savings, it will cost the Government less in the long run, it will provide a safe, modern airport which will meet FAA specifications, and it will cost less money than will be spent on a temporary dirt strip, to be abandoned later, in addition to an airport which must be built to serve this growing area.

Incidentally, the population of Libby is closer to 14,000 rather than 2,800 as was stated during the debate in the House when this was last considered several months ago.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. 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. WILLIAMS of Delaware. Mr. President, I send an amendment to the desk and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 3, line 11, to strike out "$1,980,000,000" and insert in lieu thereof "$1,612,500,000".

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, while a sufficient number of Senators are present, I ask for the yeas and nays on final passage of the bill.

The yeas and nays on passage were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I shall delay the Senate but a very few moments. The purpose of the amendment is to reduce the item for the Office of Economic Opportunity back to the amount approved by the House. The House allowed $1,612,500,000. The Senate committee would increase this amount by $367,500,000. The purpose of this amendment is to roll that figure back to the level of the House figure.

While it is true that during the course of consideration of other appropriation bills this year the appropriations have been reduced somewhat below the budget requests in many instances, nevertheless the Senate has an almost perfect score of having opposed many of these reductions. In fact, the Senate raised each appropriation bill above the amount approved by the House. I think the Senate, particularly in these late hours, has a responsibility to hold the line.

The President of the United States is suggesting that we should have a 10-percent increase in taxes in order to control inflation and to bring the fiscal position of the Government under better control. It is estimated that without a tax increase the deficit will be $22 billion to $24 billion. Even with a tax increase next year—and that is as soon as it can be obtained—the deficit will be $15 billion to $17 billion. This is an average of $1.5 billion a month that the Government is spending more than it is taking in.

Inflation is not merely a threat in this country; inflation is a reality, as evidenced by the cost of living and the cost of any item one happens to buy. As a result of the enormous demand for money, because of the Federal Government's deficit financing of these programs, money which the Government is borrowing rather than raising from taxes, interest rates have been brought to the highest level in 100 years.

If we use the normal accounting practices which have been followed for 175 years, the record shows that in the last 5 years the Johnson administration has spent $60 billion more than it has taken in. That is an average of $1 billion a month, or around $50 million a day when we put the Government on a 5-day workweek.

Some day, somewhere, we are going to have to cut back on these expenditures. The alternative is national bankruptcy, wild inflation, and devaluation of our currency.

On 14 appropriation bills passed by the House the Senate has added, all together, $5.5 billion. To finance that $5 billion or $5.5 billion it would take a straight 5-percent increase in all income taxes, individual and corporation, across the board. It would take that just to finance the increases in appropriations that have been voted by the Senate during this calendar year.

Lest there be any misunderstanding that I am putting all this responsibility on the Senate or the Congress, as the President sees fit to do, I want to point out that the President signs each of these spending bills, and it does not take any more ink to sign a veto message than it does to sign bills into law.

I have no respect for the President's argument when he says he is against these expenditures and then signs every one of them, following this action by addressing a group in Miami and bragging about how much he is giving away. What makes this worse, he goes to another group and boasts about economy.

This is the time for both the legislative and executive branches to put their votes where their mouths are. If they are for economy they should vote for it. If they are against it they should stop talking about it. If they are concerned about tax increases they should remember that while voting for ever-expanding increases in appropriations we are, in effect, voting for tax increases, whether they are passed this year or next year.

The result of spending more and more money, as we have been doing, and not voting for taxes is that more and more inflation will result in the destruction of the purchasing power of the American dollar.

We shall be voting tomorrow on the social security bill, which I intend to vote for, but let us face up to it. The benefits under the social security bill for those living on pensions will vanish and erode within 2 years at the present rate we are going if we do not do something to check the inflationary spiral.

I think that one of the criticisms could be made of the first session of the 90th Congress and of the executive branch—and I emphasize equally the executive branch—is that Congress is going to adjourn without having faced up to the problem of cutting back on expenditures and without having acted affirmatively or negatively in making a decision on taxes. I do not think we should have drifted this close to adjournment of the Congress without having faced up to that decision.

It may be unpopular to talk about taxes, but the issue is going to have to be faced at some point, or we in this country will be in the same position as Great Britain and facing the devaluation of our currency.

We are drifting down the road toward national bankruptcy, and thus far there has been no effort, as far as the Senate or the administration is concerned, to check it. All we hear from the administration is a promise of more and more to everybody, at the same time admitting that it does not have the guts to stand up and tell the American people how much it is going to cost them in the form of taxes.

There seems to be a growing sentiment to delay a tax increase until after the votes are counted in 1968. I think this is a cowardly attempt to dodge the issue. I think we ought to face up to our responsibilities.

I respect those who feel that these appropriation bills should be voted for in the full amount. They have just as much right to their opinions as I do to mine; and I respect their views, just as I hope they will respect mine.

But at the same time, those who are willing and anxious to vote for these increased expenditures should be equally willing and equally ready to vote for the taxes to pay for them and to accept that responsibility. I do not think we can vote for the one without considering the effect on the other. Personally, I believe the very least we can do—and this may be the last chance the Senate will have to cut back on an appropriation bill this session—is to show the House of Representatives that we can at least hold the line and are willing to join them in that economy effort.

That is the purpose of my amendment, and I hope the amendment will be agreed to.

Mr. PASTORE. Mr. President, I merely wish to say—and I think the distin-

guished Senator from Delaware knows this—that I have joined him many times, arm in arm, on this question of economy in Government. I yield to no one when it comes down to the basic proposition that America and its taxpayers are entitled to a dollar's worth for every dollar that they pay into the Treasury of the United States.

I was Governor of my State, Mr. President, immediately after the cessation of hostilities of World War II. It was a depressing time. All the things that had not been done for 5 years had to be done. We had the problem of education in my State. We had the problem of building new highways. We had the problem of the fact that wages had been frozen and they had to be unfrozen. We needed money to do all these things, and I was the Democratic Governor.

It has always been the philosophy in State politics that a Democrat will never dare suggest a sales tax. Yet I suggested a sales tax in my State, and I became the father of the sales tax in Rhode Island. When the people began to pay that tax, they called it "pennies for Pastore."

But I proved to the people of my State that it was absolutely necessary to impose the tax if we were to develop the welfare of our communities; and I dare say—and I do not say this to boast, but merely to state a fact—that the next election I won by the largest plurality ever given to a Governor in the history of the State of Rhode Island.

I have always been for economy. However, I learned a long time ago that the stature of a nation is not to be judged by figures, either black or red, on the pages of any ledger. Rather, the welfare, the wholesomeness, and the stature of a nation are to be judged in the dignity and the opportunities of its people. That is the test.

I ask my fellow Senators, if you do not want to impose an additional income tax, or you do not want to raise taxes in the United States of America because we are spending too much money, then why do you not vote to knock out the whole amount of the poverty bill?

The relevant question here is, Is this legislation necessary and must the people of the United States rise up to meet their responsibilities and make whatever sacrifices are necessary so that we can uplift the portion of our society that lives almost in a state of degradation?

That is the test. I would hope that sometime the Senator would come to the hearings of the Appropriations Committee—oh, what an experience it would be—to see how we squeeze every nickel. So much so that sometimes the buffalo on that nickel reacts.

Mr. President, this is a dramatic story—a very dramatic story, whether you go to Appalachia, where my distinguished friend from West Virginia comes from, or whether you go to Mississippi, or even come to Rhode Island or Delaware. Ask the people who know this program, and let them tell you about the young boys and girls who have really been given an opportunity, a chance to come out of discouragement, despair, and delinquency—and I use the words properly. I hope we are not going to become a nation of glue sniffers and dope addicts. I hope we are going to begin to do something to lift up that portion of our society that today lives in a state of despair, without hope, and give them the hope that America has always held out to the unfortunate and the poor.

That goes back to my own background. I apologize to no one; there is no man in the United States of America who is more indebted to this blessed land than JOHN PASTORE, and I am proud of it.

Mr. President, what are the facts here? The House of Representatives allowed $1,612,500,000.

That was the figure from last year. But that figure did not take into account a carryover of approximately $180 million. We are now engaged in on-going programs that will increase the cost to the Nation, without regard to what has been added in the authorization bill. That goes for Headstart-Follow-through, it goes for day care, it goes for food and medical care for the starving children of America. I again say, imagine starving children in this blessed land of ours. Imagine that. We just finished with the foreign aid program. We are going to spend more than $2 billion all over the world, including India, Pakistan, and every other underprivileged country. But people are starving in the United States. That is a shame. It is a disgrace.

If we want to worry about the balance of payments, about the deficit, about a tax increase, I say to the Senator from Delaware that I shall be the first to stand up and meet my responsibility when the time comes. I did not shirk it before; I am ready to meet it now.

I say that if we want to keep programs going on the level that they are now going, we need $1,788 million. If we want to fulfill some of the other obligations in the authorization bill, we will need the full estimate of $2,060 million. We shall have to take into account, also, that we adopted a resolution the other day that requires a 10-percent cut in the programs in this bill and a 2-percent cut in personnel funds. This will have to be taken into account when we go to conference.

I should like to see a balanced budget just as much as anyone else. I should like to see us get along without a tax increase just as much as anyone else does. It is not popular to come out with these figures. Where is the popularity in that? Sometimes, when we do these things, the people who benefit the most realize it the least. There is no big credit in doing it. When I go home, my path will not be strewn with garlands of roses because I voted for the bill. Perhaps I shall receive brickbats. But do I care? I do not care. No one has to put a lei around PASTORE's neck. I do not need it. This could be my albatross. But I am not looking for an albatross and I am not looking for a lei. All I am looking for is dignity and opportunity for Americans, and that is what the bill represents.

Mr. President, do you want to put the figure back to $1,612,500,000, as the amendment of the Senator from Delaware suggests? To do that, it would be necessary to eliminate 45,000 youths from the Headstart program alone. It would be necessary to discontinue in many communities some of the programs that are already in progress.

If America means atrophy, if it means disintegration, then let us make the reduction. But if America means promise, if it means future, if Senators want to give to the committee that has worked hour after hour on the bill the opportunity to go into conference and reach a solution of the problem, they should follow the committee's recommendation.

I care not what the Senate does. I am not the conscience of the Senate and I am not the conscience of the country. I have enough work to do to take care of my own conscience.

I say to the Senate: "You make your cuts here because it sounds good on Wall Street and it sounds good to the readers of the Wall Street Journal. It is all right with me. But if you are interested in people and in the development of America and in the goal of affording opportunity in America and if you want to take this rebellion off the streets, put the youth of America in gainful occupation, and do the things that need to be done to correct some of our social ills, defeat the amendment."

And I hope we do.

Mr. CLARK obtained the floor.

Mr. President, I could not agree more with the distinguished Senator from Rhode Island who has so eloquently defended the appropriations bill.

The adoption of the Williams amendment would be an unmitigated catastrophe.

Let us put right on the line what the able Senator from Delaware is proposing and let him know just what is going to happen if the amendment should be agreed to.

I should like to give to my colleagues a review of information prepared at my request for just such an emergency as this by the Office of Economic Opportunity.

If the Williams amendment should be adopted, 14,000 enrollees of the Job Corps would have to be sent home to their urban and rural ghetto homes.

The in-school assistance program would cease for 61,000 students from poor families; 37,000 summer jobs for needy poor youths would be eliminated.

Job training assistance would be killed for 136,200 hard core poor adults in ghetto areas; 185 of the 850 officers of the Legal Services Division of the OEO would be closed; 415 attorneys would be laid off.

Close to 200,000 fewer poor people would receive legal assistance during the fiscal year 1968.

The Headstart program would be reduced by 45,000 children on a full year basis, or one out of every five who participated in the 1966 program; 4,500 nonprofessionals would lose their jobs; 135 of the community action agencies would have to be eliminated.

There would be no special summer program next summer. Think of what that means in terms of bloodshed in city after city in America.

The rural thrust, which all of us are so concerned about, would be blunted.

There would be no program for the aged.

The wonderful program of the Reverend Leon Sullivan, in Philadelphia, who is operating 18 OIC's throughout the country would be reduced by 25 percent.

The adult education and housing programs for migrants would be cut by 10 percent.

Not only in the VISTA program would the budget result in 3,650 fewer VISTA volunteers by the end of the fiscal year, but it would also mean that the few VISTA training centers would be disbanded, and 1,000 applicants already invited to training would have to be turned down.

The Williams amendment is an unconscionable amendment. It must be rejected by an overwhelming majority.

Mr. President, I yield the floor.

Mr. HOLLAND. Mr. President, my remarks will be predicated upon a little different background from those of my distinguished friends, the Senator from Rhode Island and the Senator from Pennsylvania.

I have consistently voted against authorization for the poverty program, not because I have no sympathy for those people who are poverty stricken, but because there are, in this program, so many features of which I do not approve.

There are some that I do approve of very strongly, as my fellow conferees know, as, for instance, Headstart and the Neighborhood Youth Corps in the various cities.

But we are not deciding here the question of whether Congress sets up that program. That question has already been decided. Congress has passed the authorization measure by a heavy majority.

The decision of the Appropriations Committee is made in the effort to finance the activity which has been set up under the action of Congress, which body represents the majority of the people in this Nation.

If we believe in majority rule, if we believe in supporting programs which have been set up by a heavy majority vote, then our duty on the Appropriations Committee is to try to support at a fair level of operations those activities which have been created by law.

Mr. President, I want to make it clear that with the $1,980 million which is included here for OEO, when subjected to the 10-percent cut of the budget estimate which we voted—and nobody has been more active in voting for that cut than has the Senator from Florida, who handled the measure on the floor of the Senate and had a good bit to do with it in committee where it was worked out—we will have little more than enough money left with which to carry on the existing activities of this program which is existing not because it was drawn out of a hat by somebody, but because Congress set it up.

I think that so frequently we lose sight of the fact that the Appropriations Committee has some obligation to carry on activities which are lawfully set up.

The pending bill does not have to do solely with the problems of the poor in the larger cities at all. That is largely involved in this particular item for OEO, but the bill also has to do with the carrying on of operations, other than road-building, for the poor areas which exist in the Appalachian region.

It so happens that these two items are bracketed together in the pending bill. And, so far as I am concerned, Mr. President, I support both of them because by law they have been set up. Probably I know more about the Appalachian region because I have been in a goodly portion of it.

I am very strongly in favor of the authorization measure there. Here, though, we are now supporting or refusing to support, as our vote may indicate, the appropriation to carry on operations which have been set up by large majority vote of both Houses of Congress and which carry the majority approval of the people of this country.

I wish to call attention to the fact that, if we approve this bill as written, when the item in it for OEO is subjected to the 10-percent cut, little more than enough money is left to carry on existing operations of the OEO. It seems to me that is the least the Senate can do in allowing its conferees, who have a rough job ahead of them, to meet in conference with the conferees of the other body.

Mr. President, the position of the Senator from Florida is that the least we should do is to support this appropriation as it is reported by the committee.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. WILLIAMS of Delaware. Do I correctly understand that the larger figure has been put on so they can take the 10 percent off? In other words, 10 percent has been added so that 10 percent can be taken off?

Mr. HOLLAND. No. The 10 percent is already cut off, I say to my distinguished friend. I do not believe the Senator was present the day we passed the resolution, which he strongly supported; and I am sorry that he could not be present to vote for it. That resolution requires the application of a 10-percent cut to all controllable items in budget estimates—and this is a controllable item—within the appropriations passed by this Congress.

Mr. PASTORE. To answer the question of the Senator from Delaware, he raises a good question, because we discussed it; and we have no intention to deceive anyone.

It is true that, no matter what we do, the 10 percent and the 2 percent will have to be deducted, which will reduce the amount to approximately $1,865,000,000.

But if we had come in with the figure of $1,865,000,000, the area in which this question could be resolved would have been brought below what is necessary to continue the on-going programs. We have made that very clear. We are not hiding anything. All we are asking is that we be allowed by the Senate, at this hour, to take the top dollar and the bottom dollar and to negotiate with the House and thrash out the effect of the 10 percent and what it might do to the overall program. We may end up with a very favorable figure.

I say, frankly, that I do not expect to come out of that conference with much more than $1,788,000,000. How much lower than that it will be, I do not know. But it is our responsibility to convince the House that if it goes below that figure, we will have to withdraw some of these programs.

We have the testimony right here that if the figure of the Senator from Delaware is sustained, we would have to eliminate the 45,000 youngsters from the present Headstart program. I use the word "present" advisedly. The expulsion of 14,000 young men and women now in the Job Corps. They would have to be let go. The elimination of 40,000 young men and women from the current Neighborhood Youth Corps. The expulsion of 7,000 students now in the Upward Bound program. The denial of health services to 50,000 poor people and an additional 50,000 whom a $198 million appropriation would cover.

That is evidence. If the Senate is willing to pull these people back and take them out of programs in which they already are, then it is the responsibility of the Senate. All we are asking is that we be given the courtesy by the Senate to go in with the top dollar to face the bottom dollar, to see how we can resolve the matter of the 10 percent and the 2 percent as it will affect the overall program.

But so far as coming out with the figure of $1.98 billion, we do not expect that to happen at all. I cannot be more practical and more truthful than that.

Mr. HOLLAND. Mr. President, I shall conclude very quickly. We have cut the authorizaiton which was passed a few days ago from $2,060 million to $1,980 million. We have cut that, by action already taken by both Houses of Congress, by an additional 10 percent and 2 percent from the budget estimate—the 10 percent applying to the entire operation, and the 2 percent applying to the salary part of the operation. Now it is proposed to cut still further.

How many times does the Senator want to cut? We have cut twice already, as against the item authorized just a few days ago—once in this bill and once in the resolution for the reduction of 10 percent. Now the Senator wants to cut a third time. If it is cut a third time, I warn the Senator that the figure that he would put in the appropriation cannot carry the existing operation.

So that the question is, how many times do we cut? Are we going to cut off the old cat's tail a little bit at a time so it will not hurt the old gal? What is the principle that the Senator is trying to follow?

The question is simply whether we are going to approve this figure, worked out very painfully in the committee, of which the Senator from Florida happens to be a member. The Senator from Delaware knows that his thinking in this entire field is not very different from that of the Senator from Florida. But the Senator from Florida knows that it is our duty to try to support programs which our majority vote has set up, and we are going to try to sustain them in a rather painful way if this bill is upheld.

I hope the amendment is defeated.

Mr. JAVITS. Mr. President, I shall not seek to repeat the arguments in opposi-

tion to the amendment which have been so eloquently made by Senator PASTORE, who has done such fine work in this field, or by Senator CLARK or by Senator HOLLAND, but, rather, to address myself to another argument of the Senator from Delaware which strikes me as being critically important on this issue. The argument is that because of the fiscal condition of the country, and because we have not voted a tax increase, we must make this drastic reduction. We must bear in mind that such a drastic reduction would drive a great number of children and adults out of these programs. It would close down and deny opportunity to 135 rural community action agencies, despite the urgent claims that it is the rural poor—and I agree with that—who need a great deal of help from us which they have not received.

Is it the essence of the argument that, because we have not passed a tax increase, this money should be taken out of the backs of the poor, because we have not done what we should do? It is not the military effort, it is not the agricultural subsidy program, it is not the supersonic plane, it is not mass transit, it is not the subsidies to the airlines and the airports, and it is not other programs we have passed in the Senate which should suffer; but the argument is that the poor of the United States should pay that bill.

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

Mr. JAVITS. I yield.

Mr. PASTORE. I know this will not shock my friend, the Senator from Delaware, because he is in favor of it, also: It does not even mean the 27½-percent oil-depletion allowance. I know that the Senator from Delaware has been trying to lower that, and I have been with him, shoulder to shoulder.

Mr. JAVITS. The Senator is correct. And I am in favor of that, also. That is estimated to take a minimum of $1½ billion a year.

Mr. President, I have a very deep affection for the Senator from Delaware—he is one of the most vigilant and conscientious Senators on the floor—and anything I say is directed solely toward the policy issue involved. We are facing a nation of 29 million people who are below the poverty level. The entire civil rights struggle is also now deeply imbedded in the issue of the antipoverty program.

As a matter of fact the entire issue of civil rights has now become merged in the problems of the cities and the problems of the antipoverty program. What are we doing? Are we living in a dream world? Do we expect millions of people in the cities to sit still and not react violently as we do them an injustice like this?

Mr. President, I voted for appropriations for Vietnam, too. I am not going to let our people down, no matter how I feel about that struggle. However, think of the discrimination these poor people face and look at the ammunition that you furnish every agitator.

This program is now to be slashed, not with a scalpel, but with a cutlass. Then, we say, "Be nice and quiet because the United States is going to look after your interests and do right by you."

We should do that, states the distinguished Senator from Delaware, because we did not have the courage to vote for a tax increase. Therefore, we are to do it at the expense of the poor who live in the slums and ghettos to whom we have said, at least impliedly, "You have a right to depend on us to get you out of where you are."

I could not think of anything more counterproductive in terms of the crisis of the cities and I could not think of anything more dangerous in terms of the tranquillity of the country than to do this.

We will be coming back here in January. I deeply feel that Congress will have to meet its further responsibilities in January. We have met a part of that responsibility by retrenching certain programs, which unhappily includes this program, and we shall meet more of that responsibility, in my judgment, by a tax increase which undoubtedly will be retroactive until January 1.

Mr. President, I think this would be the worst form of scrimping and saving we could undertake. This view also comes from those who have a more conservative view. The distinguished Senator from Florida [Mr. HOLLAND] is not a Member who has a reckless view with regard to the poverty program, and he heard, as I did, the evidence. If we take a chunk out of this program, and really dig into its vitals in a most damaging way, it would be the worst form of discounting we could undertake.

By all means let us not penalize these people who are the least able to stand it, in an area where the greatest danger to public tranquillity is involved. I am not condoning in the remotest way violence, riots, or anything like that. However, we should not encourage them and we should not toss around the straw, the gasoline, and the matches which bring those things about because we have not enough brains to say at least what we are doing now should be effectively continued.

Mr. President, this cut would ruin that opportunity, let alone opportunities to improve the program or develop constructive programs for the poor. This is a very sober time and a very dangerous time. Let us not contribute to the problem ourselves in any such wanton way as this.

I hope the amendment will be rejected.

Mr. MILLER and Mr. WILLIAMS of Delaware addressed the Chair.

The PRESIDING OFFICER (Mr. CANNON in the chair). The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, the Senator from Rhode Island, I think, gave a very fair and frank analysis of what cuts would do to this program. All of us appreciate that. I would like to clarify one matter.

The Senator read a number of figures regarding how many people would have to be let go in certain programs if something happened. What figure was the Senator premising that on?

Mr. PASTORE. Because the present on-going program is predicated upon the money that was available last year, which was $1,612,500,000, plus a carry-over in the neighborhood of about $180 million, which gave the figure that now tells us we need $1,788,000,000, which is substantially higher than the figure suggested in this cut if we are to maintain programs on the current level.

If we do not provide this money, all that the Senator from Rhode Island said was, we will have to take 45,000 from the Head Start program and 14,000 from the Job Corps. If you want to restrict, and cut down the program, vote for the amendment. If Senators wish to keep it this way, reject the amendment.

Mr. MILLER. The Senator from Rhode Island is talking about what would happen if the Senate agreed to the Williams amendment now at the desk?

Mr. PASTORE. The Senator is correct.

Mr. MILLER. The Senator said if we had $1,788,000,000 this would enable present programs to continue.

Mr. PASTORE. Yes.

Mr. MILLER. If we adopt the amendment of the Senator from Delaware this would have the implications he read from his paper.

Mr. PASTORE. Not implications; it would have the result.

Mr. MILLER. I wish to get that matter clarified.

I believe the Senator read that some 14,000 members of the Job Corps would have to be let go.

Mr. PASTORE. The Senator is correct; pulled out or expelled.

Mr. MILLER. I do not question the Senator's figures, which I am sure he received from OEO, that if the cost of enrollees for the Job Corps continued at the present levels this is what would happen.

However, what this implies is if the cost continues at $7,500 a year, which the Senator from Iowa submits is very extravagant and excessive, we will have to let 14,000 of those members go.

Mr. PASTORE. Mr. President, will the Senator yield at that very point?

Mr. MILLER. I would like to finish my thought.

Mr. PASTORE. I think we should get an understanding.

Mr. MILLER. If the cost of the enrollee can be reduced to what I think most people regard to be a reasonable figure, perhaps none of these people would have to be let go.

Mr. PASTORE. That is not exactly right. Where did the Senator get his figure of $7,500? When we started the program, I was the most critical Senator of all. I hope the Senator does not think that I sat there and played tiddly winks. I asked questions, and I hope I asked some pretty good questions. I was upset at the cost of the program. I was upset that they would take somebody from Florida and send him to California. That is no longer done. The reason it was done in the beginning was that they had only two camps, one in the East and one in the West, Now, I understand there are 123 camps, and the cost is coming down.

Mr. MILLER. Down from where?

Mr. PASTORE. But if one listens to the dramatic stories of the good that has been done with respect to these boys and girls who were not good for much and now today are in gainful employ-

ment, we are saving the soul of America and here we are quibbling about the relatively small amount it will cost.

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

Mr. MILLER. I would like to make a brief response to the Senator from Rhode Island.

The Senator from Rhode Island says that the cost is coming down. Indeed, the cost had better come down. They started out at a figure of $12,500 per enrollee. These are not my figures, but they are figures that Representative EDITH GREEN, of Oregon, dug out during the hearings last year. In fact, they were so flagrant that Congress legislated a $7,500 ceiling when we passed the OEO bill. I suggest they should come down more. I suggest that $7,500 is still excessive. I think most taxpayers regard it as excessive. While they want to do something for these underprivileged young people, at the same time they think the taxpayers are being overreached upon.

My point is that if there is a cutback in costs that would not mean that 14,000 members would be turned out into the street. It would mean that OEO would reduce the cost per enrollee and keep them all there and do a better job.

Mr. JAVITS. Mr. President, will the Senator yield for a statement of fact?

Mr. MILLER. I yield.

Mr. JAVITS. The actual cost is $6,700. We investigated the entire Job Corps program recently. The committee is completely satisfied. This goes for both sides of the aisle. I am the ranking member on the Labor and Public Welfare Committee. Mr. Kelly, the new Administrator of the Job Corps, is doing an extraordinary job of really bringing down the costs. They will be brought down even further. I can certify that to the Senator as a fact, whatever deductions he may draw to meet his own conscience. Fourteen thousand will be let out. There is no other way.

A very creditable record is now being made on costs. Costs are being brought down even further. This is the raw material for the very crime and juvenile delinquency which Senators in this Chamber are inveighing against every day. These boys are here instead of out where they could make that 16-percent increase in crime—32 percent. This is money well spent. To turn the kids out would be a real disaster. I hope it will not happen. I hope that the Senate will be much wiser than that.

Mr. MILLER. I appreciate the remarks of the Senator from New York, but I do not believe that most of the taxpayers of this country, especially those in the lower income brackets who are having a hard time scraping up $1,000 or $1,200 a year to put their children through college, will be reassured that the cost of the Jobs Corps is now what the Senator from New York says it is. It is an improvement, to have been brought down that far, but it still has a long way to go before the taxpayers, who are having a hard time supporting their own children, are going to be thinking that it is down to a proper size.

There is another point. I point to the fact that only one out of four members of the Job Corps have graduated. That may not be true today. That is an overall figure for all years. The Senator from New York knows as well as anyone that we went through the problem of improper screening of Job Corps applicants. There has not been proper screening of Job Corps applicants, and, as a result, we tightened it up on the floor a few weeks ago. I had an amendment which the Senator in charge of the bill agreed to adopt and which I hope will be helpful in this respect.

Just because it might result in 14,000 fewer members of the Job Corps does not, to me, mean that we are going to take 14,000 of those who should be in the Job Corps and turn them loose. It might well mean that there would be a reduction of 14,000 who should not be there in the first place, because if they go there they will never complete the course. Thus, I think one can use the figure of 14,000 for whatever purposes he wishes.

I do not deny the sincerity of my good friend from Rhode Island, but I do not think it needs to work out this way. I would say, let them screen out those who should not be admitted into the Job Corps in the first place. We will have a better program. More will graduate because they will not be deterred from staying in by being put in with the undesirables.

Mr. PASTORE. Could the Senator document the statement he has just made?

Mr. MILLER. Yes, indeed.

Mr. PASTORE. Can the Senator prove that they have 14,000 that do not belong there?

Mr. MILLER. I have not said that——

Mr. PASTORE. Yes; that is what the Senator said. The Senator said they take the 14,000 that do not need to be there.

Mr. MILLER. What the Senator had to say did not necessarily cover those already in the Job Corps. Can the Senator tell me the number in the Job Corps today?

Mr. PASTORE. There are about 42,000.

Mr. MILLER. Take the number in the Job Corps today.

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

Mr. PASTORE. I do not have the floor, but I will yield to him anyway. [Laughter.]

Mr. JAVITS. Forty-two thousand are in the Job Corps today. Fourteen thousand is one-third. What the Senator from Iowa is arguing is that one-third of the members of the Job Corps can be screened out as undesirable, which is absolutely——

Mr. PASTORE. Why say one-third? Why not 75 percent?

Mr. JAVITS. Might as well.

Mr. PASTORE. Why not all of them? If we want to argue it to its ultimate conclusion, why not forget about the whole program?

Mr. MILLER. I know that many Senators do not like the amendment, but I should like to make this point: Take those who should not be screened into the Job Corps, leave them out, and reduce the cost per enrollee in the Job Corps down to what the taxpayers would consider to be a reasonable cost, and we will be able to do it.

I would hope that Mr. Kelley would be able to do that.

Mr. PASTORE. If what the Senator is saying is true, then the first thing I would do would be to ask for the resignation of Sargent Shriver. That is the only way to answer the Senator's question. If we have 14,000 people upon whom we can spend this money, who do not belong in the program because there is no potentiality and no opportunities for them, then we should fire the Director. That is the answer I give to the Senator.

Mr. MILLER. Then we should ask for Sargent Shriver's resignation, because the record will show how many thousands in the Job Corps——

Mr. PASTORE. Why does not the Senator just try it?

Mr. MILLER (continuing). Should not have gotten in there in the first place. They drop out. The record is replete with examples of that. If the Senator will look at it, we crossed that bridge several weeks ago.

Mr. PASTORE. I was not on the same bridge, I will tell the Senator that.

Mr. YOUNG of North Dakota. Mr. President, I should like to say a word in support of the amendment of the Senator from Delaware [Mr. WILLIAMS]. There certainly is a need to help the poor people in this country. It might require even more money than this, if it were done properly. For example, if we wanted to help the poor people any place in the United States, it would be more effectively and efficiently handled by the welfare agencies of the States and counties, by people who are trained in the business, rather than on a partisan and political basis.

If we want to help the schoolchildren, we should handle it through the school officials in the various States and counties throughout the United States.

Mr. PASTORE. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I yield.

Mr. PASTORE. Of all the programs under consideration, the one which has been the real butt of most of the criticism is the community action program. That is the one program that is a grassroots program.

Mr. YOUNG of North Dakota. I believe that, if we want to take one step toward doing this on a bipartisan and nonpolitical basis, we should make the announcement on a nonpolitical basis rather than through political channels.

Mr. PASTORE. How are we going to do it on a nonpolitical basis when 90 percent of the Republicans vote against it?

Mr. YOUNG of North Dakota. They are trying to handle this program every place in the United States on a political basis, and not based upon recommendations of welfare agencies. The amount of money suggested by the Senator from Delaware would do a far better job, if handled on that kind of basis rather than on a strictly partisan, political basis. Almost every official of this program is appointed not on the basis of what he knows about helping poor people but rather on his political record.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from North Dakota has made a very good point. The argument has been made here that this amendment would completely wreck the program, perhaps require a drop of one-third of the Job Corps and practically one-third or one-half of the rest of the program. Those are scare tactics. The question that comes to my mind is this: if the adoption of this amendment cutting 18 percent from the appropriation would destroy one-third or one-half of the services being rendered what are they going to do with the rest of the money, unless they are going to pour it down the rathole with fat bureaucratic salaries?

At least three top officials of this Poverty Program are now being paid more than General Westmoreland.

Why not cut back on some of these high-paid bureaucrats?

Let us face it. We hear the same arguments and listen to the same speeches, with just a change in a few words, during the debate on every effort to cut every single appropriation bill which has been before Congress.

They always claim that the Senator from Delaware is heartless in trying to cut any appropriations. Again today they cite the foreign aid program as an excuse that we are feeding people all over the world so why cut any other program. I remind Senators I did not vote for that program, which had $500 million in it more than had been approved by the House. I did not vote for it, but there were only 22 votes against it. Those who supported that foreign aid bill are not in a position to use it now as an excuse.

Mr. President, I ask unanimous consent that a list of appropriation bills which have been voted on this year, showing that the Senate added $4,055,148,620 more than was in the amendment, as well as a tabulation on the foreign aid bill where we had another $500-odd million over and beyond the House figure be printed in the RECORD.

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

1968 APPROPRIATIONS

Date		Amount in House	Amount in Senate	Senate increase or (decrease) over House	Amount of 1967 appropriation increase or (decrease)
Mar. 17	H.R. 7123: Supplemental Defense	$12,196,520,000	$12,275,870,000	$79,350,000	----------
May 19	H.R. 7501: Treasury, Post Office, Executive Office	7,499,230,000	7,555,167,000	55,937,000	$459,108,865
May 16	H.R. 9029: Interior	1,365,310,150	1,399,242,050	33,931,900	66,083,250
May 17	H.R. 9481: 2d Supplemental	2,041,826,133	2,260,246,933	218,420,800	----------
Aug. 29	H.R. 9960:				
	Independent offices and HUD	9,985,878,782	10,431,460,900	445,582,118	880,461,600
	Participation certificates	881,000,000	3,235,000,000	2,354,000,000	1,555,000,000
Aug. 1	H.R. 10196: Labor and HEW	13,137,488,000	13,409,835,000	272,347,000	393,270,800
Sept. 26	H.R. 10345:				
	State, Justice, Commerce	2,194,026,500	2,185,870,500	(8,156,000)	52,782,300
	Participation certificates	150,000,000	150,000,000	----------	(700,000,000)
June 29	H.R. 10368: Legislative branch	228,089,952	273,662,404	45,572,452	3,159,461
July 11	H.R. 10509:				
	Agriculture	[1] 3,370,580,950	[1] 3,797,673,400	[1] 427,092,450	[1] 332,101,950
	Participation sales	800,000,000	700,000,000	(100,000,000)	100,000,000
Aug. 4	H.R. 10738: Defense	70,295,200,000	70,156,420,000	(138,780,000)	(73,202,000)
Sept. 28	H.R. 11456: Transportation	1,530,198,372	1,651,407,272	121,208,900	(69,910,228)
28	H.R. 11641: Public Works and Atomic Energy	4,622,922,000	4,776,064,000	153,142,000	465,893,000
Oct. 3	H.R. 12474: NASA	4,583,400,000	4,678,900,000	95,500,000	(289,100,000)
	Total	134,881,670,839	138,936,819,459	4,055,148,620	3,175,648,998

[1] Restoration of capital by CCC not included.

Mr. WILLIAMS of Delaware. Mr. President, the Senate record on spending is clear. It has consistently added to these spending programs. Furthermore, every time an effort to reduce is made, we get the same arguments that we are destroying the program. The proponents of more spending march the poor widows and orphans through the Senate Chamber to point up the argument.

Perhaps one reason why these poor widows and orphans are in such dire shape is that they are walked to death across this Chamber, in an effort to justify every spending program that some bureaucrat can conceive.

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

Mr. WILLIAMS of Delaware. In just a moment.

Then too we hear talk about the crime rate getting worse and that this or that program is going to solve the crime rate. We are all concerned about the crime rate, but before discussing this point, Mr. President, I have a tabulation of various votes on Senate efforts to cut appropriations. This tabulation shows that the Senate rejected every effort to cut the appropriations and supported and passed every amendment that would increase the appropriations. I ask that it be printed in the RECORD.

Had these efforts to reduce appropriations been successful it would have reduced the cost of Government by around $4½ billion.

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

RECORD VOTES ON REDUCTIONS IN 1968 APPROPRIATIONS

	Vote No.	Date, 1967	Vote	Amount of reduction or increase
H.R. 10509—Agriculture (Williams): Limit subsidy payments to $10,000.	129	July 13	14 to 76	$329,174,519
H.R. 10509—Agriculture (Williams): Reduce from $220,000,000 to $120,000,000 new ACP authority.	130	...do...	10 to 82	100,000,000
H.R. 10196—Labor-HEW (Williams motion): Recommit bill to reduce 5 percent.	144	Aug. 2	19 to 64	675,000,000
H.R. 10738—Defense (Kennedy of Massachusetts): Reduce from $482,000 to $200,000 rifle practice funds.	170	Aug. 22	23 to 67	228,000
H.R. 9960—Independent Offices and HUD (Young of Ohio): Reduce civil defense funds by $20,000,000.	188	Sept. 19	32 to 55	20,000,000
H.R. 9960—Independent Offices and HUD (Williams): Cut public building construction funds by $21,036,200.	189	...do...	27 to 57	21,036,200
H.R. 9960—Independent Offices and HUD (committee): Increase funds for Federal office building construction.	191	...do...	63 to 23	16,130,000
H.R. 9960—Independent Offices and HUD (committee): Increase authorization for sale of VA participation certificates.	192	...do...	56 to 31	550,000,000
H.R. 9960—Independent Offices and HUD (committee): Increase grants for neighborhood facilities.	193	...do...	60 to 23	15,000,000
H.R. 9960—Independent Offices and HUD (committee): Increase model cities funds.	194	Sept. 20	62 to 28	$300,000,000
H.R. 9960—Independent offices and HUD (Harris): Increase funds for National Science Foundation.	197	...do...	63 to 25	46,000,000
H.R. 9960—Independent offices and HUD (committee): Increase authorization for sale of HUD participation certificates.	198	Sept. 21	57 to 30	1,804,000,000
H.R. 9960—Independent offices and HUD (committee): Increase funds for HUD participation certificate insufficiencies.	199	...do...	54 to 32	19,115,000
H.R. 11456—Transportation (Proxmire): Reduce supersonic transport funds.	283	Oct. 5	19 to 54	141,375,000
H.R. 11456—Transportation (Williams): Reduce FAA equipment funds.	284	...do...	2 to 68	37,000,000
H.R. 12474—NASA (Proxmire-Williams): Reduce funds for several programs.	286	Oct. 6	30 to 36	100,500,000
H.R. 12474—NASA (Williams): Reduce funds for Voyager program.	287	...do...	31 to 34	26,000,000
H.R. 11641—Public works (Williams): Reduce general construction funds	289	Oct. 9	12 to 61	18,516,000
H.R. 11641—Public works (Williams motion): Recommit to cut funds	290	Oct. 10	27 to 54	247,808,200
H.R. 10345—State, Justice (Williams): Eliminate SACB funds	295	Oct. 11	37 to 54	295,000

Mr. WILLIAMS of Delaware. Mr. President, to continue the discussions on the crime rate—we are all concerned about the crime rate but to say that the adoption of this amendment would result in an increase in the crime rate is absurd. That is a fallacious argument.

I ask unanimous consent that a letter which I received from J. Edgar Hoover, under date of October 11, 1967, including a tabulation showing the increase in the crime rate over the past 10 years, be printed in the RECORD at this point.

There being no objection, the letter

and tabulation were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
Washington, D.C., October 20, 1967.

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

MY DEAR SENATOR: I have been advised of your request for national crime statistics pertaining to crime rates from 1958 to 1966.

There is enclosed a tabulation showing the percent change in the national Crime Index rate for the years requested. Current population for each year was used in constructing the rate.

I hope the information will be of use to you.

Sincerely yours,

J. EDGAR HOOVER.

Percent change, national crime index rate per 100,000 population, October 20, 1967

1957	2½
1958	+7
1959	−1
1960	+13
1961	+1
1962	+5
1963	+9
1964	+12
1965	+5
1966	+10

By direct comparison the crime rate increase was 79 percent, 1966 over 1957. The source for this data is Uniform Crime Reports.

Mr. WILLIAMS of Delaware. Quoting from this letter, the crime rate has increased 79 percent between 1957 and 1966. The most rapid increase in the crime rate has taken place in the recent years, increasing 10 to 12 percent. So the more money we spend does not mean the less crime we are getting in America.

Let us face it, the real problem of crime in America is not the lack of money in these programs. It is not the lack of laws. It is because we have a Department of Justice that is too soft on criminals and courts that are too lenient in dealing with convictions. You can pour all the money in the Federal Treasury on the streets of America, but until our courts and administration officials and our Department of Justice start backing up our police officers and start enforcing the laws on our statute books we are not going to solve crime.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. Do I understand the Senator correctly? Is the Senator logically arguing that if we cut out this program, there will be less crime; that the less money we spend, the less crime we would have?

Mr. WILLIAMS of Delaware. Not at all.

Mr. PASTORE. That is what the Senator said. He said we keep spending more money and we have more crime.

Mr. WILLIAMS of Delaware. No——

Mr. PASTORE. The Senator had better read the RECORD.

Mr. WILLIAMS of Delaware. The Senator from Rhode Island was justifying this appropriation on the basis of combating crime. I am refuting his argument and saying that it is not a question of whether we are for or against crime. It is a question of how far we can go toward increasing expenditures. I merely pointed out that as we increase the expenditures we do not solve crime on that basis. So the argument does not stand.

Speaking of the argument that we should not discuss taxes at the same time we are dealing with a program for the poor, I want to point out that I have expressed this concern on numerous occasions heretofore. I am sure the Senator from New York will agree with me on this point. I have discussed the fiscal policies of our Government each time we have acted on increasing these expenditures. I have been very much concerned over the financial condition of our Treasury. I think Congress has been negligent in meeting its responsibility by going home without having faced up to the problem of what we will do on taxes. Why delay this decision?

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. Can the Senator name a better ally than the Senator from Rhode Island in this crusade? I ask the Senator, can he name a better ally?

Mr. WILLIAMS of Delaware. If the Senator wants an answer, he can read documents I have placed in the RECORD.

Mr. PASTORE. No. Answer the question. Can the Senator name a better ally in economy votes?

Mr. WILLIAMS of Delaware. I will answer the question if the Senator insists. The answer is that I never had a poorer ally in the Senate when voting or making an effort to cut appropriations, and the vote numbers on those votes are as follows: 129, 140, 144, 170, 186, 190, 192, 194, 197, 199, 283, 284, 286, 287, 289, 290, 295.

It will be found that the Senator from Rhode Island has been the weakest ally I could have had. I am sorry he forced an answer.

Mr. PASTORE. Read the ones in which I am with the Senator.

Mr. WILLIAMS of Delaware. I have read all of them.

Mr. PASTORE. Those are the times the Senator was wrong, and I am going to vote against him on this one, too.

Mr. WILLIAMS of Delaware. That is expected, and that will make a perfect score. The Senator from Rhode Island wanted his score in the RECORD. I am not being personal, but he wanted an answer.

We talk economy. The Senator from Rhode Island, with his great voice and great oratory—and I love to hear him, is one of the strongest advocates when speaking for economy, but speeches do not count. It is votes that count. We have to have votes in order to cut appropriations. The Senator from Rhode Island makes the best speech I have ever heard for economy, but he does not vote for cuts.

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

Mr. WILLIAMS of Delaware. Yes.

Mr. PASTORE. I invite the Senator, very respectfully and cordially, to go down to the committee and see what the Senator from Rhode Island does in working on these bills. It is easy for someone to take the floor and say, "Let us cut it by $1 billion. Let us cut is by $100 million." The Senator does not have the responsibility; he is not on the committee. He says on the floor, "Let us cut some money out of this." It makes beautiful headlines. It appears in all the newspapers in Delaware and all over the country. But does it take into account the time, the inquiry, the exhaustive investigation into the bill that we brought out?

Take the Senator from Georgia [Mr. RUSSELL] on defense and take these other bills. After all, I am bringing out a report that was passed by the whole Appropriations Committee. These are not men of indiscretion. These are not wasteful men. These are not evil men. These are men concerned with the stability of the country. These are men interested in the balance of payments. They are interested in deficits as much as the Senator from Delaware is.

This idea that everybody is out of step except the Senator from Delaware I cannot buy. I cannot buy that. I know it is easy to be a hero. I know the path of a hero. I know how it is to be popular. What the Senator is doing this afternoon is very popular. I know he will get the headlines. I will not get them. But in going home I will feel I have done my job as conscientiously as I could, just as conscientiously as the Senator from Delaware feels he has done his job. I have no apology to make to him or anybody else. I am responsible only to the people of Rhode Island, and last time they did very fine by me.

Mr. WILLIAMS of Delaware. I am always delighted to hear the Senator from Rhode Island. But he tries to infer that any Senator who is not a member of his committee should not offer amendments or express opinions on the bill.

Mr. PASTORE. I did not say that.

Mr. WILLIAMS of Delaware. We have bills reported out of other committees, and the Senator from Rhode Island expresses very strong beliefs and offers amendments for or against them. I am not intimidated by any such argument. I do not question his sincerity. I only pointed out the record when he asked that his voting record be put in. He asked the specific question. That is the only time I mentioned it. Otherwise I was not going to mention how he voted. That was his business.

The Senator has a perfect right to vote as he wishes. I do not question his sincerity. I only wish he would attribute to the Senator from Delaware the same degree of sincerity. I have tried to hold back increased appropriations in all of these agencies. I am vitally concerned with the fiscal condition of the Government. We have large deficits. We have interest rates at the highest level they have been in 100 years. We are not going to control inflation or balance the budget unless we do it by our votes, unless we cut back on programs, some of which are popular. That is true of both the Senator from Delaware and the Senator from Rhode Island.

I realize we are going to have to cut back some services under these programs, and it is going to be hard; but I do not think it should be claimed that we are destroying a program just because we reduce its appropriations.

As evidence of good faith, I notice that Mr. Shriver has stated publicly that he only needs in order to carry out all his programs—and I am quoting from the Washington Post—$1,785,880,000. He has admitted that that is enough to carry out their programs. That is $200 million below the figure that is in the Senate bill.

If it will make my friend happier I will modify my amendment to give them just what the Department itself says its needs. That would save $192 million. Why give them any more?

Mr. PASTORE. Mr. President, will the Senator yield on that point? I have explained that. If we take the figure of $1,788,000,000, then the area for compromise is between the $1,612,500,000, and the $1,788,000,000. I have explained all that.

I think we have been very practical and honest about that. As I have previously stated on this floor, all we want to do is go in with the top dollar, in order to have a bargaining position. I stated that I did not expect to come out of that conference with much more than the figure of which the Senator has spoken. All I am asking is that he just not handcuff us.

As to the question of sincerity, I gave the Senator credit for sincerity. The Senator came out with the list of times I supported him and I did not support him. Talking about getting personal; the Senator stayed up all night trying to be personal.

Mr. WILLIAMS of Delaware. No, I did not. I was just prepared to answer the question of the Senator from Rhode Island when he asked it.

Mr. PASTORE. I mean, after all, the Senator did not pick up those figures off the floor. There was obviously considerable research involved. The Senator must have had somebody on his staff looking it up.

But let me say to the Senator from Delaware, as a member of the Appropriations Committee, and a member of the majority party, we always appropriate less than the budget estimate. We make that decision on the Appropriations Committee. We come out on the floor, after we have talked about it, after we have analyzed the situation. Then the Senator from Delaware comes along and makes a motion to reduce it even further.

I know the facts. What does the Senator expect me to do, to abandon my committee after all the work we put in?

The best example I can state today is that of the Senator from Florida. Here is a Senator who does not approve of all these programs, but he was down at the meetings, where we went through everything in detail, and he stood up today and said, "For purposes of convenience and for purposes of cooperation and help, I sustain the figure that was reported by the committee."

If Senator HOLLAND should vote against the Senator from Delaware today, is he going to say he is an irresponsible spender?

Mr. WILLIAMS of Delaware. I am not saying anything to that effect.

Mr. PASTORE. Of course not. One has got to sustain his committee, as a matter of practical politics. The Senator knows the rules as well as I do. After we evaluate it, and come up with the decision, and a majority vote is taken, then we come out on the floor and seek to sustain our committee.

Now the Senator from Delaware comes along and, out of thin air, makes a motion to reduce the amount, and I do not follow him; what does that make me? Does that make me a lesser man than the Senator? Does that make me a bigger spender?

Mr. WILLIAMS of Delaware. Mr. President, I have not questioned at any time the sincerity of the Senator from Rhode Island or that of any other Member of the Senate. The Senator from Rhode Island asked me a question, and I answered him. The votes I put in were not intended to show the voting record of the Senator from Rhode Island or any other Senator. They represent the results of the votes of the U.S. Senate as a whole. No Senator's votes are identified.

The reason I had them tabulated—and I did it myself—they were tabulated and put into the RECORD about 4 weeks ago in connection with a statement I made to point out that the U.S. Senate this year has not lived up to its promises of reducing Government expenditures. The Senate has increased appropriations this year by more than $4.5 billion over what was appropriated for the same measures by the House of Representatives.

I listed every single rollcall vote that was taken in connection with 13 appropriation bills, the ones I voted for, the ones I voted against, and the ones that the Senator from Rhode Island and every other Senator voted for as well as the ones they voted against. But the Senator from Rhode Island was not satisfied.

The Senator kept insisting that he wanted his record made clear and just insisted that I answer his question. I thought he wanted it put before the Senate. He asked for it, and I gave it to him. I apologize here and now, publicly, if in any way my putting his voting record into the RECORD has embarrassed him.

Mr. PASTORE. It does not embarrass me as much as it annoys me.

Mr. WILLIAMS of Delaware. Just a minute; I have the floor. I apologize for annoying the Senator from Rhode Island. I do not wish to excite him, annoy him, or embarrass him because I love him too much.

Mr. PASTORE. Oh, I tell the world.

Mr. WILLIAMS of Delaware. Now I hope he does not get excited.

Mr. PASTORE. There is one thing about PASTORE; he has very fine blood pressure. He has no ulcers. What he has to say, he says it. He bears no ill will toward any man; when it is over, it is over; and let me conclude by saying I dearly love my friend from Delaware. [Laughter.]

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

Mr. WILLIAMS of Delaware. In just a moment.

Mr. President, certainly there is no one I would rather debate or work with than the Senator from Rhode Island. I think we both enjoy it, and it is certainly nothing personal. We are the best of friends.

Mr. President, I shall yield in just a moment to the Senator from Iowa, but as evidence of the seriousness of our financial position, I ask unanimous consent to have printed in the RECORD a report furnished by the Department of Commerce which contains a tabulation of the bankruptcies filed for the past several years along with a breakdown of the different groups involved.

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

BANKRUPTCY FILINGS BY CLASS

Fiscal year	Chapter XIII	Employee	Nonbusiness	Business	Total bankruptcy case filings
1939	1,639				50,997
1940	3,260	36,843	39,073	13,248	52,577
1941	4,433	42,348	44,713	11,619	56,335
1942	4,100	40,180	42,251	9,858	52,109
1943	2,007	27,020	28,782	5,929	34,711
1944	1,249	15,460	16,752	2,781	19,533
1945	1,248	10,010	11,051	1,811	12,862
1946	1,371	7,618	8,566	1,630	10,196
1947	2,354	9,396	10,234	2,936	13,170
1948	3,315	12,546	13,537	4,973	18,510
1949	5,111	17,772	19,144	6,877	26,021
1950	6,007	22,933	25,040	8,352	33,392
1951	6,924	25,984	27,806	7,387	35,193
1952	7,397	26,527	28,331	6,542	34,873
1953	8,670	31,253	33,315	6,772	40,087
1954	9,634	40,889	44,248	8,888	53,136
1955	9,864	46,163	50,219	9,185	59,404
1956	9,535	48,784	52,608	9,478	62,086
1957	11,549	59,053	63,617	10,144	73,761
1958	13,391	73,379	80,265	11,403	91,668
1959	12,993	81,516	88,943	11,729	100,672
1960	13,599	89,639	97,750	12,284	110,034
1961	19,723	119,117	131,402	15,241	146,643
1962	22,880	120,742	132,125	15,655	147,780
1963	24,329	127,156	139,190	16,303	155,493
1964	27,292	141,550	155,209	16,510	171,719
1965	28,027	148,965	163,413	16,910	810,323
1966	28,261	160,299	175,924	16,430	192,354
1967	31,963	174,205	191,729	16,600	208,329

NUMBER OF BANKRUPTCY CASES FILED BY OCCUPATIONS IN THE BUSINESS AND NONBUSINESS GROUPS FOR THE FISCAL YEARS 1940 THROUGH 1967

Fiscal year	Nonbusiness			Business						Grand total	National population
	Employee	Others not in business	Total	Merchants	Manufacturers	Farmers	Professionals	Others in business	Total		
1940	36,843	2,230	39,073	4,651	921	2,678	801	4,197	13,248	52,321	132,122,000
Percent of total	70.4	4.3	74.7	8.9	1.8	5.1	1.5	8	25.3	100	
1941	42,348	2,365	44,713	4,278	766	2,367	744	3,464	11,619	56,332	133,402,000
Percent of total	75.2	4.2	79.4	7.6	1.4	4.2	1.3	6.1	20.6	100	
1942	40,180	2,071	42,251	3,386	507	2,048	581	3,336	9,858	52,109	134,860,000
Percent of total	77.1	4	81.1	6.5	1	3.9	1.1	6.4	18.9	100	
1943	27,020	1,762	28,782	1,775	286	1,151	395	2,322	5,929	34,711	136,739,000
Percent of total	77.8	5.1	82.9	5.1	0.8	3.3	1.2	6.7	17.1	100	
1944	15,460	1,292	16,752	554	181	512	211	1,323	2,781	19,533	138,397,000
Percent of total	79.2	6.6	85.8	2.8	0.9	2.6	1.1	6.8	14.2	100	
1945	10,010	1,041	11,051	287	153	305	152	914	1,811	12,862	139,928,000
Percent of total	77.8	8.1	85.9	2.2	1.2	2.4	1.2	7.1	14.1	100	
1946	7,618	948	8,566	236	201	260	112	821	1,630	10,196	141,389,000
Percent of total	74.7	9.3	84.0	2.3	2	2.5	1.1	8.1	16	100	
1947	9,396	838	10,234	631	596	183	111	1,415	2,936	13,170	144,126,000
Percent of total	71.3	6.4	77.7	4.8	4.5	1.4	0.8	10.8	22.3	100	
1948	12,546	911	13,537	1,338	808	167	114	2,546	4,973	18,510	146,631,000
Percent of total	67.8	5.3	73.1	7.2	4.4	0.9	0.6	13.8	26.9	100	
1949	17,772	1,372	19,144	1,969	853	232	159	3,664	6,877	26,021	149,188,000
Percent of total	68.3	5.3	73.6	7.5	3.3	0.9	0.6	14.1	26.4	100	
1950	22,933	2,107	25,040	2,565	803	290	126	4,568	8,352	33,392	151,677,000
Percent of total	68.7	6.3	75	7.7	2.4	0.8	0.4	13.7	25	100	
1951	25,984	1,822	27,806	2,360	522	205	127	4,173	7,387	35,193	154,360,000
Percent of total	73.8	5.2	79	6.7	1.5	0.6	0.4	11.8	21	100	
1952	26,527	1,804	28,331	2,319	532	196	137	3,358	6,542	34,873	156,981,000
Percent of total	76.1	5.2	81.3	6.6	1.5	0.6	0.4	9.6	18.7	100	
1953	31,253	2,062	33,315	2,402	518	214	140	3,498	6,772	40,087	159,696,000
Percent of total	78	5.1	83.1	6	1.3	0.5	0.4	8.7	16.9	100	
1954	40,889	3,359	44,248	3,191	745	322	154	4,476	8,888	53,136	162,409,000
Percent of total	77	6.3	83.3	6	1.4	0.6	0.3	8.4	16.7	100	
1955	46,163	4,056	50,219	3,317	750	386	217	4,515	9,185	59,404	165,248,000
Percent of total	77.7	6.8	84.5	5.6	1.3	0.6	0.4	7.6	15.5	100	
1956	48,784	3,824	52,608	3,155	730	400	212	4,981	9,478	62,086	168,091,000
Percent of total	78.6	6.2	84.8	5.1	1.2	0.6	0.3	8	15.2	100	
1957	59,053	4,564	63,617	3,160	665	405	204	5,710	10,144	73,761	171,191,000
Percent of total	80.1	6.2	86.3	4.3	0.9	0.5	0.3	7.7	13.7	100	
1958	73,379	6,886	80,265	3,504	758	332	284	6,525	11,403	91,668	174,000,000
Percent of total	80.1	7.5	87.6	3.8	0.8	0.4	0.3	7.1	12.4	100	
1959	81,516	7,427	88,943	3,400	634	408	403	6,857	11,729	100,672	177,128,000
Percent of total	81	7.4	88.4	3.4	0.6	0.4	0.4	6.8	11.6	100	
1960	89,639	8,111	97,750	3,157	624	453	495	7,555	12,284	110,034	180,670,000
Percent of total	81.4	7.4	88.8	2.9	0.6	0.4	0.4	6.9	11.2	100	
1961	119,117	12,285	131,402	4,244	790	546	623	9,038	15,241	146,643	182,868,000
Percent of total	81.2	8.4	89.6	2.9	0.5	0.4	0.4	6.2	10.4	100	
1962	120,742	11,383	132,125	4,295	735	548	771	9,306	15,655	147,780	186,482,000
Percent of total	81.8	7.7	89.5	3	0.4	0.4	0.5	6.2	10.5	100	
1963	127,156	12,034	139,190	4,271	859	554	753	9,866	16,303	155,493	189,278,000
Percent of total	81.8	7.7	89.5	2.7	0.6	0.4	0.5	6.3	10.5	100	
1964	141,550	13,659	155,209	5,064	819	565	785	9,277	16,510	171,719	191,851,000
Percent of total	82.4	8	90.4	2.9	0.5	0.3	0.5	5.4	9.6	100	
1965	148,965	14,448	163,413	4,856	852	589	780	9,833	16,910	180,323	193,818,000
Percent of total	82.6	8	90.6	2.7	0.5	0.3	0.4	5.5	9.4	100	
1966	160,299	15,625	175,924	4,683	747	551	632	9,817	16,430	192,354	196,843,000
Percent of total	83.3	8.2	91.5	2.4	0.4	0.3	0.3	5.1	8.5	100	
1967	174,205	17,524	191,729	4,929	729	443	704	9,732	16,600	208,329	199,118,000
Percent of total	83.6	8.4	92	2.4	0.4	0.2	0.3	4.7	8	100	

Mr. WILLIAMS of Delaware. I call this tabulation to the attention of the Senate because it shows that the filing of bankruptcies in this country is practically double today what it was about 5 or 6 years ago. This shows that the economy of this country is not as healthy as some would like to think. I am only stating my concern over the ability of the U.S. Government to finance all of these Great Society programs on the domestic front without any curtailment while financing a full-scale war in Vietnam, all at the same time. The alternative is a prohibitive tax increase.

I happen to be one who thinks a tax increase will be imperative. I have said that publicly many times; but I have also said, and I emphasize again, that before I would support a tax increase we must have a bona fide reduction in Government expenditures. And we are not going to get a reduction in Government expenditures until Congress starts voting less money for some of these programs.

I do not think that we as a Congress have a moral right to vote for all of these appropriations and then blame the President for not cutting back on spending. We, too, have a responsibility right here in the Senate when we answer the rollcall votes. I believe we ought to discharge that responsibility as we vote. If we want to cut appropriations let us do our part here.

If I were not voting to cut back these expenditures or to hold them down I would not criticize the President of the United States. I agree fully that we should accept our own responsibility, but at the same time, I repeat what I have said earlier, that it should be called to the attention of the President that it does not take any more ink, it does not even take a different pen, to veto an excessive spending bill than it does to approve it. I am a little impatient at hearing him tell how proud he is about how much more and more he is giving to everybody and then hearing him criticize spending, saying that the fault is with Congress, that "They made me do it." The President, too, should accept his responsibility, as well as the rest of us.

I think this pending amendment should be agreed to. I do not see how we can justify the defeat of the amendment on the basis that in this bill there is more money than we expect to retain in conference. That is a good bit like going out to sell the old mule, and saying, "Dad said to ask $50 but if you can't get $50 take $25, and I think I will sell him for $10 because that is more than he is worth."

Let the Senate put in the bill what they expect the conferees to stand on.

I am ready to vote, but first I yield to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Delaware. Mr. President, during my colloquy with the Senator from Rhode Island, I referred to some previous proceedings. The proceedings to which I referred will be found in the September 28, 1967, issue of the CONGRESSIONAL RECORD, at pages 27151 to 27153. I should like to read a few portions from those pages:

Mr. MILLER. Mr. President, there has been widespread concern and criticism over the inadequate screening of prospective enrollees in the Job Corps. The majority leader of the Senate well expressed the problem on April 28 last year when he said:

"It was not my intention to support the establishment of three reformatories in my State."

He went on to describe the criminal activities of a Job Corps enrollee in his State and concluded by saying:

I cannot stress too strongly the need for a more careful selection of Job Corps men.

I hope that the Senator from Rhode Island will hear this statement.

I continue to read from the RECORD:

In the April 18 issue of the Oakland Tribune, an article on the Camp Parks Job Corps states that of the 7,591 young men enrolled since April 26, 1965, only 2,000 completed one or more of the courses; and of these, 1,567 have gone to work, back to school, or into the military service. Only 1,026 actually graduated from the Job Corps. The article reports:

"There is violence on the base—knifings, beatings, extortion, frequent thefts, vandalism, drugs, fear, and repeated muggings. . . . The climate of terror that exists has been confirmed during many interviews with Corpsmen, counselors, teachers and even administrators for the Job Corps. . . . the di-

rector of community affairs for Camp Parks concedes that girls have been smuggled into some of the dormitories as well as liquor and marijuana."

It states in another portion of the proceedings:

Nearly half of the Job Corps enrollees have left or been discharged before completing their course, and most of these left within 3 months after enrollment. The dropout rate of some Job Corps centers has been much higher. Certainly a better job of screening would have prevented this.

Other statistics are contained in the article.

Mr. President, I point out that this has all occurred while Sargent Shriver was Director of the Job Corps.

I must say that I think the RECORD is quite replete with examples of where a reduction of the overall Job Corps enrollees, if this amendment is agreed to, could be absorbed in two ways.

It could be absorbed by better screening and keeping out those who should not get there in the first place and whose presence there is wasting the money of the taxpayers. Second, it could be absorbed by reducing the cost of operating the Job Corps.

Mr. President, a statement was made by the Senator from Rhode Island regarding percentage depletion as a possible source of additional revenue to the Federal Government.

Mr. President, I have spoken on this subject several times in the Senate. I understand it very well, and the RECORD will show what I have said about it.

I am opposed to any meat-ax approach on this subject. However, it should be pointed out that I have been here for 7 years. I have not yet seen the administration come to Congress and ask for anything to be done about this.

If this is a reasonable source of revenue, it is just a little bit late now to start talking about it.

Finally, I am concerned about holding levels of spending where they are now. I recognize that there has been some increase in the cost of living and in Government salaries and that in order to carry out programs it may be necessary to increase the appropriations a little bit over what they were for the last year.

Mr. President, it seems to me that the Senate conferees ought to be willing to go to the conference committee with an amendment to provide for just what the Director says is necessary, $1.788 billion, and stand firm on that.

The House has stood firm on some of its figures. I see no reason why the Senate conferees cannot stand firm on their figures, and especially if they are on solid ground.

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

Mr. MILLER. I yield.

Mr. PASTORE. Mr. President, I do not know how much experience the Senator from Rhode Island has had in these matters. I have been around here for 17 years. The Senator is oversimplifying a very hard problem. However, I am not critical of that. All I am saying is that if the final figure is $1.788 billion, all that would do would be to take care of the ongoing programs. It would not include the other programs that have been authorized in the recent bill.

If only that amount were appropriated, it would stop Headstart, Follow-through, day care, the provision contained in the amendment of the Senator from Mississippi [Mr. STENNIS] to feed the very poor, and medical care for the very poor. All of those programs would have to be omitted.

They have all got to be cut down anyway for the simple reason that the authorization was below the original budget request.

The figure of $1.788 billion, as I have explained, will only allow us to continue on the same level the programs that are now ongoing and in progress.

What I did say to the Senator from Delaware was that even if we allow the figure of $1.98 billion, that would be subject to the 10-percent program cut and also would be subject to the 2-percent personnel fund cut.

As a matter of fact, the Senator from South Dakota [Mr. MUNDT] moved in committee that we go to a figure of $1.8 billion. That motion was defeated.

The only reason we are asking for this amount is to give us leeway. I have no doubt that we will not come out with the figure of $1.98 billion. However, we are reasonable men. We want to be just as frugal as does the Senator from Iowa. However, we are asking this as a courtesy from the Senate to allow us to go to conference with the top dollar reported by the committee to meet the bottom dollar of the House, and talk about the 10-percent program cut and the 2-percent personnel fund cut and see if we cannot come out with a reasonable figure.

I do not understand why we are wasting this time.

That is what it amounts to.

I can say definitely that the administration cannot spend more than has been appropriated. If the Senator wants us to go to conference with that figure, we will not come out with it.

The Senator is asking us to explain our whole strategy, and I am afraid that by the time we get through we will not have any strategy left.

Mr. MILLER. Mr. President, I appreciate the fairness of the Senator. I pointed out that I thought he was doing a service in presenting the matter openly. We ought to have this on the table and nothing ought to be under the table.

The Senator from Rhode Island has done that very thing, for which I commend him. However, on this side of the aisle, perhaps we have a little more confidence in the negotiating ability of the Senator from Rhode Island than he has in himself.

I think that if the Senate is right on this matter, especially if we have such an amendment approved by a very large majority so that the Senator from Rhode Island can go over there with a great amount of confidence, he will prevail on that figure.

The House conferees are reasonable. Just because they have provided $1.6 billion should not, I think, give any Member of the Senate an excuse for suggesting that they are interested in meat axing all these programs. House Members recognize that there are a great many poor people today who ought to be taken care of. I do not believe the Senate should look on the House in an unfavorable light. I myself do not.

The Senator from Delaware has performed a service. He does not stand alone, I remind the Senator from Rhode Island. There are a great many Senators on both sides of the aisle who are deeply concerned about the increasing cost of living, inflation, and higher interest rates.

Mr. PASTORE. We all are.

Mr. MILLER. But what are we going to do about it? It does not do any good to make speeches about how deplorable these conditions are unless Senators are willing to do something about them by yea-and-nay votes.

We are confronted with an anomalous situation. We are talking about programs for poor people. Yet it is the poor people who are hurt the most by the increases in the cost of living. Last year the increase in the cost of living had an impact equivalent to a 12-percent sales tax on the people of New Jersey. That might be a pretty good reason why there were some riots in Newark.

We had better make up our minds whether we are going to help the poor people; whether with the right hand we are going to help them and with the left and soak them with inflation. That inflation starts on Capitol Hill when multibillion-dollar deficit spending takes place. That is what the Senator from Delaware is pointing out. We will not get anywhere in stopping inflation unless we do it by yea-and-nay votes.

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

Mr. MILLER. I do not have the floor.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from California.

Mr. MURPHY. I am most sympathetic to both sides in this discussion. I know the problem faced by the Senator from Rhode Island. I know something of the problems faced by those of us who serve on the committee which considered the authorization for Office of Economic Opportunity. For instance, the programs that would be cut from the list have been carefully selected; yet we will have in the bill some good ongoing programs. But there are some other programs, I believe, that we could very well delete.

My State has a program which has received more than $2,000,000 to provide rural legal services for those individuals who cannot afford a lawyer.

What has happened? The program has fallen into the hands of a young, apparently very bright, sociological expert who has brought suits against the Secretary of Labor and against the Governor of the State. That was not the purpose for which the Federal funds were granted. This is what is disturbing.

The Parks Job Corps camp in my State is run by one of the most efficient industrial organizations in this country, Litton Industries. I was asked to go there, having been prepared to see a finely run operation. The day before I visited the camp I learned that $22,000 had been spent last year to pay for windows broken by trainees. These

trainees, insofar as we can learn, are costing the taxpayers approximately $11,000 each.

Each year I have objected to the high cost of this program and each year I have been told by Mr. Shriver that we are just starting out, that next year the cost will be reduced. They have a new Job Corps Director now, who, I believe, will do a good job because he is a man who will admit mistakes and attempt to correct them.

I have as much concern for the poor as anyone, as the Senator knows, but I cannot support a program which is intended to help the poor but does not due to misdirection and a lack of coordination and planning. For example, we have found that poverty workers are being used to register voters. Obviously, this is not a priority program, but rather it is the type of situation that causes concern on this side of the aisle, yet no one on this side of the aisle, to my knowledge, wants to take away one dollar from the program if it will feed a hungry person, clothe somebody who is cold, or help train an unskilled person for a job.

These are the priority programs which must be undertaken. Instead, we have channeled too much money into ventures of dubious value.

Mr. PASTORE. We have gone into it in great detail. The Senator must realize that this is a gigantic problem.

Mr. MURPHY. It is so big that we cannot find out accurately what has happened.

Mr. PASTORE. This program will cost approximately $2 billion. To illustrate how much that is, I am told that if you stack one thousand-dollar bills one on top of the other in order to reach $2 billion, you will go up the height of the Washington Monument twice and have 280 inches to spare. That is a great deal of money.

It should be borne in mind that we have a population of 200 million people, and a great many people are involved.

I do not say that this is a perfect program. It is a new program, a new venture.

Our experience has been that when the attention of the administration is called to matter or the person responsible is called to account, there has been an attempt to rectify the situation. I realize that there are abuses.

Yesterday, the question of legal services came up in our committee. The American Bar Association is in favor of this program. Senator HOLLAND does not think it is a good program.

Mr. MURPHY. I thought the legal services program was a good idea, but the way it is being implemented in some areas is awful.

Mr. PASTORE. The point is that you cannot throw out the baby with the bath water.

It might be said that the way you could justify a cut of $100 million is the way you could justify a cut of a half billion dollars or of $1 billion. All I am saying is that this is the level of the program. I do not believe that efficiency will be promoted by cutting it down. Efficiency will be promoted by proper administration, no matter what is appropriated. But the argument developed here today, for some reason, is that if we take out a couple of hundred million dollars it will be a better program than it is now. I cannot buy that.

Mr. MURPHY. Are you saying that, if you have a program that is not very good, it will be better if you give it more money?

Mr. PASTORE. I do not subscribe to that logic.

Mr. MURPHY. But the Senator will agree that we run into this problem continually.

One of the best programs in my State, a temporary housing program, was almost dropped. I cannot find out why. The committee had to conduct hearings around the country and spend more money in order to find out what was being accomplished because we could not find out from the director.

I am reciting this aspect because I want the RECORD to show why I object and why I have objected continually, beginning with my plea to get politics out of the program and ending with my plea to get the money designed for the poor directly to the poor. There are better ideas on how to do this and better ways to do it.

Mr. PASTORE. And we should work them out.

Mr. MURPHY. I agree.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. HANSEN. Mr. President, I shall support the pending amendment. I want it clearly understood that I am not opposed to the poverty program. As Governor of the State of Wyoming, I endorsed the establishment of a Job Corps camp in Casper, Wyo. I am concerned for poor people. I shall support this program precisely because of my concern for poor people.

I believe there is a relevance between headlong inflation and poor people. It has already been pointed out in the debate that the persons who are hurt first and who suffer most are the poor people.

Let me relate to the Senate what inflation last year amounted to in terms of an additional sales tax to my people of Wyoming. The 3-percent increase in inflation last year had the same effect on the payrolls and the pocketbooks of the people of Wyoming as would have resulted from an increase in our sales tax there by 5 percent.

I am concerned about inflation and an unbalanced budget because we have voted 4½- to 6-percent salary increases for Government employees on the floor. It is easy to be in favor of economy, and it is easy to make these arguments about our concern for the poor, for the uneducated, for the people who are underprivileged. But if we are to have a balanced budget, we must get down to specifics and say how we will cut and where we will cut.

All we need do is to look at England in order to realize what can happen in America. We forget that it might happen here. England has gone through the same process. It has appropriated and has spent more money than it has taken in. It had to devalue the pound. The prediction is that perhaps within 18 months Great Britain will have to institute another devaluation, and this points out the dangers inherent in appropriating more money and spending more money, year after year, than we take in. England's irresponsible lack of sound fiscal management, which our actions here parallel, has not helped the poor—it has hurt them. No one understand that more clearly than Great Britain's poor people.

These are the reasons that constrain me to support the pending amendment.

I thank the Senator from Delaware for yielding to me.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the position of those who favor this program and think that it should receive the full amount, and I do not question their sincerity. But those of us who are proposing this reduction, as the Senator from Wyoming has pointed out, are equally concerned. We are concerned about inflation which has a serious effect on these same people.

I call attention to another point. This is not the only program for job training or day-care centers, and so forth. Millions of dollars are included in the social security bill, upon which we will vote tomorrow, for day-care centers, millions of dollars for work training programs. These are the same types of programs that are in this bill. Many of us have believed that these programs should be consolidated into one program. When two or three bureaucracies are established too much money is going for bureaucratic salaries rather than getting down to the people who need it. I repeat, hundreds of million of dollars involved in the other programs will be appropriated and authorized by the bills we will act on tomorrow.

So this is not the only program. It is not the only program dealing with the same people doing the same jobs.

We must also recognize that there is a question as to how far we can go, because as the small business places which are handicapped by these increased taxes go bankrupt the same people lose jobs.

Mr. President, there is a happy medium somewhere. This is only a difference of opinion as to where we reach this happy medium and what we can afford and cannot afford. I do not think that there is any question but that all of us have the same objective in mind. There may be differences of opinion as to how we can best achieve that objective. There may be differences of opinion as to how much money we can spend on this program. But we should accept it as an honest difference of opinion. I do not think there is a question in anyone's mind but that we are all seeking the best answers that we are all trying to determine what is in the best interest of the United States of America as a whole.

Mr. MILLER and Mr. JAVITS addressed the Chair.

Mr. WILLIAMS of Delaware. Mr. President, I yield to the Senator from Iowa.

Mr. MILLER. Mr. President, this debate, I think, has been good for everyone present. I must say I believe the Senator from Delaware has a point when he suggests that we adopt a $1.6 billion figure, just as the House has done, so

that we do not have to go to conference on it and we would not have anything to worry about. At the same time I think it is quite clear in the face of increased government salaries and in the face of increases in the cost of living that some modest increase over that amount is necessary.

In this morning's newspapers, the OEO has come out and stated that in order to continue with the present programs they need $1,788,000,000. This figure may possibly be subject to a 10-percent reduction or some reduction. I think there is certain discretion in the President's office on this matter. However, we should make up our minds that we are in a war, that we have the highest interest rates now since the Civil War, and that this inflation is going to go on if we do not do something about it. I suggest to my good friend from Delaware that we might be a little more realistic if the amendment could be modified to $1,788 million, which is the amount that the OEO said it needs; then, let the Senate conferees go to the House and stand up for this. I believe that would prevail because I think most of us wish some of these programs to go on, and as long as we are on solid ground with respect to the fact that this is what the OEO needs, I think it should be given a try. I wonder if the Senator would consider that.

Mr. WILLIAMS of Delaware. Mr. President, I think the amendment I offered is meritorious. It allows the same amount that the House thought necessary.

However, in the interest of compromise I would go along with that suggestion if Senators think it would be more advisable. I think we have to make a start somewhere. We cannot continue to expand these programs.

If Senators would feel better about it, I would be willing to modify the amendment accordingly.

Mr. President, in the interest of reaching an agreement, I ask unanimous consent to modify the amendment to read $1,788,000,000.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. PASTORE. There is no objection.

The ACTING PRESIDENT pro tempore. The Chair hears no objection, and it is so ordered.

Mr. JAVITS. Mr. President, the Senator makes what I am about to say very pertinent by his modification. We have not objected. We have consulted and we thought there was no use proliferating votes because if the amendment of the Senator were to be rejected, we know that he would go forward with another amendment. That is why I welcome what the Senator has done.

With respect to the figure of $1.788 billion, I wish to state that I think I am informed on this matter. I have been through this many times because I am a member of the legislative committee and the Committee on Appropriations. In the words of the OEO, the $1.788 billion is needed just to continue programs at last year's level. But any creativity in this antipoverty effort requires that OEO not just blindly continue old programs. That is the very thing that Members have a right to complain about. We want this program to become leaner, harder, and more effective.

Therefore, you do not want them blindly continuing what they did before, and we do not want to put them in that kind of a straitjacket.

The essential element is with respect to what the ultimate figure will be that will come out of this. I address this to the Senate. There is no more experienced Senator on appropriations than the distinguished Senator from Rhode Island [Mr. PASTORE]. If we go into conference with $1,788 million, we will come out with a much lesser figure, and that will materially harm and damage a program which is already seriously curtailed.

It is for that reason that the committee, which is very hardheaded, went along with the distinguished Senator from Rhode Island [Mr. PASTORE], me, and others who felt we had to go in with the authorized figure, which was a lean and hard figure, based on a drastic compromise in the authorization legislation after a conference with the other body.

Mr. President, Members who support this amendment are guaranteeing a material reduction in the program in such areas as day care centers, the Job Corps, and everything that the program embraces. They should have no misunderstanding about this.

The Senate committee could ask for $1.788 billion until it is blue in the face and it will not get it in conference if that is what it goes in with. I have been in these conferences. I can certify that fact to the Senate. If Senators want a decent compromise figure they must support the committee, because that is the only way to get it.

Mr. WILLIAMS of Delaware. Mr. President, I shall only take 2 minutes.

We have now made a complete circle, and we are back now to a point where we are ready to vote. First, we had the argument that if this amendment is agreed to it would destroy the entire poverty program. We are now back to the point where we are told it will not affect the program at all because it is meaningless.

Mr. President, it is not meaningless to save $192 million. That is the amount involved in this proposal. An argument has been made that if this amendment is adopted a disaster is going to develop with Headstart or with the poverty-stricken individual who will be looking for a job. That is a smokescreen.

Why does not somebody mention that we might eliminate at least one of the high bureaucratic salaries? Let us not overlook the fact that the administrator of this poverty program and some of his associates are drawing more money in salaries than General Westmoreland draws for managing and taking charge of the war in Vietnam. There are any number of employees on the payroll of the poverty program drawing more money than mayors and some Governors of States. But nobody mentions that we might cut back on one of those items. Why? No one expresses concern over these large salaries. Those luxury jobs must be continued and expanded, and all of the punishment will be taken out down below. That is a shopworn argument. Let us not forget that these are not the only programs dealing with poverty or lack of jobs. There are day care centers, training programs, and several welfare and relief programs under other agencies and all operating in the same general area. With the elimination of the overlapping of the high-salaried bureaucracy it would well save more than $192 million.

The elimination of some of the graft that has been exposed in this agency would save more than the amount involved in this amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (after having voted in the negative). Mr. President, I understand that the distinguished Senator from Wisconsin is detained on official business of the greatest importance. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Wisconsin [Mr. NELSON], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from Wyoming [Mr. McGEE], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. McGEE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Louisiana [Mr. ELLENDER] would each vote "nay."

On this vote, the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Alaska [Mr. GRUENING]. If present and voting, the Senator from Mississippi would vote "yea," and the Senator from Alaska would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

The Senator from Texas [Mr. TOWER] is detained on official business.

If present and voting, the Senator from Illinois [Mr. PERCY] would vote "nay."

On this vote, the Senator from Vermont [Mr. AIKEN] is paired with the Senator from Colorado [Mr. ALLOTT]. If present and voting, the Senator from Vermont would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from California [Mr. KUCHEL]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Pennsylvania would vote "nay," and the Senator from Texas would vote "yea."

The result was announced—yeas 30, nays 46, as follows:

[No. 390 Leg.]

YEAS—30

Bennett	Fannin	Pearson
Bible	Hansen	Russell
Byrd, Va.	Hickenlooper	Sparkman
Byrd, W. Va.	Hill	Spong
Carlson	Jordan, Idaho	Stennis
Cotton	McClellan	Symington
Curtis	Miller	Talmadge
Dirksen	Morton	Thurmond
Dominick	Mundt	Williams, Del.
Ervin	Murphy	Young, N. Dak.

NAYS—46

Anderson	Hartke	Monroney
Bartlett	Hatfield	Montoya
Boggs	Hayden	Morse
Brooke	Holland	Moss
Burdick	Hollings	Muskie
Cannon	Jackson	Pastore
Case	Javits	Pell
Church	Kennedy, Mass.	Proxmire
Clark	Kennedy, N.Y.	Randolph
Cooper	Lausche	Smith
Fong	Magnuson	Tydings
Fulbright	McCarthy	Williams, N.J.
Gore	McGovern	Yarborough
Griffin	McIntyre	Young, Ohio
Harris	Metcalf	
Hart	Mondale	

NOT VOTING—24

Aiken	Gruening	McGee
Allott	Hruska	Nelson
Baker	Inouye	Percy
Bayh	Jordan, N.C.	Prouty
Brewster	Kuchel	Ribicoff
Dodd	Long, Mo.	Scott
Eastland	Long, La.	Smathers
Ellender	Mansfield	Tower

So the amendment of Mr. WILLIAMS of Delaware was rejected.

Mr. PASTORE. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. HOLLAND and Mr. JAVITS moved to lay the motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. PASTORE. Mr. President, I know of no further amendment.

The ACTING PRESIDING pro tempore. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

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

The bill was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senate is not in order. The rollcall will not proceed until there is order. Senators are not in order.

Mr. YOUNG of Ohio. Mr. President, it is not really Senators who are not in order, but the persons who stand around here. We have raised their salaries and still they have nothing to do but talk with each other and interfere with the business of the Senate. Something should be done about it.

The ACTING PRESIDENT pro tempore. The point of order is well taken. The Sergeant at Arms will enforce the rule. Attaches not needed on the floor will leave the Chamber. Others will take their seats.

The clerk will continue the call of the roll.

The rollcall was concluded.

Mr. MANSFIELD (after having voted in the affirmative). On this vote, I have a pair with the distinguished Senator from Minnesota [Mr. MONDALE], who is absent on official business—very official business. If he were present and voting, he would vote "yea"; if I were permitted to vote, I would vote "nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana, [Mr. LONG], the Senator from Minnesota [Mr. MONDALE], and the Senator from Connecticut [Mr. RIBICOFF] are absent on official business.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from Wyoming [Mr. MCGEE], the Senator from Florida [Mr. SMATHERS], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Louisiana [Mr. ELLENDER], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from Missouri [Mr. LONG], the Senator from Wyoming [Mr. MCGEE], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Alaska would vote "yea," and the Senator from Mississippi would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], and the Senator from Pennsylvania [Mr. SCOTT] are necessarily absent.

The Senator from Colorado [Mr. ALLOTT] is absent on official business.

The Senator from Vermont [Mr. PROUTY] is absent because of illness.

The Senator from Texas [Mr. TOWER] is detained on official business.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Colorado [Mr. ALLOTT], the Senator from Tennessee [Mr. BAKER], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. KUCHEL], the Senator from Illinois [Mr. PERCY], the Senator from Texas [Mr. TOWER], and the Senator from Pennsylvania [Mr. SCOTT] would each vote "yea."

The result was announced—yeas 68, nays 7, as follows:

[No. 391 Leg.]

YEAS—68

Anderson	Hansen	Montoya
Bartlett	Harris	Morse
Bennett	Hart	Morton
Bible	Hartke	Moss
Boggs	Hatfield	Mundt
Brooke	Hayden	Murphy
Burdick	Hickenlooper	Muskie
Byrd, W. Va.	Hill	Nelson
Cannon	Holland	Pastore
Carlson	Hollings	Pearson
Case	Jackson	Pell
Church	Javits	Proxmire
Clark	Jordan, Idaho	Randolph
Cooper	Kennedy, Mass.	Smith
Curtis	Kennedy, N.Y.	Sparkman
Dirksen	Lausche	Spong
Dominick	Magnuson	Symington
Ervin	McCarthy	Tydings
Fannin	McGovern	Williams, N.J.
Fong	McIntyre	Yarborough
Fulbright	Metcalf	Young, N. Dak.
Gore	Miller	Young, Ohio
Griffin	Monroney	

NAYS—7

Byrd, Va.	Russell	Thurmond
Cotton	Stennis	Williams, Del.
McClellan		

NOT VOTING—25

Aiken	Hruska	Percy
Allott	Inouye	Prouty
Baker	Jordan, N.C.	Ribicoff
Bayh	Kuchel	Scott
Brewster	Long, Mo.	Smathers
Dodd	Long, La.	Talmadge
Eastland	Mansfield	Tower
Ellender	McGee	
Gruening	Mondale	

So the bill (H.R. 14397) was passed.

Mr. PASTORE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized in the engrossment of the Senate amendments to the bill (H.R. 14397) to correct any technical or clerical errors.

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

Mr. PASTORE. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives on the disagreeing votes thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to and the Acting President pro tempore appointed Mr. PASTORE, Mr. HOLLAND, Mr. RUSSELL, Mr. HILL, Mr. MCCLELLAN, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MUNDT, Mr. YOUNG of North Dakota, and Mrs. SMITH conferees on the part of the Senate.

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

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

On December 11, 1967:

S.J. Res. 35. Joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas.

On December 12, 1967:

S. 343. An act to provide that the Federal office building to be constructed in Detroit, Michigan, shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966.

On December 13, 1967:

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

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 10783) relating to crime and criminal procedure in the District of Columbia.

EXECUTIVE COMMUNICATIONS, ETC.

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

ACCEPTANCE OF GIFTS FOR THE BENEFIT OF INDIANS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Act of February 14, 1931, relating to the acceptance of gifts for the benefit of Indians (with an accompanying paper); to the Committee on Interior and Insular Affairs.

TRANSPORTATION SERVICE BETWEEN FORT SUMTER NATIONAL MONUMENT AND CHARLESTON, S.C.

A letter from the Deputy Assistant Secretary of the Interior transmitting, pursuant to law, a proposed concession contract under which Fort Sumter Tours, Inc., will be authorized to continue to operate a boat transportation service for the public between Fort Sumter National Monument and Charleston, S.C., for a ten-year period from January 1, 1968, through December 31, 1977, when executed by the Director of the National Park Service (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED COMPENSATION FOR URANIUM MINERS WHO CONTRACT CANCER FROM RADIATION

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDING OFFICER appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "unemployment compensation for Federal employees and ex-servicemen", for the fiscal year 1968, had been apportioned on a basis which indicates the necessity for a supplemental estimate for appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Limitation on Grants to States for Unemployment Compensation and Employment Service Administration, Unemployment Trust Fund," for the fiscal year 1968, has been apportioned on a basis which indicates the necessity for a supplement estimate of appropriation; to the Committee on Appropriations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 13042. An act to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia (Rept. No. 942).

Mr. PROXMIRE subsequently said: Mr. President, I ask unanimous consent that the report, submitted earlier today by the Senator from Oregon [Mr. MORSE], on H.R. 13042, be printed, together with individual views of the Senator from Virginia [Mr. SPONG] and the Senator from Colorado [Mr. DOMINICK].

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

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

S. 1228. A bill to authorize project grants for construction and modernization of hospitals and other medical facilities in the District of Columbia (Rept. No. 944).

By Mr. MAGNUSON, from the Committee on Commerce, without recommendation:

S. 562. A bill to require fresh potatoes purchased or sold in interstate commerce to be labeled according to the State in which such potatoes were grown (Rept. No. 943).

By Mr. HOLLINGS, from the Committee on Post Office and Civil Service, without amendment:

S. 1507. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations (Rept. No. 945).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. TOWER:

S. 2779. A bill to provide for an investigation and study of the feasibility of diverting water from the Missouri River to the western part of the State of Texas; to the Committee on Public Works.

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

By Mr. McCARTHY:

S. 2780. A bill to provide for assistance by the United States in the establishment and operation of the University of North Africa, proposed to be founded near Tangiers, Morocco, by U.S. citizens; to the Committee on Foreign Relations.

By Mr. JAVITS:

S. 2781. A bill to direct the Secretary of the Treasury to instruct the U.S. Executive Director of the International Monetary Fund to propose discussions on gold and to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes; to the Committee on Banking and Currency.

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

By Mr. YARBOROUGH (by request):

S. 2782. A bill to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. HOLLAND:

S. 2783. A bill for the relief of Dr. Cesar Baro Estava; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2784. A bill for the relief of Wong Sau Chi; and

S. 2785. A bill for the relief of Chen Sin Ding; to the Committee on the Judiciary.

By Mr. MONDALE:

S. 2786. A bill for the relief of Dr. Madhusadan L. Kakade; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 2787. A bill for the relief of Frank G. Hough, Inc.; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 2788. A bill to grant the district courts

of the United States jurisdiction to resolve controversy with respect to jurisdiction to regulate a public utility and to provide for venue in such cases; to the Committee on the Judiciary.

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

By Mr. NELSON:

S. 2789. A bill to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. KENNEDY of Massachusetts (for himself, Mr. YARBOROUGH, Mr. JAVITS, Mr. KENNEDY of New York, Mr. WILLIAMS of New Jersey, and Mr. HART):

S. 2790. A bill to amend section 212 of the Immigration and Nationality Act; to the Committee on the Judiciary.

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

By Mr. MAGNUSON (for himself, Mr. PASTORE, Mr. MONRONEY, Mr. LAUSCHE, Mr. BARTLETT, Mr. HARTKE, Mr. HART, Mr. CANNON, Mr. BREWSTER, Mr. LONG of Louisiana, and Mr. MOSS):

S.J. Res. 129. Joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses and for other purposes; to the Committee on Commerce.

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

STUDY OF THE FEASIBILITY OF USING WATER FROM THE MISSOURI RIVER IN WESTERN TEXAS

Mr. TOWER. Mr. President, at the recent annual meeting of the Mid-West Electric Consumers Association in Omaha, Nebr., on December 8, 1967, there was presented by R. W. Beck & Associates, analytical and consulting engineers, a plan for the use of the waters of the Missouri River by the Great Plains area, which includes much of the western part of the State of Texas. I think that this plan is most significant, and I call it to the attention of the Senate.

Its main point is that many areas in the Missouri River Basin have a surplus of water, while many other areas, that are contiguous with the basin, have a definite shortage. These shortages could be corrected by diverting water from the Missouri into the areas of shortage, still leaving plenty of water for the programed growth of all areas.

This proposal has foresight and vision. The water problem has long been one of the most serious in the Great Plains area, where the soil is so naturally rich and fertile, yet where little will grow in proportion to its potential, because of insufficient water supply. We lose much of our agricultural and industrial capability by not opening up these areas with water from areas of great surplus.

Quoting from the study:

As our water requirements increase, it is not realistic to permit water unused and unuseable in one area to go to waste when it can be transported and used in another area to enhance the nation's economy. A haunting memory to the Great Plains area is the drought of the Thirties, when a shortage of water supply resulted in untold economic loss and misery.

It is imperative that we act to prevent this from ever happening again, especially when the means are so near our grasp. The existing Texas water plan has recognized the fact that there is not enough water readily available for the western part of our State, and that the only sources that are feasible are at a great distance from the State. It is realized also that water will have to be transported from other areas to fill the requirements.

It is the contention of the study by R. W. Beck & Associates that the Missouri River Basin offers the best promise as a source of water for West Texas and I am inclined to agree with them.

The annual waterflow of the Missouri at Sioux City, Iowa, during the period from 1898 to 1962 was 33,400 cubic feet per second which was about 1½ times the flow of the Colorado, which serves California and Arizona. Thus there seems to be plenty of water to divert from one area to the other without endangering anyone's growth. As a fact of life, the western part of Texas, as well as other Great Plain's areas must have an increased water supply, and this could be the answer.

Under the proposed plan of development flows of the Missouri River would be diverted just downstream from Fort Randall Reservoir at an elevation of approximately 1,250 feet above sea level. The flows would be lifted through a series of dams and/or canals 200 miles up the Niobrara River in Nebraska to approximately elevation 4,050 feet above sea level at a point just north of Alliance, Nebr.

From there, the entire project water would flow by gravity in a major canal running almost due south through western Nebraska, crossing the North Platte River and passing between Sidney and Chappel, Nebr.; thence into eastern Colorado, crossing the South Platte River above Julesburg, Frenchman Creek above Holyoke, Colo., the South Fork of the Republican River and crossing into western Kansas above Goodland; thence generally along the Colorado-Kansas border crossing the Smokey Hill River to about Tribune, Kans., where the canal would swing back west to cross the Arkansas River below Lamar, Colo.; thence south to cross the Cimarron River below Boise City, Okla., the North Canadian River near the Oklahoma-Texas border, the Canadian River north and west of Amarillo, Tex.; thence south, crossing the Prairie Dog Town Fork of the Red River south of Amarillo and swinging slightly south and west through the high plains of west Texas crossing the upper reaches of the Brazos River above Lubbock, the Colorado River near the border of New Mexico and finally terminating at elevation 3,660 near Hobbs, N. Mex.

A small extension of the main canal could deliver water by gravity to the Pecos River near Carlsbad, N. Mex., and the remainder would flow in natural channels south to the Pecos River below Pecos, Tex.

Water delivered to the Pecos River could flow downstream through a potential power project south of Midland, Tex., where approximately 650 feet of head for conventional and pumped storage power development could be utilized before the water finally flows into the Rio Grande River above the Amistad project.

The diversion of a substantial amount of the flows of the Missouri River as here proposed will have no detrimental effect on any existing or proposed water resource developments in the Upper Basin.

Downstream water quality control on the Missouri River is assured in that at least 3 million acre-feet per year is planned for release below Sioux City for pollution abatement and municipal water supply requirements. This requirement was determined for the Corps of Engineers mainstem operation studies as being adequate with essentially untreated sewage being placed in the Missouri River at Omaha and other major population centers.

Desirable as this transfer is in theory, much planning and study is necessary before it can be carried out. The needs of the areas containing the surplus water must be taken into account, as well as how to parcel the water that is deemed available.

In order to answer these and many other questions raised, I introduce for appropriate reference a measure which would direct a study of the feasibility of diverting water from the Missouri River to areas, such as the western part of Texas, where the need is so great. I hope that the Senate will expeditiously consider this matter so that the planning for this great and urgent task may get underway.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a summary of the major features of this proposed project.

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

The bill (S. 2779) to provide for an investigation and study of the feasibility of diverting water from the Missouri River to the western part of the State of Texas, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Public Works.

The summary, presented by Mr. TOWER, is as follows:

A NEW WATER RESOURCE PLAN FOR THE GREAT PLAINS MAJOR PROJECT FEATURES

WATER SUPPLY

1. Source: Missouri River below Fort Randall Reservoir.

2. Availability At Point of Diversion: 13,000,000 Acre-Ft. avg. annual; 9,000,000 Acre-Ft. minimum; 16,000,000 Acre-Ft. maximum.

Delivered to Participating Projects: 10,200,000 Acre-Ft. avg. annual.

3. Means of Diversion & Transportation Pumping: Reversible turbines and pumps located at dams and/or canals along the length of the Niobrara River from the mouth

to Box Butte Reservoir near Alliance, Nebraska. Total pumping lift equals 2800 feet to elevation approximately 4050 feet.

Gravity: 940-mile long canal from elevation 4050 feet in Northwestern Nebraska through Eastern Colorado, Western Kansas, Western Oklahoma and West Texas to elevation 3660 feet near the Pecos River in New Mexico. Canal capacity at beginning of project equals 17,000 cfs.

POWER FEATURES

1. Pumping Power Requirements: 35 Billion kilowatt-hours annually for project pumping purposes, equivalent to 4000 mw at 100% load factor. This excludes repumping water cycled for peaking purposes.

2. Pumped Storage Peaking Capacity: As much as 3500 to 5300 mw of peaking capacity could be developed as required by the power market.

3. Other Power Features: Potential pumped storage project on Prairie Dog Town Fork of Red River southeast of Amarillo, Texas=1,200 mw.

Potential power facilities installed at participating project reservoirs along route due to increased water supply and on Pecos River below Pecos, Texas.

Additional energy production at existing and proposed dams downstream from canal.

PROJECT BENEFITS

1. Potential Irrigable Lands in Project Area: 53,000,000 Acres.

2. Water Benefits: Full and/or supplemental supply to 6,000,000-10,000,000 acres of irrigable land; municipal and industrial water supply. Direct annual water benefits=$350 million to $450 million.

Recharge of ground water aquifers.

Water quality improvement on intercepted rivers and streams.

3. Power Benefits: Raise of over-all system load factors for all electric systems in region to a very high level.

Provision of considerable on-peak capacity released to meet other system loads when pumping is interrupted and/or reversed.

Additional direct on-stream hydro and pumped storage project capacity.

Downstream benefits to other hydro power projects depending on releases to individual river basins.

4. Recreation, Fish and Wildlife Benefits: Direct benefits arising from reservoirs on Niobrara River; canal usage; participating reservoir projects.

5. Flood Control Benefits: Incidental flood control benefits from diverting uncontrolled high flows of intercepted streams into the proposed canal.

6. Indirect Benefits: Stimulus to economy of region and nation due to increased land values; adequate municipal and industrial water supply; new agri-business created; aid in population redistribution; land and water conservation.

PROJECT COSTS AND CONSTRUCTION PERIOD

1. Over-all Approximate Estimated Project Cost: $3–3.5 Billion depending on location of project water deliveries and alternative project plans. Estimate based on 1967 price levels and excludes any costs associated with slack-water navigation on Missouri River or of providing base load power.

2. Possible Completion Date, Initial Project: 1980, allowing 7 years for detailed project studies and 5 years for construction of initial project facilities. Ultimate full development dependent upon demand and participating project development.

REPEAL OF 25-PERCENT GOLD COVER

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill which, in my judgment, will make impregnable the position of the dollar by lessening the role of gold in the international monetary system.

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

The bill (S. 2781) to direct the Secretary of the Treasury to instruct the U.S. Executive Director of the International Monetary Fund to propose discussions on gold and to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, my bill would, first, direct the Secretary of the Treasury to instruct the U.S. Executive Director of the International Monetary Fund to propose to the IMF Executive Directors a thorough review of the international role of gold and ways to stop private gold speculation; and, second, repeal the 25-percent gold reserve requirement for Federal Reserve notes.

Mr. President, I also urge early congressional ratification of the agreement reached last September regarding the creation of new reserves—the "Special Drawing Rights."

I am also asking the chairman of the Joint Economic Committee, of which I am the ranking Senate member on the Republican side, to hold hearings on the domestic and international role of gold as early next year as possible.

The legislation introduced today is prompted by the devaluation of the pound sterling and the subsequent run on the London gold pool by speculators who are betting that the dollar will be devalued, too.

The resources available to the United States and those nations which are cooperating with us far outstrip the resources of the speculators; and the dollar will not be devalued but will be defended.

Despite the frivolous attitude of President de Gaulle toward the stability of the dollar, the world economy is heavily dependent on it as a sound international reserve and as a currency vitally important to international commerce. I am confident that most nations will do what is necessary not to endanger the world economy by irresponsible actions against the dollar.

The position of the U.S. dollar is stronger than any other currency in the world. The $800 billion U.S. economy stands behind it as well as $81 billion in U.S. investments abroad. Even with sizable foreign liabilities in the form of foreign investments in the United States and U.S. debts to foreign commercial and central banks, the United States retains today a net surplus of foreign assets over liabilities of about $50 billion. To this net asset value must be added $12.5 billion in the U.S. gold stock.

I propose this legislation because I believe that the dollar, rather than gold, is and should remain the standard of the international monetary system until an international standard as good as the dollar can take its place. In fact, as the world's supply of new gold has declined, reserves in the form of foreign exchange, mostly in dollars, increased. From December 1949 to the end of the first quarter of 1967, the foreign exchange reserves of all countries increased by about $13.22 billion, while the gold reserves of all countries increased by only $6.95 billion.

I am aware that discussions are underway—and these discussions have already been reported—between responsible financial officials of the industrialized nations on the operation of the gold and foreign exchange markets and how they may be improved. I am confident that in these discussions the question of the future role of gold in the international monetary system has a prominent place. However, by bringing this issue formally before the Executive Directors of the IMF as provided for in my bill, I am hoping that these discussions will lead sooner to concrete decisions on measures to stop the destabilizing effect of gold.

I am deeply concerned about the adequacy of international reserves as world commerce continues to expand. The growth of international monetary reserves since 1950 has been at a much smaller rate than the growth of world trade, even though there has been a moderate and steady growth of reserves until the end of 1965. Since December 1965 there has been only an insignificant increase in such reserve—total world reserves increased from $70.2 billion at the end of 1965 to $72 billion at the end of September 1967. But, the private absorption of gold has exceeded production and official gold reserves declined in 1966 and again in 1967. At the end of June 1967 official gold reserves totaled $40.5 billion, more than $1 billion less than at the end of December 1965.

Also, the growth in foreign exchange reserves has come to a virtual stop, increasing barely enough to make up for declining gold reserves. In mid-1967, foreign holdings of dollars were less than they had been at the end of 1964.

Unless a new source of international reserves is brought into play, there will be a decline in total reserves in relation to world commerce in the next 3 to 4 years and a world recession could take place.

During the past 10 years, European countries, particularly the Common Market and Switzerland, have greatly increased their reserves through the U.S. balance-of-payments deficit. Largely because of tradition—and in the case of France international political considerations—these countries have converted their new reserves, mostly dollars, into gold. These increased European gold reserves were met mostly from the gold reserves of the United States. As most of the new gold produced in the world is immediately absorbed by private speculators, it is quite likely that there will be no increase at all and possibly a decrease in aggregate gold reserves in the future. The only way any country could increase its gold reserves in the future would be by raiding the gold reserves of other countries. In my judgment such a development could be extremely damaging to the international monetary system.

I am hoping that the gold question can be resolved on the basis of international discussion and agreement and this is why I propose in this bill that the IMF Executive Directors take this matter in hand. I could have proposed several unilateral ways to sever the gold-dollar relationship—including widening the maximum and minimum prices of gold for sale to private buyers abroad; the refusal by the United States to buy gold at $35 an ounce and so forth. I believe, however, that before we consider taking such steps, every avenue should be explored to reach agreement on gold's future international role.

The bill I introduce today would also repeal the 25-percent gold reserve requirement behind 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 banks deposits it holds. By this act $4.9 billion in gold was added to the Nation's gold stock available to meet international claims. Today, our total gold stock is down to $12.4 billion, $10 billion of which is tied up as a reserve against Federal Reserve notes, leaving less than $2.5 billion in gold to meet foreign 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 continued international demand for gold, but also because of the expanding stock of Federal Reserve notes—money—and the growing industrial demand for gold. These two uses alone call for the absorption of $620 million in gold annually—$500 million as reserves for Federal Reserve notes and $120 million for jewelry, dental, and industrial uses.

It is true that the Federal Reserve Board can, under existing law, temporarily suspend the reserve requirement in an emergency. However, it would be far more desirable in my judgment if Congress eliminated this requirement deliberately to remove any doubt abroad about our willingness to defend the dollar. Changes in this law must be made before our gold reserves available to meet foreign claims are used up, because any change under emergency conditions would only aggravate the situation and encourage further gold outflows.

It should be noted that three European countries, Switzerland, Belgium, and the Netherlands, plus the United States are the only major countries that maintain gold reserve requirements today.

I have distinguished company urging repeal of the 25-percent gold reserve requirement. To cite two recent statements, on December 6, Chairman McChesney Martin of the Federal Reserve Board speaking before the American Bankers Association called for its repeal. On December 7 George S. Moore, chairman of the board of the First National City Bank, called for the prompt removal of this requirement because "our gold should be fully available to protect the position of the dollar internationally, as we have repeatedly stated to be our policy." This position is also supported by leading Members of Congress, economists, and leading newspapers.

While agreement was finally reached in Rio de Janeiro on September 30 by the Board of Governors of the IMF on a standby plan to establish a new reserve facility—known as "special drawing rights"—it still must be ratified by the legislatures of the member governments—which is now scheduled to take place by late next year—and even then it is uncertain as to when and under what conditions the new reserves will be created so that they would constitute an addition to international reserves.

However, after years of negotiation the principal industrialized nations of the world have agreed that the creation of international reserves should not be left to chance or ad hoc arrangements drawn up during the middle of a crisis but should be the result of deliberate action by an international body, the IMF. The special drawing rights agreement is therefore of historic importance. I am proud that I was able to participate, as a member of the U.S. delegation, in the decision to approve the plan and to seek ratification of the necessary changes in the IMF charter by the national legislatures of the IMF members.

In view of the absence of growth in international reserves, it is essential that the Rio agreement be ratified by the U.S. Congress and the other legislatures concerned early next year so that the plan may be activated before the annual meeting of the IMF next September and an adequate amount of SDR's—special drawing rights—be issued by the IMF as an addition to international reserves.

As stated in the report of the Joint Economic Committee's Subcommittee on International Exchange and Payments—of which I am a member—issued on December 13, 1967:

> It is highly important that the United States move toward equilibrium in its balance of payments, but the fact that the United States has not yet attained equilibrium should not preclude prompt activation of special drawing rights. The true inquiry ought to be whether world reserves are expanding at a proper rate.
>
> The United States must point out the risks inherent in undue delay, not only for the effectiveness of the new special drawing rights, but also for the stability of the monetary system itself. Moreover, in the event of failure of the Fund to arrange for a necessary, timely and adequate activation, the United States and other likeminded nations will have to explore alternative international monetary arrangements.

In conclusion, I have asked the chairman of the Joint Economic Committee, Senator PROXMIRE, and the chairman of its Subcommittee on International Exchange and Payments, Congressman REUSS, that the whole question of gold, both with respect to its function as a domestic reserve and its role in the international monetary system be subject to full study and hearings. Our committee, which has developed the necessary expertise over the past 5 years' discussions on the international monetary system, would be a good forum to discuss gold's present and future role.

Mr. President, we simply must review the role of gold in the world and stop the operations of speculators. That is what is happening. I include France and its speculators. The only way in which we can do this is by concerted action of the International Monetary Fund. That is why I have urged that we do this at the earliest possible moment.

I ask unanimous consent that several tables showing the current availability of world reserves, the joint Economic Committee's release of December 13 and related newspaper articles be printed in the RECORD at this point.

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

TABLE 1.—RESERVES[1] AND RESERVE GROWTH, ALL COUNTRIES, AND ALL COUNTRIES EXCLUDING THE UNITED STATES, 1950–66

[Dollar amounts in millions]

	Total reserves, all countries		Total reserves, all countries excluding United States	
	Amount	Annual increase (percent)	Amount	Annual increase (percent)
1950	$48,715	----------	$24,450	----------
1951	49,360	1.3	25,061	2.5
1952	49,920	1.1	25,206	.6
1953	51,780	3.7	28,322	12.4
1954	53,470	3.3	30,492	7.7
1955	54,305	1.6	31,508	3.3
1956	56,150	3.4	32,484	3.1
1957	56,645	.9	31,813	−2.1
1958	57,570	1.6	35,030	10.1
1959	57,325	−.4	35,821	2.3
1960	$60,250	5.1	$40,891	14.2
1961	62,285	3.4	43,532	6.5
1962	62,590	.5	45,370	4.2
1963	65,990	5.4	49,147	8.3
1964	68,440	3.7	51,768	5.3
1965	69,800	2.0	54,350	5.0
1966	71,010	1.7	56,129	3.3
Total increase, 16 years	22,295	45.8	31,679	129.6
Average annual rate of growth	1,393	[2] 2.4	1,980	[2] 5.4

[1] Gold, foreign exchange and reserve positions in the IMF.
[2] Same percentage for annual compounded rate of increase.

Source: IFS 1966–67 supplement for 1950–57 data and March 1967 issue for later data.

TABLE 2.—GROWTH IN WORLD RESERVES AND WORLD IMPORTS,[1] ALL COUNTRIES AND ALL COUNTRIES EXCLUDING THE UNITED STATES, 1951–66

[Dollar amounts in millions]

	All countries				All countries excluding the United States			
	Increase in reserves		Increase in imports		Increase in reserves		Increase in imports	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
1951	+$645	1.3	+$21,800	27.2	+$611	2.5	+$19,509	40.1
1952	+560	1.1	−1,300	−1.6	+145	.6	−1,085	−1.6
1953	+1,860	3.7	−3,500	−4.4	+3,116	12.4	−3,639	−5.4
1954	+1,690	3.3	+3,400	4.3	+2,170	7.7	+4,106	6.5
Average, 1951–54	+1,189	2.4	+5,105	6.4	+1,511	5.8	+4,723	9.9
1955	+835	1.6	+9,600	10.9	+1,016	3.3	+8,251	12.2
1956	+1,845	3.4	+9,200	9.4	+976	3.1	+7,702	10.2
1957	+495	.9	+9,600	9.0	−671	−2.1	+8,967	10.7
1958	+925	1.6	−6,700	−6.3	+3,217	10.1	−6,699	−7.2
1959	−245	−.3	+5,800	5.5	+791	2.3	+3,411	4.0
Average, 1955–59	+771	1.4	+5,500	5.7	+1,066	3.3	+4,326	6.0
1960	+2,925	5.1	+12,600	10.6	+5,070	14.2	+13,233	14.8
1961	+2,035	3.4	+5,000	4.0	+2,641	6.5	+5,433	5.3
1962	+305	.5	+7,800	5.9	+1,838	4.2	+5,959	5.5
1963	+3,400	5.4	+11,500	8.0	+3,777	8.3	+13,667	9.4
1964	+2,450	3.7	+16,900	10.6	+2,621	5.3	+12,228	12.2
Average, 1960–64	+2,223	3.6	+10,760	7.8	+3,189	7.7	+10,104	9.4
1965	+1,360	2.0	+14,200	8.2	+2,582	5.0	+11,299	8.1
1966	+1,210	1.7	+15,800	9.1	+1,779	3.3	+11,259	7.5
Average, 1965–66	+1,285	1.9	+15,000	8.7	+2,181	4.2	+11,279	7.8
Total 16 years	+22,295	45.8	+131,700	225.9	+31,679	129.6	+113,602	233.4
Average 16 years	1,393	2.4	8,231	6.9	1,980	5.4	7,100	8.3
Compounded rate of increase	----------	2.4	----------	7.6	----------	5.4	----------	7.8

[1] Reserves end of year and imports during year.

Source: IFS data.

TABLE 3.—RESERVES AS PERCENT OF ANNUAL VALUE OF IMPORTS, 1951–66

All countries	All countries excluding United States	Developed countries	Developed countries excluding United States	G-10 excluding United States	United States	All LDC	Less-developed areas excluding high initial reserve holders[1]	
1951	62	37	68	33	27	204	45	31
1954	68	45	75	43	40	206	49	36
1958	57	41	65	44	42	154	35	32
1959	54	40	60	42	40	126	35	32
1960	51	40	57	43	43	117	32	30
1961	50	40	57	45	45	117	29	28
1962	47	40	53	44	43	97	27	27
1963	46	39	51	43	40	91	29	30
1964	43	37	47	40	38	82	27	29
1965	40	36	43	38	37	67	29	31
1966	37	35	39	36	35	54	30	31

[1] Excludes Ceylon, Ghana, India, Pakistan, Sudan, United Arab Republic.

Note: Compiled from separate IFS tables on reserves and trade and some groupings and totals are not completely comparable.

TABLE 4.—CHANGES IN WORLD RESERVES, PRINCIPAL REGIONS, 1950–66

[In millions of dollars]

	1951–54	1955–58	1959–62	1963–66	Total 1951–66		1951–54	1955–58	1959–62	1963–66	Total 1951–66
United States	−1,287	−438	−5,320	−2,339	−9,384	Middle East	−145	25	420	1,060	1,360
United Kingdom	−409	71	203	−209	−344	Other Asia	−250	−980	−60	1,005	−285
Industrial Europe, Canada and Japan	6,199	5,841	9,359	7,308	28,707	Other Africa	1,130	−145	−310	−105	570
Other developed areas	70	−105	1,665	785	2,415	Total all countries[1]	4,755	4,240	4,880	8,420	22,295
Latin America	−5	15	−1,020	910	−100						

[1] Totals not completely reflected in data components by region.

TABLE 5.—CHANGES IN TOTAL RESERVES, MAJOR COUNTRIES AND GROUPS, END OF 1958–66

[Dollar amounts in billions of U.S. dollars]

	Gold	Foreign exchange	IMF reserve position	Total change	Percent of gross increase
Group of Ten and Switzerland:					
United States	−$7.3	+$1.3	−$1.6	−$7.6	--------
United Kingdom	−.9	+.9	.0	.0	--------
Belgium	+.3	+.2	+.3	+.7	5.2
France	+4.5	+.2	+1.0	+5.7	42.5
Germany	+1.7	−.6	+1.1	+2.1	15.6
Italy	+1.3	+.2	+.8	+2.4	17.9
Netherlands	+.7	−.1	+.4	+.9	6.7
Sweden	.0	+.4	+.1	+.5	3.7
Switzerland	+.9	+.3	--------	+1.3	9.7
Canada	.0	+.3	+.4	+.6	4.4
Japan	+.3	+.5	+.3	+1.1	8.2
Total Group of Ten and Switzerland	+1.5	+3.6	+2.8	+7.7	[1] 57.5
(Group of Ten and Switzerland excluding United States and United Kingdom)	(+$9.7)	(+$1.4)	(+$4.4)	(+$15.3)	(114.2)
Other industrial and developed	+1.8	+1.1	+.6	+3.7	27.6
Less developed	−.4	+2.0	+.4	+2.0	14.9
Total, all countries	+2.9	+6.7	+3.8	+13.4	100.0

[1] Calculation includes U.S. net loss of $7.6 billion.

Note: Totals may not add because of rounding.

TABLE 6.—ANNUAL COMPOUNDED RATES OF INCREASE IN U.S. DOLLAR VALUES OF RESERVES AND DOMESTIC CREDIT, 1950-60 AND 1960-65

[In percent per year]

	1950-60		1960-65	
	Reserves	Domestic credit	Reserves	Domestic credit
1. Group of Ten and Switzerland:				
United States	−2.0	4.2	−4.3	6.9
United Kingdom	1.9	2.5	−3.5	6.0
EEC	18.2	13.5	7.6	13.2
Other	4.1	10.0	6.7	15.0
Total	2.8	6.5	2.2	10.1
2. Other developed	2.5	5.4	10.2	11.4
3. Less developed	−.4	5.9	3.1	9.2
4. All countries	2.1	6.3	3.0	10.8
5. All countries, excluding United States and United Kingdom	5.6	9.4	6.7	13.0

Source: Based on IFS data for 90 countries (including Switzerland) converted into U.S. dollars as a common denominator. "Reserves" refer to official international reserves of monetary authorities, including reserve position in the fund. "Domestic credit" refers to domestic credit extended by monetary authorities and deposit money banks.

TABLE 7.—SOURCES OF WORLD RESERVE GROWTH, 1961-66

[Dollar amounts in millions]

	1961	1962	1963	1964	1965	1966	1961-66		Percent total 1961-64	Percent total 1965-66
							Amount	Percent total		
Nontraditional Sources:										
1. IMF credit tranche use	$1,011	−$434	$84	$339	$1,528	−$14	$2,514	23.4	12.2	58.9
2. U.S. foreign exchange holdings	116	−17	113	220	349	540	1,321	12.3	5.3	34.6
3. Dollars generated by U.S. swaps activated by others	-------	-------	50	150	275	75	550	5.1	2.4	13.6
4. United Kingdom securities taken into reserves	-------	-------	-------	-------	-------	885	885	8.2	-------	34.4
Total nontraditional sources	1,127	−451	247	709	2,152	1,486	5,270	49.0	19.9	141.6
Traditional sources:										
5. Additions to world monetary gold	600	335	840	750	240	[1] −100	2,665	24.8	30.8	5.4
Soviet sales	(300)	(215)	(550)	(450)	(550)	(1)	(2,065)			
6. Additions to foreign exchange not accounted for above [2]	509	307	2,132	1,210	−1,489	[1] −210	2,404	22.3	50.8	−68.2
7. Other factors	−201	114	181	−219	457	34	421	3.9	−1.5	21.2
Total traditional sources	908	756	3,153	1,741	−792	−276	5,490	51.0	80.1	−41.6
Total change in world reserves	2,035	305	3,400	2,450	1,360	[1] 1,210	10,760	100	100	100

[1] Estimated.
[2] Change in foreign exchange reserves as shown in IFS, excluding lines 2, 3, and 4.

TABLE 8.—SOURCES OF RESERVE GROWTH OUTSIDE UNITED STATES, 1961-66

[Dollar amounts in millions]

	1961	1962	1963	1964	1965	1966	1961-66		Percent total	
							Amount	Percent total	1961-64	1965-66
U.S. balance-of-payments factors:										
Gold sales to foreign countries (includes (BIS))	$970	$833	$392	$36	$1,288	$431	$3,950	25.9	20.5	39.4
Net use of IMF reserve positions, excluding U.S. gold subscription payment	−135	626	29	266	165	537	1,488	9.8	7.2	16.1
Net increase in liabilities to official foreigners excluding monetary liabilities to IMF	741	1,173	1,666	1,376	49	−997	4,008	26.3	45.6	−21.7
Total U.S. balance-of-payments factors	1,576	2,632	2,087	1,678	1,502	−29	9,446	62.0	73.3	33.8
U.S. official settlements	(−1,347)	(−2,706)	(−2,044)	(−1,547)	(−1,305)	(252)	(−8,697)	-------	-------	-------
Additions to world monetary gold	600	330	840	750	240	−100	2,660	17.5	23.2	3.2
(U.S.S.R. sales)	(300)	(215)	(550)	(450)	(550)	(0)	(2,065)	-------	-------	-------
IMF credit tranche use	1,011	−434	84	339	1,528	−14	2,514	16.5	9.2	34.7
United Kingdom securities taken into reserves	-------	-------	-------	-------	-------	885	885	5.8	-------	20.3
Other factors	−546	−690	766	−146	−688	1,037	−267	−1.8	−5.7	8.0
Total factors, other than U.S. balance of payments	1,065	−794	1,690	943	1,080	1,808	5,792	38.0	26.7	66.2
Change in reserves, countries other than United States	2,641	1,838	3,777	2,621	2,582	1,779	15,238	100.0	100.0	100.0

TABLE 9.—AGGREGATE OF GROSS RESERVE GAINS, COMPARED WITH WORLD IMPORTS AND NET ADDITIONS TO MONETARY GOLD, 1926-28, 1937 AND 1954-66

[Dollar amounts in millions]

	Aggregate of gross reserve gains	World imports		Addition to world monetary gold	
		Amount	Column (1) as percent column (2)	Amount	Column (3) as percent column (1)
	(1)	(2)		(3)	
1926	$314	$31,163	1.0	$309	98.4
1927	744	33,764	2.2	128	17.2
1928	2,538	34,475	7.4	705	27.8
1937	2,116	27,500	7.7	1,350	63.8
1954	2,922	78,700	3.7	670	22.9
1955	2,502	88,300	2.8	665	26.6
1956	3,703	97,500	3.8	490	13.2
1957	3,568	107,100	3.3	690	19.3
1958	4,835	100,400	4.8	680	14.1
1959	3,654	106,200	3.4	750	20.1
Average 1954-59	3,531	96,376	3.7	658	18.6
1960	$6,613	$118,800	5.6	$345	5.2
1961	4,835	123,800	3.9	600	12.4
1962	3,013	131,800	2.3	335	11.1
1963	4,976	143,100	3.5	840	16.9
1964	4,224	160,100	2.6	750	17.8
1965	4,154	174,200	2.4	240	5.8
Average, 1960-65	4,636	141,967	3.3	518	11.2
1966	2,906	190,000	1.5	−100	-------
Average, 1954-66	3,993	124,615	3.2	535	13.4

TABLE 10.—AGGREGATE OF GROSS RESERVE GAINS, 1954-66, MAJOR COUNTRIES AND REGIONS

[In millions of dollars]

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
EEC:													
Belgium		105	16		405		200	307		187	252	112	16
France	435	711			405	686	536	1,093	684	859	816	619	390
Germany	806	439	1,184	995	682		2,242	131		694	232		599
Italy	159	240	69	68	830	872	195	548	19		418	591	151
Netherlands	46	14			530		421	95		156	247	67	32
Total EEC	1,446	1,509	1,269	1,063	2,852	1,558	3,594	2,174	703	1,896	1,965	1,389	1,188
Other Group of Ten and Switzerland:													
United States			869	1,166									
United Kingdom	364			98	731		918					688	96
Sweden			13		15		50	208	65		206	8	55
Canada	127		50		112			287	271	56	278	146	
Japan	38	146	194		234	385	502		356	36		133	
Switzerland	69	10	35	16	165		261	435	113	206	45	124	80
Total other Group of Ten and Switzerland	598	156	1,161	1,280	1,257	385	1,731	930	805	298	529	1,099	231
Group of Ten excluding United States and United Kingdom	(1,680)	(1,665)	(1,561)	(1,079)	(3,378)	(1,943)	(4,407)	(3,104)	(1,508)	(2,194)	(2,494)	(1,800)	(1,323)
Other developed	435	138	277	570	446	727	459	1,114	921	1,278	1,022	184	564
Latin America	73	333	632	555	66	365	270	191	48	573	279	553	95
Middle East	125	119	117	27	90	55	112	184	281	484	150	372	223
Other Asia	110	201	156	58	98	389	280	220	191	383	189	373	493
Other Africa	135	46	91	15	26	175	167	22	64	64	90	184	112
Total all countries	2,922	2,502	3,703	3,568	4,835	3,654	6,613	4,835	3,013	4,976	4,224	4,154	2,906

TABLE 11.—AGGREGATE OF GROSS RESERVE LOSSES 1954-66, MAJOR COUNTRIES AND REGIONS

[In millions of dollars]

	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966
EEC:													
Belgium	46			71		247			60				
France			664	666									
Germany						1,089			207			453	
Italy										449			
Netherlands			185	98		97			12				
Total EEC	46		849	835		1,433			279	449		453	
Other Groups of Ten and Switzerland:													
United States	480	181			2,292	1,036	2,145	606	1,533	377	171	1,222	569
United Kingdom		642	116			304		401	10	161	831		
Sweden	15	21		34		38				43			
Canada		44		109		9	40						334
Japan				442				283			39		33
Switzerland													
Total, other Groups of Ten and Switzerland	495	888	116	585	2,292	1,387	2,185	1,290	1,543	581	1,041	1,222	936
Groups of Ten excluding United States and United Kingdom	(541)	(888)	(965)	(1,420)	(2,292)	(2,820)	(2,185)	(1,290)	(1,822)	(1,030)	(1,041)	(1,675)	(936)
Other developed	294	496	159	193	286	190	666	171	68	40	132	901	316
Latin America	242	306	112	363	688	449	220	278	507	91	124	56	213
Middle East		86	90	173	56	160	113	101	25	7	91	47	59
Other Asia	186	96	418	750	324	32	203	156	218	47	197	57	51
Other Africa	37	57	55	249	59	289	74	341	85	315	141	42	78
Total all countries	1,300	1,929	1,799	3,148	3,705	3,940	3,461	2,337	2,725	1,530	1,726	2,778	1,653

TABLE 12.—AGGREGATE OF GROSS RESERVE GAINS AND LOSSES COMPARED WITH WORLD IMPORTS,[1] 1954-66

[Dollar amounts in millions]

	Gross reserve gains		Gross reserve losses		Difference between gross gains and losses	
	Amount	As percent of world imports	Amount	As percent of world imports	Amount	As percent of world imports
1954	$2,922	3.7	$1,300	1.7	$1,622	2.1
1955	2,502	2.8	1,929	2.2	573	.6
1956	3,703	3.8	1,799	1.8	1,904	2.0
1957	3,568	3.3	3,148	2.9	420	.4
1958	4,835	4.8	3,705	3.7	1,130	1.1
1959	3,654	3.4	3,940	3.7	−286	
1960	6,613	5.6	3,461	2.9	3,152	2.7
Average 1954-60	3,971	4.0	2,755	2.8	1,216	1.2
1961	$4,835	3.9	$2,337	1.9	$2,495	2.0
1962	3,013	2.3	2,725	2.1	288	.2
1963	4,976	3.5	1,530	1.1	3,446	2.4
1964	4,224	2.6	1,726	1.1	2,498	1.6
1965	4,154	2.4	2,778	1.6	1,376	.8
1966	2,906	1.5	1,653	.9	1,253	.7
Average 1961-66	4,018	2.6	2,125	1.4	1,593	1.2
Average, total period 1954-66	3,993	3.2	2,464	2.0	1,529	1.2

[1] The data are not fully comparable, because individual reserve statistics are not published for all countries included in total world trade figures. Similarly, the difference shown between gross reserve gains and losses do not fully reflect net changes in total world reserves; the totals of aggregate gains and losses are derived from individual country data and add up to different totals than the published total for global reserves, which includes countries not shown individually.

[From the Washington Post, Dec. 13, 1967]

WHAT TO DO ABOUT GOLD

In attempting to enforce the price ceiling of $35 an ounce, the United States lost $475 million from its gold stock in the week following the devaluation of the pound. The Treasury now has $12.43 billion in gold, and foreign central banks and governments, which finance our balance-of-payments deficits, have more than $14 billion in claims against it. Save for the unlikely event that all foreign central banks decide to convert their dollars at once, there is no danger of an immediate crisis. But it is clear that the United States cannot for long continue to be the only country which undertakes to buy and sell gold freely at a fixed price. Ultimately, the link between gold and the dollar must be severed.

The exchange values of currencies in the non-Communist world are fixed with respect

to the dollar, and the dollar, which serves as the principal reserve currency, is linked to gold by the Treasury's pledge to buy and sell it freely at $35 an ounce. But the demand for gold at that low price—it was set in 1934—far exceeds the supply. There is the rub. Permitting the price of gold to rise under the present system of fixed exchange rates is equivalent to devaluing the dollar. And it is doubtful, aside from all the other objections that might be raised, whether other countries would permit a dollar devaluation. They would be likely to retaliate by devaluing their currencies, and in that event the nominal value of the gold stock would be increased without solving the fundamental problem of the present international monetary system.

As an interim step, Congress should forthwith repeal the law that ties up more than $10 billion of our $12.4 billion gold stock as a "cover" for Federal Reserve notes. Removing that relic of the past would doubtless enhance confidence in the dollar. But there should not be any illusions about the viability of the present link between gold and the dollar. The Government, through the pooling operations and other means, has been attempting to maintain a price ceiling on gold, but it will not work.

There are three options open with respect to gold. The demand for gold could be reduced by demonetizing it. But that would require an agreement by central banks to give it up as a monetary reserve, an event about as likely as a decision by the French to enter the Vietnam war on our side. Prices, costs and money incomes the world over could be lowered so as to increase the purchasing power of gold at its $35 an ounce price. That feat, however, would require a deflation, a depression more severe than that of the 1930s. Happily, that also isn't going to happen. Finally, the United States can move to sever the troublesome link between gold and the dollar.

One way in which the link can be severed would be to sell gold until the Treasury's supply is exhausted and thereafter refuse to buy any of it back. But that tactic would cause a $12.4 billion reduction in the world's international monetary reserves unless other countries were willing, as they now are not, to create new reserve assets—"paper gold"—on a massive scale. The danger of a sharp reduction in monetary reserves would be averted if the United States would discontinue its efforts to maintain a gold-price ceiling and instead fulfill its obligations to the International Monetary Fund by maintaining stable exchange rates between dollar and other currencies within its territorial limits.

Severing the gold link in the latter way—it can be done in accordance with the IMF articles—would open possibilities for the constructive reform of the international monetary system. Other countries, which rely on the dollar as the currency in which international trade is conducted, would be confronted with a clear choice. They can maintain the present system of fixed exchange rates by closer cooperation with the United States or, by failing to cooperate, move toward floating rates. If they opt for stable rates—and they need not be so rigidly fixed as they are now—the IMF can then become the repository for gold, and its monetary role would be determined by collective decisions.

[From the Washington Post, Dec. 13, 1967]

UNITED STATES PLEDGES TO MAINTAIN GOLD RATIO

(By Hobart Rowen)

In the wave of a new speculative gold-buying rush in Europe, the Johnson Administration, supported by key Congressional officials, underscored its determination to protect the dollar by holding the price of gold at $35 an ounce.

Following a meeting Monday night of the United States and its gold pool allies in Basel, Switzerland, Treasury Under Secretary Frederick Deming said that there would be "even closer co-ordination" of efforts to beat off gold speculators.

In a statement telephoned from Basel to officials in Washington, Deming said:

"We've taken advantage of the regular Basel meeting in order to review as part of our normal work the foreign exchange and gold markets. We have noted the favorable effects of measures recently taken by a number of central banks and have agreed on even closer co-ordination of our efforts."

In answer to reporters' questions in Basel, Deming advised the Treasury yesterday, he had scotched rumors that the U.S. was asking friendly countries to increase U.S. gold reserves by exchanging some of their gold for U.S. gold certificates, or that it would try to impose a license restriction on gold trading.

But gold fever gripped markets in London and Paris, especially in response to rumors that the Basel meeting might produce a multi-tiered price structure for gold, in which there would be approval of "free market" sales above $35 an ounce.

There was nothing in official statements or private guidance to support such rumors.

Capitol Hill, meanwhile, took a hand in the gold debate with a warning originated by Rep. Henry S. Reuss (D-Wis.) that "only the United States Congress can raise the price of gold, and Congress is never going to do it."

Reuss' statement on the floor of the House later was supported by three influential Congressmen: Rep. Wilbur Mills (D-Ark.), Chairman of the House Ways and Means Committee, Rep. Carl Albert (D-Okla.), majority leader, and Rep. Hale Boggs (D-La.), majority whip.

Reuss said that he had "a word for the gold speculators. That word is this—even if he wanted to, the President of the United States cannot increase the price of gold."

He cited Section 5 of the Bretton Woods Agreement Act of 1945, which says that the par value of the dollar, fixed under International Monetary Fund rules at 35 to the ounce of gold cannot be changed without congressional authorization.

A bill to amend the Gold Reserve Act to block U.S. gold sales to France until that country repays its war debts to the United States was introduced in the Senate yesterday by Sen. Vance Hartke (D-Ind.), a member of the Senate Finance Committee.

The Basel meeting—bringing together central bank representatives of the United States, Britain, Belgium, West Germany, Italy, the Netherlands and Switzerland—was, in effect, chapter two of a meeting in Frankfurt, West Germany, two weeks ago among the same gold pool nations.

France is also a member, but apparently was "disinvited" on both occasions after publicity was given to the fact that it had stopped contributing to the gold pool last June. This information, leaked originally to the newspaper Le Monde in the first few days after devaluation of the British pound, was considered part of an organized French attack to undermine confidence in the gold-dollar relationship.

At the Frankfurt meeting, the seven nations pledged all of their resources to fighting off speculation. Since the gold pool countries own most of the world's official gold resources, speculative buying quieted down after a communique was issued from the Frankfurt meeting.

A renewal of speculative activity yesterday clearly reflected rumors, again originating in Le Monde, that there might be far-reaching changes affecting either the gold pool or gold supplies. The price of gold in London hit a post-devaluation peak of $35.19625. Trading in the smaller Paris market was heavy.

The Le Monde rumor, widely circulated in London and Paris yesterday but for which there has been no substantiation here, is that the United States has urged expansion of the gold pool from seven to 20 countries.

This larger pool, according to the report, would operate a three-tier market: one for official sales at $35 an ounce, a second for industrial users at an unspecified price, with additional supplies coming from South Africa, and a third "free market" for private traders.

Private gold experts in Washington told The Washington Post last night that the United States doubtless would welcome a larger and therefore stronger gold pool, including perhaps Canada and Australia. The Frankfurt communique, in fact, invited other participants.

Reuss' speech in Congress denounced the "gold raiders" and said that "if we go on like this we invite a monetary panic." He suggested two ways of making sure that speculators "in the end will be left holding the bag":

The first would be to "pedigree" gold, that is to keep the present holdings of $43 billion of gold in the hands of central banks, and to provide that IMF members will sell gold only to or from each other, and not to the private market. The price of gold on the "outside market" would then fluctuate up or down.

The second would be to "dethrone" gold. The U.S. would give foreign monetary authorities holding dollars a fixed time in which to demand gold. After such time, the United States would not redeem dollars for gold. It also would not undertake to buy at $35 an ounce. The parity value of the dollar would then be supported, he said, by exchange operations under IMF rules.

[From the Washington Post, Dec. 13, 1967]

GOLD SPECULATION BRINGS NEW U.S. PLEDGE—ARRANGEMENTS MADE TO LIMIT GOLD DEMAND

(By Samuel Brittan)

LONDON, December 12.—Arrangements to limit demands for gold in the markets of the gold pool countries were informally agreed at last weekend's meeting of central bank governors in Basel.

The general model will be the arrangements recently made by the Swiss. These provide for a ban on forward dealings in gold, a similar ban on margin deals and a ban on sales to central banks except in the London market, where all central bank purchases will be channeled.

They will be met there in full either by the gold pool or by the United States.

It is clear that the United States did not put forward at Basel any suggestion for dividing the gold market into two or three tiers with different prices for monetary industrial and speculative purposes.

There is, nevertheless, a danger that even the limited degree of restriction on the main official gold markets which was agreed in Basel may tend in practice towards the establishment of a two-tier system. Gold-buying orders which are rejected in London or Zurich as abnormal and suspect may be channeled to "unofficial" markets in Hong Kong, Macao or Paris.

[From the New York Times, Dec. 13, 1967]

GOLD-TRADE CURB REPORTED IN PACT BY SEVEN NATIONS—BASEL ACCORD SAID TO INCLUDE BANS ON FORWARD DEALINGS AND CREDIT TRANSACTIONS

(By John M. Lee)

LONDON, December 12.—New policies to bolster the United States dollar by curbing trading gold were reported today to have been agreed on by seven financial powers at weekend meetings in Basel, Switzerland. France did not participate in the agreement.

The accord was said here to include bans on forward dealings for future sale or delivery and a ban on margin, or credit, transactions. Some alteration in the method of central bank purchases was also involved.

[In Washington, gold speculators were warned on Tuesday in speeches in the House of Representatives that only Congress could raise the $35-an-ounce price, and that it would never do so.]

BANS ARE REPORTED

In tomorrow's edition, The Financial Times says the agreement is a ban on sales to central banks except in the London market and that all central bank purchases will be channeled to that market from now on.

The Times of London, however, refers to a prohibition on bids submitted by members of the International Gold Pool on behalf of other countries' central banks, with the effect that non-pool members will have to apply directly to the United States Treasury if they want to buy gold.

It was also reported that bullion dealers had generally agreed that they would not accept orders of an abnormal size or from an abnormal source. All these reports, however, lacked official confirmation.

SEVEN ACTIVE MEMBERS

The seven countries involved in the reported agreement are the active members of the gold pool, the United States, Britain, West Germany, Italy, Belgium, the Netherlands and Switzerland.

France, although nominally still a member has not participated in recent pool meetings. Her disclosure that she had stopped contributing to the pool and her avowed hostility to the dollar contributed to the extraordinary rush to buy gold the week following devaluation of sterling on Nov. 18.

The gold pool, acting through the Bank of England, buys and sells gold to stabilize the price on the free London market at the official United States price of $35 an ounce. A price increase amounts to devaluation of the United States dollar, which is the keystone of the world monetary system.

Today, the London market, which accounts for about 80 per cent of the free market dealings, was shaken by "very heavy" buying, dealers said amid uncertainties following the Basel meeting. One report spoke of a 50-ton volume ($56-million) compared with a normal day's five tons ($5.6 million). However, volume is never officially disclosed.

Observers suggested some speculators were rushing to buy gold while they could in the light of unconfirmed reports surrounding the Basel meetings that official sales of gold to private individuals might be suspended.

PARIS VOLUME SWELLS

Volume also swelled on the much smaller Paris market, reaching 48.9 million francs ($9.8-million) up from 14.3-million francs ($2.86-million) yesterday. Zurich demand was also heavy, and prices for the popular gold coins rose.

London dealers said the market had been unsettled by the vague communiques from Basel regarding pledges of closer central bank coordination to defend the dollar. Reports in Paris newspapers had raised expectations of major policy changes.

The Financial Times of London says tomorrow that the United States did not put forward at Basel the proposals attributed to it by Paris, namely, the issuing of gold certificates to gold holders and the addition of the gold to United States' reserves, and the establishment of a three-tier market with differing prices for reserves, industrial and speculative purposes.

However, the meetings apparently did decide that each central bank would use its influence in dealing with institutions in line with its own peculiar situation.

Ostensibly, the Basel meeting was the monthly gathering of central bank governors at the Bank for International Settlements, which is a bank for central banks. However, discussions went on Sunday and Monday outside the bank framework and were joined in by Frederick L. Deming, the United States Under Secretary of Treasury.

The appearance of Mr. Deming, according to reports here, caused some head-shaking by central bankers who were said to have been upset by the feverish American activity behind the scenes for the last week or so that was seeking some changes in gold policy.

The United States had previously joined the group of seven gold pool central banks in the Frankfort declaration of Nov. 27 affirming the determination to supply whatever gold was necessary to hold the gold price.

This declaration effectively ended the unparalleled speculation of the previous week, and some central bankers were said to have regarded the ensuing situation as satisfactory.

There was also some skepticism regarding the new three fold ban on gold buying, which follow policies already adopted by the Swiss. Observers suggested that the rejection of a buying order in London as abnormal would divert that order to unofficial markets in the Far East or even in Paris.

JENKINS SEES NO CUT IN POUND

LONDON, December 12.—Chancellor of the Exchequer Roy Jenkins told Parliament tonight that there was no basis for speculation about a further devaluation of the pound.

Mr. Jenkins was urged in the House of Commons to advance the April budget to provide fiscal incentives to greater national effort and put an end to speculation about further devaluation.

He replied: "No. There is no basis for such speculation. The measures which it was advisable to take at once have been taken already. We need a clearer view of the prospect for demand before the next steps in fiscal policy are decided."

ZURICH DEMAND HEAVY

GENEVA, December 12.—Demand for gold bars and gold coins was heavy in Zurich today, although it did not equal the gold rush that developed after the devaluation of the pound on Nov. 18.

Some gold dealers attributed the nervousness of the market to uncertainty about the effectiveness of the program agreed upon in Basel over the weekend between Mr. Deming and the heads of the six Western European central banks that have joined the United States in meeting demands for gold on the London market.

Mr. Deming said last night that the members of the gold pool had agreed on "an even closer coordination of our efforts," but gave no details of the program to reduce speculation in gold.

One Zurich banker said, however, that he thought it would be better for the gold pool not to issue any more statements and "leave the patient alone until he has time to start recovering." He added that the presence of such a high Treasury official as Mr. Deming had called extra attention to the Basel meeting and that it would therefore have been advisable for Mr. Deming not to attend.

POUND DIPS 2 POINTS HERE

The spot rate on the British pound remained relatively stable on foreign-exchange markets here yesterday, dropping about 2 points, to $2.4053, from Monday's level.

Recent daily declines had been substantially higher. There was some uncertainty yesterday as dealers waited for the release today of Britain's trade figures for November. Volume again was small.

Forward markets were a little easier. Pound sterling for delivery in three months was quoted at $2.3873, for a discount of 180 points. This was 20 points wider than Monday's discount.

The dollar was steady against European currencies and showed little reaction to the heavy demand for gold on European markets. The Canadian dollar was steady, gaining 1 point at 92.55.

[From the New York Times, Dec. 6, 1967]

FEDERAL RESERVE BOARD CHIEF ASSAILS U.S. RELIANCE ON GOLD

(By Helen Shanahan)

WASHINGTON, December 4.—William McChesney Martin Jr., the chairman of the Federal Reserve Board, said Monday night that the United States "must not bow down to the idol of gold" as the only discipline against inflationary national economic policy.

He scored the reliance on gold, which he called "this barbarous metal," as the be-all and end-all" of national monetary policies.

In a speech before the officers of the state and national bank divisions of the American Bankers Association, Mr. Martin advocated repeal of the present law that requires gold backing for 25 per cent of the nation's paper money.

He added, however, that he was not advocating complete elimination of gold in the world's financial system.

His speech, which lasted about half an hour, was peppered with language that was unusually strong and colorful for Mr. Martin.

Among the highlights of his speech were these:

He used the work "irresponsible in describing a recent statement by President Johnson on this year's budget deficit that appeared to exaggerate its size.

He said he could "not condone the recent actions of the French Government because they're doing their best to undermine the gold-exchange standard" on which the world's current money system is based.

While agreeing with President Johnson's statement today that imposition of wage and price controls was not under active consideration, he suggested that the United States might be on a road that leads to such controls.

An official of the American Bankers Association announced before Mr. Martin spoke that his remarks would be off the record. An audience of some 200 persons, including bankers from all regions of the country, was present, however, along with about a dozen reporters who had been invited to the dinner with no advance notice that Mr. Martin's speech would be off the record.

It appeared certain that what Mr. Martin said would promptly be spread to friends and business associates of those present, but not to the public generally, if his remarks remained unreported.

Mr. Martin's statement concerning President Johnson's possible irresponsibility came in the context of a discussion of budget deficits, which Mr. Martin deplored.

He said that the United States "has worked [itself] into a position where deficit has become a good work and surplus a bad work."

He cited as an example of this the recent "situation where the President, no matter how irresponsible he may have been when he said it, talked about a deficit of $35-billion."

Mr. Martin's reference was to a statement Mr. Johnson made at his next-to-last news conference, two weeks ago, when the President said that this year's budget deficit might run $30 to $35-billion.

The following week, when leading Administration officials appeared before the House Ways and Means Committee to submit the Administration's proposed budget cuts, Budget Director Charles L. Schultze was forced to concede, inferentially, under Republican questioning, that the President must have known the figures were too high when he gave them.

The discovery had already been made, for example, that spending for the war in Vietnam—barring a change in the nature of the war—would be $2-billion less than an earlier

estimate on which the $30-billion to $35-billion deficit figure was based.

Mr. Johnson had not explained the deficit figure he gave at the news conference. He merely posed the rhetorical question, "Do you want a deficit of $30- or $35-billion; do you want to spend $35-billion more than you are taking in?" in the course of a discussion of his tax increase proposal.

APPEAL ON GOLD COVER

Mr. Martin devoted a major portion of his talk to the bankers group to the subject of gold and appealed to the bankers not to fight against repeal of the present statutory requirement that 25 per cent of the nation's paper money be backed by gold.

"I hope we will remove the 25 per cent gold 'cover' and put gold in perspective," he said.

It has long been expected that the Administration would, at some point, propose repeal of the gold cover—a step that releases all of the United States' supply of gold, currently around $13-billion, for use in defending the dollar and the world monetary system.

Mr. Martin noted, however, that "there is a mystique and a fetish about gold that cannot just be laughed off."

Many people do not trust their Government to manage the monetary system properly if gold requirements do not exist as a discipline, he said.

"I think it's barbarous to think that we haven't got the intelligence to manage our economy so that we have to depend on a metal—this barbarous metal," he said.

"A lot of people are dissatisfied with the Johnson Administration and say, 'Let's don't remove the gold cover,'" he said.

But he went on: "At some point you are going to have to trust the Government. You cannot just go on indefinitely" relying on gold, he said.

Despite his charge that the President may have been irresponsible in talking about the budget deficit, Mr. Martin said that his "disagreements" with the Johnson Administration had been "minor—and I mean minor."

He said the biggest current difference concerned the economic importance of the war in Vietnam.

"It is not a little war," he said, indicating that he thought the Administration had argued otherwise.

He did not refer to the open break between the Administration and the Federal Reserve Board, which occurred in December, 1965.

At that time the Federal Reserve raised its basic lending rate, in a money-tightening move, against the wishes of President Johnson.

[From the Washington Post, Oct. 4, 1967]

IMF POWER AND REFORM

The Rio de Janeiro meeting of the International Monetary Fund ratified the much-heralded contingency plan for creating new reserves. But in the process, much of the diplomatic glue used in putting together the August agreement of the finance ministers came unstuck. It is not now known whether the members of the European Economic Community (EEC) will permit the "special drawing right" (SDR) scheme to be implemented prior to the elimination of the United States balance-of-payments deficit. Nor is it known whether the price of EEC cooperation is a veto power of other IMF operations that would further diminish this country's influence.

It was, in our judgment, a mistake to agree to the requirement of an 85 per cent majority on all decisions affecting the SDR scheme. That gave the EEC, which has nearly 17 per cent of the votes, a veto in deciding when the scheme should be activated and how many SDRs should be created. Having won that battle, the Europeans are demanding the same veto power—an 85 per cent majority—over decisions to enlarge the IMF quotas or to relax the stringent rules governing the extension of credit drawings in the so-called "credit tranches."

The case against granting further veto power to the EEC was made by Mr. Edward M. Bernstein, one of the original architects of the IMF who supports the SDR scheme. "It would be a mistake," Mr. Bernstein wrote just prior to the Rio meeting, "to freeze any aspect of the operations of the IMF, such as the status of the credit tranches of the quotas, by requiring an 85 per cent majority to change them. This would make it impossible to raise the present standards for reserve credit from the IMF if this should prove desirable in the future."

It may be argued that this country did not use its power wisely when it dominated the IMF in the period of the "dollar shortage" and is now suffering retribution at the hands of the European surplus countries. But that simplistic view overlooks the fact that the dollar serves as the world's principal reserve currency and that it cannot continue in that role—and continue to be convertible to gold—without the full cooperation of other countries.

Genuine monetary cooperation is impossible if a single bloc of countries exercises veto power over the creation of new reserves. That point was well made by Mr. Eugene A. Birnbaum, a Standard Oil Company economist who formerly served in the Commerce Department. The veto provision, he said, "would permanently establish a formal European right not to cooperate; it supplies a new legal basis on which Europe can dominate the Fund. Real reform of the international monetary arrangements should have made it more difficult, rather than easier, for Europe not to cooperate."

Perhaps there is a way to realize the modest advantages of the SDR scheme without freezing the credit mechanism of the IMF and subjecting it to complete domination by the EEC. But it cannot be accomplished by overselling agreements that then come unstuck. Before Rio, members of the Joint Economic Committee who heard testimony from the Treasury had nothing but praise for the London agreement on the SDR scheme. In the future Congress will have to exercise some critical scrutiny if it wishes to protect this country's interest and further the cause of international monetary cooperation.

[From the Journal of Commerce, Apr. 18, 1967]

ON ELIMINATING OUR CURRENCY RESERVE

As a kind of sequel to the recent controversy on whether the U.S. should continue to buy and sell gold at a fixed price of $35 an ounce, proposals have finally got before Congress to eliminate the 25 per cent gold backing of Federal Reserve currency, which is our principal hand-to-hand money.

If eliminated, between $9.5 billion and $10.5 billion, depending upon what currency is legally subject to the 25 per cent reserve, would be freed for future sale to foreign official buyers who might demand it. It has often been persuasively argued that, in a nation where individuals are not allowed to possess gold, with certain necessitous exceptions, such as gold tooth fillings, a gold reserve is largely meaningless, since the citizens can't get it anyway, and that the real purpose of what gold this country still possesses is to provide for foreign demands.

Proposals to eliminate the remaining gold reserve against currency are not new. We have consistently opposed the idea, mainly for political reasons. Such action would be tantamount to giving this and maybe the successor administration a blank check to perpetuate for another several years the more or less improvident management of this country's balance of payments deficit. So long as enough gold still remained to let the deficit ride and maybe become bigger, the whole matter of trying to achieve a more balanced position could be swept under the rug and left to a future generation.

However, we would willingly retreat from our previous position by saying that a reduction not elimination, of the currency reserve, which does not mean too much to the public and which would be well understood internationally, would be preferable to a basic change in U.S. policy involving the fixed buying and selling price of gold, which could create foreign exchange chaos and be inimical to world trade.

But we feel that if Congress legislates on this subject it should cut the dog's tail off an inch at a time, figuratively speaking, reducing the required currency reserve to 20 from 25 per cent, and from 20 to 15 per cent, before eliminating it altogether.

By this system it could keep a check upon any administration, which would have to defend its profligacy in balance of payments management every time the currency reserve was reduced.

If it is not done in this way one or more administrations, by pursuing inflationary policies at home and letting the balance of payments deficit continue with little required restraint, may squander all the remaining gold this country now has, which is still the largest held by any country in the world, but which in recent years has been fading fast.

A case can be made for letting the gold reserve fade a little further, for at the moment the Vietnam War is one of the principal foreign exchange drains and it is difficult to do anything about it without hamstringing the war. Of course much could be done to reduce the balance of payments deficit portion that is due to non-war causes—for example maintenance of unnecessarily large troops in Europe—but this is already being worked upon by the Defense Department.

Other improvements in the balance of payments deficit may be taken care of by continuation or strengthening of so-called voluntary controls against movements of our capital overseas (which we dislike), and some of this may get a fortuitous assist through decreased enthusiasm on the part of U.S. corporations for foreign opportunities. At present the sharp trend toward easier money in the United States appears to be in the direction of encouraging overseas capital flows, but this encouragement might be neutralized by further cuts in money rates abroad. This happened in Germany last week and may take place in Britain this week.

There is another, and more long-range, reason why the maintenance of any substantial gold reserve against U.S. currency is more or less doomed. That is the increased demand for currency, now mostly Federal Reserve notes, against which the gold reserve is primarily held, which comes about because of the growth of the United States in population and in volume of business annually transacted.

Projections extending into the 1970's indicate that it will not be too many years before the money supply of the United States, which is mostly demand deposits in banks but which also includes a large component of currency, will have to double.

The currency component, now around $44 billion, won't move up as rapidly as bank deposits, but if it should double, it would require more gold than we have to support a 25 per cent reserve.

For mostly political reasons we still favor the business of cutting off the dog's tail an inch at a time, with full knowledge that eventually there won't be any more tail to cut. But that's better than a now-you-see-it-and-now-you-don't gold price.

[From the Congress of the United States, Joint Economic Committee, Subcommittee on International Exchange and Payments, Dec. 13, 1967]

CONGRESSMAN REUSS RELEASES REPORT ON RIO MONETARY AGREEMENT

Congressman Henry S. Reuss (D.-Wisc.), Chairman of the Subcommittee on International Exchange and Payments of the Joint Economic Committee, today released the text of a subcommittee report entitled "Guidelines for Improving the International Monetary System—Round Two." The report, which was approved unanimously by all subcommittee members who participated, followed a study of the IMF plan for establishing a new reserve facility, as approved in September 1967 at Rio de Janeiro.

The subcommittee's principal recommendations consisted of the following "guidelines":

1. (a) The amendment to the Fund's articles embodying the new plan should be promptly ratified so that the amendment may be in effect before the September 1968 meeting of the Fund and the plan activated as soon as possible thereatfer.

(b) A preferred method of activation would be the creation, over a 5-year period, of a minimum of special drawing rights sufficient, when added to forseeable inputs of gold and reserve currencies, to achieve an aggregate reserve growth of at least 3 percent a year. Discretionary supplements should be added as needed during the 5-year period.

(c) It is highly important that the United States move toward equilibrium in its balance of payments, but the fact that the United States has not yet attained equilibrium should no preclude prompt activation of special drawing rights. The true inquiry ought to be whether world reserves are expanding at a proper rate.

(d) The United States must point out the risks inherent in undue delay, not only for the effectiveness of the new special drawing rights, but also for the stability of the monetary system itself. Moreover, in the event of failure of the Fund to arrange for a necessary, timely and adequate activation, the United States and other like-minded nations will have to explore alternative international monetary arrangements.

2. The increase in Fund quotas for Common Market countries such as France, Germany, Belgium, and the Netherlands should be considered. Application of the Bretton Woods formula to these countries would in itself be almost enough to give the voting of all members of the European Common Market a veto power on a justifiable basis. The United States should strive for such quota increases in the proposed amendment on regular IMF voting procedures rather than give the Common Market an unearned veto.

3. The Rio resolution calling for IMF studies of schemes "for stabilization of prices of primary products" enables the United States, after the agreement has been ratified and activated, to raise the question of channeling part of the new SDR's through the International Development Association for economic development purposes.

4. The United States should consider sympathetically arrangements for marshaling SDR's on a regional basis.

In releasing the report, Congressman Reuss stated: "The new plan provides the way in which the supply of international monetary reserve can be allowed to grow at a controlled rate. We need more reserves. We have no prospect of safely providing them in any other way. It is not only the U.S. interest, but the world interest, to see that special drawing rights become an accepted reality.

"The events of the past few weeks give us some encouragement. Sterling devaluation was a major shock to the international monetary system. The system has responded well. It has demonstrated that the collaboration of nations in good faith can devise ways to adjust even to a very large disturbance.

"We must learn a lesson from this. The U.S. policy must have as its main feature cooperation with other countries in assuring the improvement of the world's monetary system. The new special drawing rights will be one of the needed instruments for that purpose."

In addition to Chairman Reuss, the members of the subcommittee are: Senator William Proxmire (D.-Wis.), Senator Stuart Symington (D.-Mo.), Senator Jacob K. Javits (R.-N.Y.), Senator Charles H. Percy (R.-Ill.), Representative Richard Bolling (D.-Mo.), Representative Hale Boggs (D.-La.), Representative William S. Moorhead (D.-Pa.), Representative William B. Widnall (R.-N.J.), and Representative W. E. Brock 3d (R.-Tenn.).

URANIUM MINERS' COMPENSATION ACT FOR LUNG CANCER

Mr. YARBOROUGH. Mr. President, I introduce for appropriate reference a bill to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at this point, along with a letter from Secretary of Labor W. Willard Wirtz, of December 13, 1967, a statement of explanation of the bill prepared by the Department, and a clipping from the Washington Post of December 14, under the title "Wirtz Urges Bill for Uranium Miners," written by J. V. Reistrup, staff writer.

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

The bill (S. 2782) to authorize the Secretary of Labor to provide supplementary compensation for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation in uranium mines; to provide grants to States for research and planning with respect to ionizing radiation injuries in uranium mines; and for other purposes, introduced by Mr. YARBOROUGH, by request, 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. 2782

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

SECTION 1. This Act may be cited as the Uranium Miners' Compensation Act.

TITLE I—COMPENSATION PAYMENTS

Supplemental compensation payments

SEC. 101. The Secretary is authorized to pay benefits supplemental to those which have been paid or are being paid, to any person or his surviving dependent under a State workmen's compensation law or occupational disease law for permanent total disability or death from lung cancer resulting from exposure to ionizing radiation while working in a uranium mine between April 1, 1948, and five years after the date of this enactment.

Amount of payments

SEC. 102(a) Payments for a disabled employee or his surviving dependent under section 101 shall not exceed the difference between any payment under the State law and compensation as measured by the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 424, as amended).

(b) When payments under a State workmen's compensation or occupational disease law cease because of a time or monetary limitation in such law, or insolvency of the entity liable for such compensation, payments under this section shall be increased to include the amount of compensation previously paid under State law and shall continue during the person's disability or during the eligibility of his dependents which would exist under the State law except for its time or monetary limitations.

(c) Supplemental payments may be made retroactively to the date payments commenced under a State workmen's compensation or occupational disease law: *Provided,* That payments hereunder to surviving dependents shall be limited to: (1) widows during widowhood; and (2) other dependents eligible for death benefits under such State law at the time a claim is filed hereunder.

(d) No payments shall be made under section 101 in a State in which there is any diminishment in existing State programs and benefits with respect to ionizing radiation injuries.

Compensation and death payments in noncovered cases

SEC. 103. The Secretary is authorized to pay benefits to any person for permanent total disability from lung cancer resulting from exposure to ionizing radiation while working in a uranium mine between April 1, 1948, and five years after the date of this enactment, if benefits have been denied or he is not covered by a State workmen's compensation law or occupational disease law or has not received indemnity for the same injury from his employer or any other person or entity liable for damages. In case of death resulting from such exposure, benefits are authorized for his surviving dependents.

Amount of payments in noncovered cases

SEC. 104(a) Payments under section 103 shall be made in accordance with the distribution rights and benefit amounts established by the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 424, as amended).

(b) In the event that workmen's compensation benefits are awarded under a State workmen's compensation law or occupational disease law for disability or death from lung cancer arising from ionizing radiation exposure for which payments have been made under this section or if indemnity payments have been made for the same injury by any person liable for damages, benefits hereunder shall cease for the duration of compensation payments or until the amount of the indemnity award equals an amount which would have been paid under this section but for such award. It benefits under this section and under State law covering the same compensable period have been received, the Secretary may bring an action in any court of competent jurisdiction to recover any duplicate payments. The Secretary also may bring an action in any court of competent jurisdiction to recover duplicate payments arising out of a damage liability.

(c) Payments may be made retroactively to the date of permanent total disability or death; *Provided,* That such payments shall be limited to: (1) widows during widowhood; and (2) other dependents who would qualify for death benefits at the time a claim is filed hereunder upon application of the death benefit distribution provisions of the Longshoremen's and Harbor Workers' Compensation Act.

TITLE II—FINANCIAL ASSISTANCE TO STATES

Grants to States

SEC. 201 (a) The Secretary is authorized to make grants to any State, in which uranium mining takes place, to conduct research and planning studies and to carry out plans designed to improve State workmen's compensation and occupational disease laws and programs, as they relate to compensation for ionizing radiation injuries in uranium mine employment.

(b) Grants under this section shall not extend beyond a period of five years following the effective date of this Act.

SEC. 202. (a) Federal grants shall be made to States which have a plan or plans approved by the Secretary under this section.

(b) The Secretary may approve any plan which:

(1) provides that reports to the Secretary, in such form and containing such information, as may reasonably be necessary to enable the Secretary to review the effectiveness of the program or programs involved, and will keep such records and afford such access thereto as the Secretary finds necessary or appropriate to assure the correctness and verification of such reports;

(2) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for Federal funds paid to the State;

(3) contains assurances that the State will not in any way diminish existing State programs or benefits with respect to ionizing radiation and related conditions and injuries; and

(4) meets any additional conditions which the Secretary may prescribe by rule in furtherance of the provisions of this Act.

(c) The Secretary shall not finally disapprove any State plan, or modification thereof, without affording the State reasonable notice and opportunity for a hearing.

TITLE III—MISCELLANEOUS

Rulemaking authority

SEC. 301. The Secretary shall prescribe such rules as he deems necessary and appropriate to carry out the provisions of the Act, including appropriate procedures for filing claims, and regulations specifying the degree of proof necessary to establish compensability under section 103.

In developing such rules, the Secretary shall consult, as appropriate, with the States which may be affected by the Secretary's administration of the Act, the Atomic Energy Commission, and the Departments of Interior and Health, Education, and Welfare. Without regard to the exceptions contained in subsection (a)(2) of section 553 of title 5, United States Code, such rules shall be subject to the notice and informal public participation requirements of the section.

Compensation fund

SEC. 302. Compensation benefits authorized for persons or their dependents under this Act shall be paid from the Employees' Compensation Fund established by section 35 of the Federal Employees' Compensation Act, as recodified in section 147 of title 5, United States Code.

Time for filing claims

SEC. 303(a) Claims for retroactive supplemental payments under section 101(a) shall be made within two years of the date of this enactment, and for future supplemental payments as prescribed by the Secretary.

(b) Claims for benefits under section 104(a) shall be filed within two years of the time an employee or his dependent knew or reasonably should have known of a possible causal connection between his lung cancer injuries and ionizing radiation exposure in uranium mining.

(c) The Secretary for good cause may extend the time limitations in subsections (a) and (b) of this section up to five years.

Definitions

SEC. 304. There is hereby authorized to be appropriated necessary funds to carry out the purposes of this Act.

SEC. 305. As used in this Act:

(a) "Secretary" means the Secretary of Labor.

(b) "Dependent" means any person other than an injured employee entitled to benefits under an applicable State workmen's compensation law or occupational disease law or with respect to section 103, as defined by the Longshoremen's and Harbor Workers' Compensation Act.

(c) "State" means any State in the United States.

(d) "Uranium Mine" means any mine located in the United States, its possessions, territories, which is mined in whole or in part for the production of uranium ores.

(e) "Ionizing Radiation" means any particulate or electromagnetic radiation capable of producing ions directly or indirectly in its passage through matter.

(f) "Benefit" means any monetary compensation payment or medical payment provided under State workmen's compensation or occupational disease law or under this Act.

SEC. 306. This Act shall be effective upon enactment.

The letter, statement, and article, presented by Mr. YARBOROUGH, are as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, December 13, 1967.

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

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

DEAR MR. PRESIDENT and DEAR MR. SPEAKER: This past year the nation became aware of the tragic cases of lung cancer contracted by uranium miners in the course of their work. This awareness was followed by immediate steps to assure that radiation hazards in uranium mines would be reduced. A safety program, however, only protects workers in the future—it does not correct the past. What is left undone is the assurance that these miners and their families will be adequately compensated for their losses.

Toward that end, I am transmitting a bill to authorize the use of Federal funds for those people whose incomes have been interrupted or terminated as a result of lung cancer contracted in uranium mine employment.

Under this proposal, payments would be made by the Federal Government to workers suffering permanent total disability from lung cancer or, in fatal cases, to their dependents, if the radiation exposure occurred between April 1, 1948, when the Federal Government began procuring domestic uranium, and five years after the date of this enactment. A cut-off date for exposure is provided because we anticipate further substantial reduction in the radiation hazard of uranium mines, and because we expect that State workmen's compensation systems will assume the responsibility for future radiation injuries. Moreover, in approximately three years the Federal Government will have terminated its procurement of uranium.

The measure is based on the recognition that the production of uranium ore was initiated and developed by the Federal Government due to its importance to national defense and that the Federal Government should share responsibility for adequately compensating those injured by the unanticipated radiation hazard in these mines.

The proposal authorizes the Secretary of Labor to supplement State benefits up to the amounts which are provided by the Longshoremen's and Harbor Workers' Compensation Act.

The bill also authorizes payments to persons who are not eligible for benefits under State law in accordance with benefits provided by the Longshoremen's and Harbor Workers' Compensation Act.

State grants are also authorized to conduct research and planning studies and to carry out plans to improve workmen's compensation laws and programs as they relate to ionizing radiation.

The Bureau of the Budget advises that there is no objection to the submission of this draft bill and enactment would be consistent with the objectives of the Administration.

I urge early and favorable consideration of this proposal by the Congress.

Sincerely,

WILLARD WIRTZ,
Secretary of Labor.

STATEMENT IN EXPLANATION OF A BILL AUTHORIZING FEDERAL ASSISTANCE TOWARD ADEQUATE BENEFITS FOR DISABILITY AND DEATH OF URANIUM MINERS FROM LUNG CANCER

It is the intent of this bill to give assistance for permanent total disability and death from lung cancer resulting from exposure to ionizing radiation in uranium mines between April 1, 1948, when the Federal Government began procuring uranium in quantity, and five years after the date of this enactment. Eligibility depends on exposure within this period, irrespective of the time when the disability or death occurs. A cut-off date for assistance is provided because it is assumed that with increasing knowledge of the incidence of lung cancer among uranium miners and methods of prevention, that workmen's compensation insurance actuarial factors will be worked out on a more realistic basis than has been possible in the past and that the hazards will be materially reduced. The concurrence of these two contingencies will tend to obviate the need for Federal assistance in behalf of uranium miners.

PROVISIONS OF THE BILL

Supplemental compensation payments

The Secretary of Labor is authorized to pay benefits to miners or their survivors for total disability or death from lung cancer arising from radiation exposure in uranium mines, supplementary to benefits they are receiving under State workmen's compensation law. The amount of the supplement shall be the difference between the benefits payable under the State law and compensation as measured by the Longshoremen's and Harbor Workers' Compensation Act.

Benefits are to be paid retroactively to the date of disability or death.

When benefits under a State workmen's compensation or occupational disease law cease because of time or monetary limitation in such law, payments of the compensation formerly paid by the State will also be assumed by the Secretary.

No supplementary payments may be made in a State which diminishes programs or benefits related to injuries from ionizing radiation.

Compensation and death benefits

The Secretary is also authorized to pay benefits to uranium miners or their survivors if benefits for total disability or death from lung cancer have been denied, there is no coverage under State workmen's compensation law, or indemnity has not been received from any person liable for damages. Benefits may be paid retroactively from the date of total permanent disability or death.

Benefits shall be paid in accordance with those of the Longshoremen's and Harbor Workers' Compensation Act, which the Department of Labor administers. Insofar as retroactive benefits for surviving dependents

are concerned, except as to widows during widowhood, payments may be made only to those persons who qualify as dependents at the time the claim is filed.

Grants to States

Under plans approved by the Secretary, subject to certain specified standards, the Secretary may make grants to the States in which uranium mining is carried on to conduct studies and to carry out other programs to improve workmen's compensation benefit programs as they relate to ionizing radiation in employment in uranium mines.

Miscellaneous

The Secretary is given power to make rules for the administration of the Act including the specifying of the degree of proof necessary to establish compensability of claims for benefits when State workmen's compensation benefits are not available. Consultations will be made as appropriate, respecting proposed rules with the Atomic Energy Commission, the Departments of Interior, and Health, Education, and Welfare.

Benefits authorized under this proposal will be paid from the Employees' Compensation Fund established by the Federal Employees' Compensation Act.

[From the Washington Post, Dec. 14, 1967]

WIRTZ URGES BILL FOR URANIUM MINERS

(By J. V. Reistrug)

Secretary of Labor W. Willard Wirtz sent Congress a bill yesterday to provide compensation for uranium miners who contract cancer as a result of radiation in the mines.

"This past year the Nation became aware of the tragic cases of lung cancer contracted by unranium miners in the course of their work," Wirtz said in a letter accompanying the bill.

"This awareness was followed by immediate steps to assure that radiation hazards in uranium mines would be reduced. A safety program, however, only protects workers in the future—it does not correct the past. What is left undone is the assurance that these miners and their families will be adequately compensated for their losses."

Lung cancer, generally fatal in a matter of months, shows up as much as 20 years after the first exposure to excessive radiation in the mines. More than 100 miners have already died of the disease and one highly controversial estimate is of more than 1000 deaths by 1985.

Of the principal uranium states—New Mexico, Wyoming, Colorado and Utah—only Colorado has recognized lung cancer as an occupational disease among uranium miners and Colorado officials have voiced concern that their compensation fund might go broke.

The Utah Supreme Court recently upheld that State's Compensation Board in denying the claim of Mrs. Douglas Garner, widow of a uranium miner, for compensation in a test case.

Despite a body of scientific literature dating back to the 1950s, no Federal authority has been exercised regarding either regulation of the mines or compensation of their victims until articles dealing with miners appeared in the press this year.

In May Wirtz invoked his authority under a depression era law to set safety standards for mines whose production is bought by the Federal Government. The Joint Committee on Atomic Energy began a series of hearings.

In July the inter-agency Federal Radiation Council, which had been studying the problem for two years, reached agreement on a standard that apparently will be the one enforced by Interior Department's Bureau of Mines in mines that sell their output to electric-power companies in the future.

The Labor Department's delay in producing a compensation bill is understood to stem in part from the need to reach agreement among the Government agencies with an interest in the problem.

In the meantime, compensation bills were introduced by Senators from the states affected—in each case with the comment that the measures were not offered as a final version but were aimed at spurring action.

The Wirtz bill, which has the approval of the Bureau of the Budget, covers lung cancer cases arising from radiation exposure between the start of Government buying in 1948 and five years after the bill's enactment.

By that time, Wirtz said in the letter, the hazards in the mines should be reduced and the state's compensation laws should be updated.

It would authorize compensation payments to disabled miners, or their widows and orphans, up to the level of amounts provided in the Longshoremen's and Harbor Workers Compensation Act—one of the Federal Government's rare excursions into the compensation field generally left to the states.

Coupled with proposed amendments to the Longshoremen's Act, the new Wirtz proposal would provide a maximum of $105 a week to a dying miner and up to 75 per cent of that to a miner's widow with two or more dependent children.

The Federal payments would supplement state benefits or substitute for them if they are lacking.

The bill also would provide grants to the states to support studies and plans to update their workmen's compensation programs in the field.

PUBLIC UTILITY JURISDICTION

Mr. TYDINGS. Mr. President, at the request of the American Bar Association, I am today introducing a bill to grant to the district courts of the United States jurisdiction to resolve controversies relating to jurisdiction to regulate a public utility. The bill also specifies rules of venue in such controversies.

The bill would, in effect, make the U.S. district courts the arbiters in the first instance of all controversies between two or more States or their agencies, or between the United States or one or more agencies of the United States, on the one hand, and one or more States or State agencies, on the other hand, respecting jurisdiction to regulate a public utility. It has been reported that many public utilities are caught in the crossfire of conflicting claims of jurisdiction to regulate them by two or more agencies of different States, or by one or more State agencies and one or more Federal agencies. Those who complain of this precarious "crossfire" situation also complain that, often, their only recourse is costly and protracted engagement in two or more parallel courses of litigation, in the courts of two or more States, or of one or more States and of the United States.

Mr. President, while I have come to no conclusion regarding the merits of this bill, I do feel that the area is an appropriate one for congressional study, and I am hopeful that the bill will be accorded careful consideration in this body.

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

The bill (S. 2788) to grant the district courts of the United States jurisdiction to resolve controversy with respect to jurisdiction to regulate a public utility and to provide for venue in such cases, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the Judiciary.

ECOLOGICAL RESEARCH AND SURVEYS

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill, the ecological research and surveys bill, to authorize the Secretary of the Interior to conduct a program of research into our natural environmental systems.

Ecology—the study of the delicate relationships that bind all living creatures to one another and to their natural home, the relationships that make up the balance of nature—is fascinating and valuable for its own sake.

But to a society in which population and technology are pressing ever harder against a dwindling natural resource base a more precise understanding of ecology is vitally necessary. Land use and natural resource use decisions must be made. If they are to be made wisely, we must know more than we now do about ecology.

There is a great deal of concern today being expressed about the dramatic deterioration of our environment. It has now become painfully obvious that we must direct in the years ahead a great deal of time and effort not only toward cleaning up our dirty rivers, our polluted air, and our ravaged landscape but also toward avoiding further destruction of our resource base.

Our knowledge today of basic ecology is surprisingly sparse. This lack of information is becoming more and more critical. Basic ecological knowledge represents the building blocks with which we will be able to construct a livable environment in the years ahead.

The bill I am introducing today would take us in the direction we need to go. Very briefly, it would authorize the Secretary of the Interior to:

Conduct studies of natural environmental systems in the United States;

Establish a clearinghouse for information on ecological problems and studies and disseminate information about progress in the field;

Establish a program in which representative natural environments on Federal lands could be set aside for scientific study and assist and encourage the setting up of similar preserves on State and private lands; and

Participate with other governments and international bodies in environmental research.

The rapid rate of increase in population and pressure on the natural environment makes urgent the need for a great increase in ecological research. This bill will be a step in that direction. I ask unanimous consent that the text of the bill be printed at this point in my remarks.

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

The bill (S. 2789) to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United

States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2789

Be it enacted by the Senate and House of Representatives of the Untied States of America in Congress assembled, That the Congress finds and declares that as a result of population pressures, the development of transportation systems, agricultural practices, numerous natural resource developments, and other technological advances, the status of native plant and animal systems and their natural environment in the United States has changed markedly; that serious losses in valuable species of fauna and flora and gains in unwanted species have occurred and continue to occur; that valuable elements of natural communities have disappeared or have become so restricted in area and numbers that they may never recover; that many areas of outstanding interest, scientific value and scenic beauty have been protected but through lack of knowledge and inadequate management practices their value has been lost or has waned; that, in fact, this storm of modern change, in blighting and destroying what has been cherished for generations in this country, is degrading man's environment and threatens his very existence; that it is desirable that studies be conducted to describe, understand, and evaluate these natural and man-caused changes or trends in our natural environmental systems and to provide the information to the public or private agencies, or persons responsible for planning and developing our future resource projects. It is, therefore, the purpose of this Act to authorize a comprehensive program of research, studies, and surveys in order to produce an understanding of our natural resources and the environmental forces responsible for their development and well-being and to provide a basis for the future protection, enhancement, and proper utilization of the natural environmental systems of the United States. It is not the purpose of this Act to encroach upon or otherwise restrict authorized Federal programs in the fields of agronomy, forest and range management, public health, flood control, wildlife management, or soil conservation other than as an advisory or coordinating activity.

SEC. 2. The Secretary of the Interior (hereinafter referred to as the "Secretary"), in order to carry out the purposes of this Act, is authorized—

(1) to conduct investigations, studies, surveys, research, and analyses;

(2) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(3) to develop and maintain an inventory of natural resource development projects, engineering works, and other major projects such as, but not limited to, eradication projects contemplated or planned by public or private agencies or organizations which may make significant modifications in the natural environment;

(4) to establish a system of collecting and receiving information and data on ecological research and evaluations which are in progress or are planned by other public or private agencies or organizations, or individuals;

(5) to evaluate and disseminate information of an ecological nature to public and private agencies or organizations, or individuals in the form of reports, publications, atlases, and maps;

(6) to initiate and utilize ecological information in the planning and development of resource oriented projects;

(7) to encourge other public or private agencies planning development projects to consult with the Secretary on the impact of the proposed projects on the natural environment;

(8) to encourage and assist public (non-Federal) or private agencies or organizations, including educational institutions, museums, and botanical and zoological gardens and other scientific or conservation organizations, or individuals to acquire, designate, and maintain representative samples of important natural environmental systems, including natural areas for observation and for manipulation, and to encourage such agencies, organizations, and individuals to utilize existing areas under their control or jurisdiction for such purposes; and

(9) to establish through interagency coordination, on federally owned lands, a Federal system of natural areas for scientific purposes, and develop the means and methods for withdrawal of such areas from nonconforming uses, and provide for their management and protection to serve the natural research needs of all agencies, both public and private; except that in developing standards governing any such withdrawals, the Secretary shall give due consideration to future alternative uses of such areas subject to withdrawal.

SEC. 3. The Secretary is further authorized for the purposes of this Act (1) to make grants and enter into contracts or cooperative agreements with public or private agencies or organizations, or individuals, (2) to accept and use donations of funds, property, personal services, or facilities, (3) to acquire selected areas of lands or interests in lands by donation, acquisition with donated funds, devise, or exchange for acquired lands or public lands under his jurisdiction which he finds suitable for disposition, (4) to administer such lands or interests for experimental purposes, including the obesrvation and manipulation of natural areas, and (5) to issue such regulations as he deems necessary with respect to the administration of such lands.

SEC. 4. Activities authorized by this Act may be carried out on lands under the jurisdiction or control of other departments or agencies of the Government only with the approval of the head of the department or agency concerned.

SEC. 5. The Secretary shall consult with and provide technical assistance to departments and agencies of the Government, and he is authorized to obtain from such departments and agencies such information, data, reports, advice, and assistance as he deems necessary or appropriate and which can reasonably be furnished by such departments and agencies in carrying out the purposes of this Act. Any Federal agency furnishing advice or assistance hereunder may expend its own funds for such purposes, with or without reimbursement by the Secretary.

SEC. 6. Nothing in this Act is intended to give, or shall be construed as giving, the Secretary any authority over any of the authorized programs of any other department or agency of the Government, or as repealing, modifying, restricting, or amending existing authorities or responsibilities that any department or agency may have with respect to the natural environment. The Secretary shall consult with the heads of such departments and agencies for the purpose of identifying and eliminating duplication of effort.

SEC. 7. (a) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations to him relating to the carrying out of the purposes of this Act. Such advisory committees shall render advice and submit recommendations to the Secretary upon his request and may submit recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of the Interior to serve as secretaries to the committees.

(b) Members of advisory committees appointed by the Secretary may receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

SEC. 8. The Secretary is authorized to participate in environmental research in surrounding oceans and in other countries in cooperation with appropriate departments or agencies of such countries or with coordinating international organizations if he determines that such activities will contribute to the objectives and purposes of this Act.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

AUTHORIZATION OF AN AUTOMOBILE INSURANCE INVESTIGATION

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, on behalf of myself and Senators PASTORE, MONRONEY, LAUSCHE, BARTLETT, HARTKE, HART, CANNON, BREWSTER, LONG of Louisiana, and MOSS, a joint resolution to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses, and for other purposes. I am also pleased to note that Congressman JOHN MOSS, Democrat of California, is introducing this resolution in the House of Representatives today.

In this century, the automobile has become the indispensable mode of transportation. It has revolutionized the structure of our cities. And it has made it possible for all Americans—not just the rich—to move with freedom about the country in pursuit of both economic opportunity and pleasure.

Without question, then, the automobile is a striking example of social progress. Unfortunately, progress inevitably exacts its price: it spawns new social problems and complexities.

We have long known the benefits of the automobile as a mode of transportation. Only recently, however, has public attention been focused on the "social costs" associated with automobile driving.

The most tragic cost, of course, has been the soaring rate of accidental death and injury on the Nation's highways. The statistics are grim: 1.6 million dead since the coming of the automobile; over 50,000 to die this year. And, unless the accelerating spiral of death is arrested, 100,000 Americans will die from automobile-inflicted injuries by 1975. But these soaring rates are not inexorable; they are not acceptable; they can be reduced. During the last session of Congress, two major legislative measures were enacted which promise to minimize these tragic losses. The National Traffic and Motor Vehicle Safety Act of 1966 gave the Secretary of Transportation plenary authority to establish safety standards for all motor

vehicles. A companion measure, the Highway Safety Act, will assist State governments in upgrading highway design standards and driver licensing and training requirements.

Besides safety, the automobile has also had a major impact on our environment. The automobile has placed intolerable strains on our urban highways; traffic jams are commonplace and growing in intensity. In addition, we now know that automobile exhaust fumes are a major source of air pollution.

Let no one say that these problems are insoluble. Action can and is being taken to alleviate these undesirable conditions. The Federal Government and the States, in conjunction with industry, are accelerating the development of rapid-transit systems designed to reduce the pressures on our overcrowded streets. Improved smog control devices are being developed to lessen air pollution.

Traffic safety, air pollution, and congested highways are social problems associated with the automobile. The solution, obviously, is not to ban automobiles; rather, we can through careful planning and improved technology minimize these social costs. In the area which I have outlined, this effort is well underway.

Recently, public attention has been focused on another social cost—automobile insurance. Increased accident rates, soaring repair costs, and intensive competitive pressures are placing severe strains on the economic structure of the insurance industry. Legislators, both Federal and State, are witnessing a rising tide of consumer complaint and dissatisfaction with our present system of compensation motor vehicle accident victims. Consumers are concerned about rapidly escalating rates, what they see as arbitrary cancellations and failures to renew. And they are concerned about claims settlement practices and insolvencies.

Following the Southeastern Underwriters case in 1944, the 79th Congress passed the McCarran-Ferguson Act which left to the States the jurisdiction to regulate and supervise the insurance industry. This action, however, was not a permanent abdication of Federal responsibility. Rather the legislative history of the act clearly indicates that Congress was making only a conditional delegation of authority to the States, reserving the right to reestablish a Federal role if such action was needed to protect the public interest.

Recent events have made it clear that the time has come for a Federal review of the automobile insurance industry. The growing volume of dissatisfaction leads to one conclusion: insurance is no longer just a State or local issue. Just as events made traffic safety a national issue, so now our automobile insurance system is about to become a national issue. And let me make it clear that Congress did not fabricate insurance as a national issue; rather, the impetus for congressional action has been the groundswell of angry public opinion.

The Senate Commerce Committee has been conducting a study of automobile insurance since the beginning of this year. In January legislation was introduced in Congress to establish a Federal Motor Vehicle Insurance Guaranty Corporation. This bill, designed to protect the public from growing insolvencies among so-called high risk automobile insurers, was referred to the Commerce Committee.

Initially, the committee focused its attention exclusively on the insolvency issue. But it rapidly became apparent to me that insolvencies, serious as they are, cannot be considered in isolation; they must be considered in the context of the overall financial stability and general operations of the industry.

Since the insolvency bill was introduced, the committee has received hundreds of letters from irate citizens outlining in detail their grievances. The staff of the committee has held numerous conferences with interested citizens and industry leaders to explore these issues. These letters, conferences, and other preliminary studies permit us to draw two tentative conclusions:

First, discriminatory and sharp underwriting practices appear to exist to a significant degree. These would include arbitrary cancellations and failures to renew, geographical, racial and economic blackouts in coverage, discriminatory premium rates, and unfair claims settlement practices. Some observers have claimed that the extent of these practices has been exaggerated. They point to several studies which indicate that cancellations and nonrenewals have occurred in only 1 percent of the total number of policies written. But even 1 percent is significant when we consider that over 90 million motorists are on the highways today. And it would be interesting to know the percentage of cancellations and nonrenewals occurring among those who have had claims filed against their policies.

I do not mean to imply that sharp underwriting practices apply to the insurance industry generally, they are, I am sure, restricted to a minor segment. But I do suggest that we need more complete knowledge of the extent of these abuses. And I do suggest that the unfair practices which do exist must be eliminated. For failure to do so will turn public opinion against all of the industry.

A second result of our studies has indicated mounting evidence of major flaws in our national system for compensating motor vehicle accident victims. Many cancellations and nonrenewals, I am sure, are not the result of arbitrary or abusive practices. Rather, they represent attempts by companies to strengthen their financial position by refusing to provide coverage for high risk groups or by charging them exorbitant rates. Unfortunately, these practices tend to place an enormous burden on those least able to pay—the youth and our elderly.

Some industry leaders state that restrictive underwriting practices would disappear if the insurance industry could obtain adequate rates—this, of course, means higher rates. But evidence is mounting that the time is rapidly approaching when the public will not tolerate ever-increasing rates. State rate hearings are turning into a battleground of opposing economic interests.

Bitter complaints are flowing into Congress and State legislatures on the high cost of insurance. Numerous articles have appeared condemning rate increases as unjustified. These attacks have centered on accounting procedures and a demand that certain portions of investment income be considered in the rate-making process. However, even if these factors were neutralized, insurance rates would still be high and would continue to increase.

The time has clearly come to reappraise our national accident compensation systems. Programs must be developed to reduce the enormous costs of compensating accident victims. Several legal scholars have suggested that the entire tort liability concept must be reexamined and have put forth alternative compensation approaches. One proposal which has received widespread publicity has been advanced by Professors Keeton and O'Connell. Their plan proposes to pay auto insurance claims the way health and accident claims are paid, without regard to fault. The sponsors of this plan claim that it would result in lower insurance costs. At present one cannot conclude that the Keeton-O'Connell plan or the other proposals which have been advanced represent the solution to our insurance problems. But they surely merit careful and serious consideration.

Fully developed legislative or administrative remedies are not presently available. What is clear, however, is the need for a comprehensive, objective, and nonpartisan study. The issues which we have been discussing are fundamental and must not become embroiled in narrow partisanship. For if they are to be resolved, we need solid information and facts, not emotional charges and countercharges.

The Supreme Court has held that insurance is interstate commerce. The Senate Commerce Committee is charged with a responsibility in the insurance field. The question is how best can we proceed. It would, in my judgment, be difficult if not impossible to obtain all the necessary facts and information through the process of congressional hearings. A congressional hearing works most effectively when concrete knowledge and well-developed solutions are available; this is not the case with insurance at this time.

In July, therefore, I asked the Secretary of Transportation to undertake a preliminary analysis of our system of compensating for motor vehicle accident losses. Last year Congress addressed itself to the need for preventing and limiting the severity of motor vehicle accidents. It charged the Department of Transportation with the responsibility of carrying out the comprehensive programs of motor vehicle and highway safety which we authorized. The Department of Transportation, in view of these responsibilities, would appear to be an ideal agency to study the problems associated with compensating those victims whom prevention has not spared. And broadly viewed, the enormous costs to individuals, as well as to society, of the still increasing traffic toll are issues which should be of concern to those who are charged with the responsibility to

develop efficient ground transportation systems.

In my letter to Secretary Boyd, I outlined those subjects which should properly be encompassed in any insurance study. Briefly, it should include first, an analysis of the present U.S. system of compensation for vehicle-induced accident losses; second, an examination of existing governmental supervision of auto insurance; third, an appraisal of the existing system as it affects the insured motorist; and, fourth, an examination of alternatives to the existing system of compensation such as the Keeton-O'Connell plan.

The Department of Transportation is currently conducting a preliminary survey of these issues. The Department is initially focusing its attention on the following questions:

First. What are the limits of such a study?

Second. Is there data, of public record, which will provide answers to the many questions that must be answered within these limits?

Third. What are the sources of data which are not part of the public record?

Fourth. What additional authority will be needed by the Department to insure that such data can be obtained?

Fifth. What are the time limits of such a study?

Sixth. What staffing and funds are necessary for the Department to complete such a study.

In January Secretary Boyd will furnish the Senate Commerce Committee with a report outlining in detail the answers to these initial questions. From the work that has been accomplished to date, however, it is abundantly clear that a major automobile insurance investigation is urgently needed, and needed now. And it is also becoming evident that such an investigation would be of such great magnitude and scope, leading to major economic reforms of great social significance, that it should be specially authorized by Congress, and empowered to do the job right.

Therefore, I am introducing today a joint resolution which would authorize the Secretary of Transportation, with the cooperation of other Federal agencies, to lead a comprehensive interagency study and investigation of the existing compensation system for motor vehicle accident losses. Although the Secretary of Transportation is primarily responsible for this project, the resolution provides for the appointment of an Interagency Advisory Committee to advise the Secretary on the preparations for and the conduct of the study.

My purpose in introducing this legislation late in this session is to afford all interested parties, including the affected industries and the general public, ample time to prepare their responses to the proposals. I also wish to announce that the Senate Commerce Committee will hold hearings on this resolution early next year. At that time we will give careful consideration to Secretary Boyd's preliminary report and to the views of the consumer, industry, government, and the academic community.

The course of action which I have outlined has not been hastily drawn. It is, I believe, a sound and constructive approach to a blistering national issue, the adequacy of our automobile insurance system. Since these plans were formulated, I have been impressed by the cooperative attitude taken by the insurance industry—not only by insurance company executives but also by the insurance agents associations—as well as the National Association of State Insurance Commissioners, which has pledged its cooperation to the Secretary of Transportation. We have already seen the initiation of an effort by the insurance industry to encourage nondiscriminatory underwriting practices through voluntary codes.

Without question, the troubles which we are experiencing in providing fair and adequate insurance coverage for the American motorist are difficult and complex. The resolution which I have introduced, however, should provide a basis for constructive hearings by the Senate Commerce Committee on these issues beginning early next year.

During the next few months, however, let no one interpret this as a time for complacency and delay. While larger and more complex issues are being explored, let further action be taken now to alleviate known abuses. Let action be taken now by all insurance companies to police stated policies against arbitrary cancellations and nonrenewals, to halt geographic, racial, and economic blackouts, and to stop unfair claims settlement practices. For now is clearly the time for all to reexamine and reassess not only underwriting principles but actual practices.

We have been discussing the social problems which have been created by the coming of the automobile age. Last year congressional attention was focused on traffic safety. Today, attention is being focused on automobile insurance. But just as we developed reasonable and responsible programs to combat the growing death toll on our Nation's highways, so also must we devise programs just to industry and the public alike—guaranteeing full and fair insurance coverage to all American motorists, at the lowest possible price.

In conclusion, Mr. President, I would like to state that there are, of course, automobile insurance practices which may well have serious antitrust implications. In calling for this Department of Transportation investigation, it is certainly not our intention to foreclose inquiry into such implications by the Anti-Trust and Monopoly Subcommittee. Chairman HART has already indicated that his subcommitee plans to continue its examination of the impact of the McCarran-Ferguson Act on automobile insurance and such investigation is both timely and appropriate. There is no question but that the work of the Antitrust Subcommitee in this field will be of great value to the Department of Transportation in evaluating the broad picture of automobile accident compensation and the insurance industry. For these reasons I am particularly pleased that Chairman HART of the Antitrust Subcommittee has joined in cosponsoring this resolution.

Mr. President, I ask unanimous consent that the text of the joint resolution, an article by Sidney Margolius which appeared in the December issue of the American Federationist, and a five-part series of articles by Tom Talburt, a Scripps-Howard staff writer, be printed in the RECORD.

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

The joint resolution (S.J. Res. 129) to authorize the Secretary of Transportation to conduct a comprehensive study and investigation of the existing compensation system for motor vehicle accident losses and for other purposes introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S.J. RES. 129

Whereas Congress finds that suffering and loss of life resulting from motor vehicle accidents and the consequent social and economic dislocations are critical national problems; and

Whereas there is growing evidence that the existing system of compensation for such loss and suffering is inequitable, inadequate and insufficient and is unresponsive to existing social, economic and technical conditions; and

Whereas there is needed a fundamental reevaluation of such system, including a review of the role and effectiveness of insurance and the existing law governing liability; and

Whereas meaningful analysis requires the collection and evaluation of data not presently available such as the actual economic impact of motor vehicle injuries, the relief available both from public and private sources, and the role and effectiveness of rehabilitation: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Transportation (hereinafter referred to as the "Secretary"), in cooperation with those other Federal agencies which possess relevant competancies, as provided in section 4, is authorized and directed to conduct a comprehensive study and investigation of all relevant aspects of the existing motor vehicle accident compensation system. Such study and investigation shall include consideration of the following—

(1) the inadequacies of such existing compensation system in theory and practice;

(2) the public policy objectives to be realized by such a system including an analysis of the costs and benefits, both monetary and otherwise; and

(3) the most effective means for realizing such objectives.

(b) The Secretary shall submit to the Congress interim reports from time to time and a final report not later than 18 months after the date of enactment of this joint resolution. Such final report shall contain a detailed statement of the findings and conclusions of the Secretary together with his recommendations for legislation and such other action as the Secretary deems necessary to carry out the objectives of this joint resolution.

ADMINISTRATIVE POWERS

SEC. 2. In order to carry out his functions under this joint resolution, the Secretary is authorized to—

(1) appoint and fix the compensation of such employees as he deems necessary without regard to the provisions of title 5, United States Code, governing appointment in the

competitive service and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, but as rates for individuals not to exceed $100 per diem;

(3) enter into contracts with corporations, business firms, institutions and individuals for the conduct of research, and surveys and the preparation of reports; and

(4) appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive services, such advisory committees as he deems appropriate for the purpose of consultation with and advice to the Secretary. Members of such committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be compensated at rates to be fixed by the Secretary but not exceeding $100 per day, and while away from home or regular place 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 the Government service employed intermittently. Members of such advisory committees shall, for the purposes of chapter 11, title 18, United States Code, be deemed to be special Government employees; and

(5) prescribe such rules and regulations as he deems appropriate, and apply such rules and regulations to reasonable classes of corporations, business firms and individuals.

COOPERATION OF FEDERAL AGENCIES

SEC. 3. (a) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized and directed to cooperate with the Secretary and to furnish such information to the Department of Transportation upon request made by the Secretary.

(b) The head of any Federal agency is authorized to detail, on a reimbursable basis, any personnel of such agency to assist in carrying out the duties of the Secretary under this joint resolution.

INTERAGENCY ADVISORY COMMITTEE

SEC. 4. The President shall appoint an Interagency Advisory Committee on Compensation for Motor Vehicle Accident Losses consisting of the Secretary who shall be Chairman and one representative each of the Departments of Commerce, Justice, Labor, Health, Education, and Welfare, and Housing and Urban Development, the Federal Trade Commission, the Interstate Commerce Commission and the Securities and Exchange Commission, and such other Federal agencies as are designated by the President. Such members shall, to the extent possible, be persons knowledgeable in the field of compensation for motor vehicle accident losses. The Advisory Committee shall advise the Secretary on the preparations for and the conduct of the study authorized by this joint resolution.

HEARINGS AND PRODUCTION OF DOCUMENTARY EVIDENCE

SEC. 5. (a) For the purpose of carrying out the provisions of this joint resolution the Secretary, or on the authorization of the Secretary any officer or employee of the Department of Transportation, may hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memoranda, contracts, agreements, or other records as the Secretary, or such officer or employee, deems advisable.

(b) In order to carry out the provisions of this joint resolution, the Secretary or his duly authorized agent shall at all reasonable times have access to, and for the purposes of examination the right to copy, any documentary evidence of any business firm, corporation, institution or individual having materials or information relevant to the study authorized by this joint resolution.

(c) The Secretary is authorized to require, by general or special orders, any corporation, business firm or individual or any class of such corporation, firms or individuals to file, in such form as the Secretary may prescribe, reports or answers in writing to specific questions relating to the study authorized by this joint resolution. Such reports and answers shall be made under oath or otherwise, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe.

(d) Any of the district courts of the United States within the jurisdiction of which an inquiry is carried on may, in case of contumacy or refusal to obey a subpena or order of the Secretary or such officer or employee issued under subsection (a) or subsection (c) of this section, issue an order requiring compliance therewith; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(e) Witnesses summoned pursuant to this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

TERMINATION

SEC. 6. The authority of the Secretary under this joint resolution shall terminate ninety days after the submission of his final report under section 1(b).

APPROPRIATIONS AUTHORIZED

SEC. 7. There are hereby authorized to be appropriated, without fiscal year limitation, such sums, not to exceed $2,000,000, as may be necessary to carry out the provisions of this joint resolution.

The articles, presented by Mr. MAGNUSON, are as follows:

[From the AFL–CIO American Federalist, December 1967]

AUTO INSURANCE: THE NEED FOR REFORM

(By Sidney Margolius)

One of the most worrisome and costly problems for wage-earners is the soaring price of auto insurance and the arbitrary risk selections and cancellations that often create as severe a dilemma as the cost.

In various metropolitan areas, auto insurance bills have jumped anywhere from 30 percent to as much as 200 percent in the past decade. In six cities across the country, taken as a sample, rates have been rising about 5 to 6 percent a year, or two to three times as fast as the cost of living in general.

Working people have been hit especially hard. Auto insurance problems have become a frequent and bitter complaint, union officials have reported. In an era of widely dispersed factories and obsolete public transportation, a worker's car often is his lifeline to his job. With their ability to withhold insurance, the insurance companies now have enormous power to cut this lifeline or extract a high fee for providing the vital insurance.

It is not unusual today for a working family to pay premiums of $200 to $300 and sometimes even $400 a year to insure a car worth perhaps $200.

Workers, moreover, are particularly subject to discrimination in buying insurance. Because many auto insurors have become ultra selective, they have tended to avoid selling insurance to blue collar workers in some industries, especially unskilled workers but also some skilled crafts.

In fact, a workingman may find it difficult to buy auto insurance at standard rates simply because he lives on the edge of a low-income or deteriorated neighborhood, or has moved frequently or been divorced or involved in some minor scrape or had an accident recently.

If he is either young (under 25) or elderly, his problems are further compounded. And he needs help if his skin is not a color preferred by the insurance companies, because often they won't help him.

Even in states where liability insurance is not required by law, it has become virtually mandatory for wage-earners because of the risk of being bankrupted or forced into long-time payments in the event of an accident and a liability suit. Too, when workers buy cars on time, they usually are required to buy collision insurance to protect the lender's equity, as well as liability insurance to protect themselves.

Because of the many protests over the rates and the difficulties sometimes of getting insurance at all, three congressional committees already are investigating the problem or are preparing to.

As listed by Dean Sharp, assistant counsel to the Senate Anti-Trust Subcommittee, the major complaints that have led to the investigation, in addition to the high rates, are:

Cancellation, non-renewal and rejection practices of many companies;

Rate boosts approved without public hearings;

Profit formulas based on sales and which fail to include investment income earnings;

Company accounting methods;

Use of private credit organizations to investigate policyholders;

Tight claim settlement practices, ranging from automatically cutting in half any claim under $50 or $100 to inordinate length of time for trial or settlement;

Tie-in sales of auto insurance with home and other types of insurance.

Various companies have their own ideas of who should and should not get insurance from them. Among those who have had difficulty getting insurance in some areas from some companies are unskilled workers, stevedores and warehousemen, aircraft workers, barbers, beauticians, bar and liquor store employes, sometimes newspapermen, actors and clergymen and, frequently, military personnel. Many companies avoid insuring drivers who live in "substandard" neighborhoods and issue so-called "blackout maps" to their agents marking off the forbidden blocks.

For many of these people, as well as the young and the elderly, and those who may have been cancelled by other companies, the effect of these arbitrary underwriting guides is to force them into the assigned risk pools or to companies specializing in "substandard" risks at rates sometimes almost twice as much as the already-high standard rates.

To show how arbitrary some of the companies can become in deciding whom they will insure and at what rates. Dean Sharp reports that one company places a young driver with "high scholastic achievement" or a college degree in its "select risk" classification (lower rate) and puts other young drivers in the "standard risk" class.

As for the assigned risks who pay extra-high rates, Sharp quotes one state insurance commissioner as admitting that 75 percent of those in his state's assigned risk plan are safe drivers.

With the situation approaching an intolerable level, unions in a number of states have demanded closer state regulation.

The Ohio AFL–CIO sought a review of recent rate increases on the grounds that the public interest was not adequately represented in granting the boosts. When the in-

creases were affirmed by the state insurance department, the labor council first appealed in court, then asked the legislature to study the problem with a view to enacting reforms. Ohio workers have really been hurt. In less than three years, there have been three rate hikes in that state.

Similarly, in New Jersey, Pennsylvania, Maine, Maryland, Virginia, Texas, Wisconsin and other states, labor unions have fought against heavy rate increases and arbitrary cancellations. In some cases, union intervention has had an effect, as in Maryland where the state insurance commissioner established new rules to try to stem the many cancellations.

Until recently, the insurance companies have been noticeably haughty. They have tried to promote the idea that driving is a privilege, not a right; that the high rates are largely due to driver negligence, sometimes to poor roads or costly design by car manufacturers, but never to insurance-industry operating policies. The companies often have been able to show an "underwriting" loss to win rate increases. But they have rejected any suggestion that rate-making should include their investment profits on reserves (the policyholders' money) and surpluses (also sometimes the policyholders' money).

As a matter of fact, both companies and agents have had a vested interest in higher rates. Until recent years, the companies as a whole usually paid out only 50 cents in claims and claim expense. The other 50 cents went for selling and administrative expenses and profit.

Thus if your rate rose from $100 a year to $200, instead of $50 for expenses and profits, the companies now had $100. A commission of 20 percent on a policy that costs $200 brings in $40; on a $100 rate, only $20.

The insurance industry took little effective action to stem one of several causes of high claims—the modern design of cars. Nowadays a dent in a bumper may mean that a whole panel must be replaced. Similarly, modern wraparound windshields and other elaborate components cost more to replace or repair.

In their own defense, the companies say that they held discussions with car manufacturers about relating car design more closely to ease of repair, but that Detroit has acted as a world unto itself. Nor have insurance companies felt that they could call attention to possibly unsafe cars as indicated by their records.

Significantly, the insurance industry "does welcome the advent of federal safety standards for cars and is encouraged by them," Arthur Mertz, general counsel of the National Association of Independent Insurors, told me. Mertz believes these standards may reduce insurance losses and produce rate savings.

Now the insurance companies themselves are trying to seek some self-reform before the specter they fear most—federal instead of individual state regulation—becomes a reality. The Independent Insurors Association, while maintaining that the fault is largely that of the drivers and the roads, and that cancellation stories are exaggerated, has admitted that there have been at least some cancellation practices that do need reform. The industry in general also is worried that state insurance departments will begin to take investment income into account when setting rates, as a couple of states now do to a limited extent.

Costs have reached the point where the insurance companies now truly are squeezed between the nationwide protests against rates and their own expensive business methods, on top of the accident and other expenses they cannot control. They realize the political effect of the spiraling rates and the fact that a number of community leaders already have proposed that auto insurance be provided by government or state agencies, as the Canadian province of Saskatchewan has done for many years.

At present, the dollar you pay for auto insurance is estimated to be distributed in this manner: 5 cents for profit load and contingencies (3½ cents in New York State); 25 to 35 cents for expense load (administration, acquisition, commissions, field offices, advertising, home office, unallocated claim adjustment expense); 50 to 60 cents for claims and direct claims expense; 10 cents to allocated claim adjustment expense.

Salesmen's fees of 15 to 20 cents of the premium dollar are the largest items in the expense load.

Dean Sharp estimates that companies presently are paying out about 62 cents, of which 50 cents is for actual claims and 12 cents for claim adjustment and trial attorneys. A study by the California Motor Vehicles Department found only 36 cents of the premium dollar was used to pay actual claims (not including adjustment and trial expense).

Thus while the companies now are not getting as big a portion of the premium dollar as their previous 50–50 deal, their sales and administrative costs still are higher than in other lines of insurance, such as life, even for policies sold on an individual (non-group) basis.

A number of proposals have been made for helping to correct present high costs and cancellation problems, in addition to the most drastic argument—that if states require motorists to have insurance, the states should provide it themselves.

The widely-discussed Keeton-O'Connell plan, devised by two university law professors, seeks to eliminate "needlessly high costs, the unfair payments and the court delays" by instituting a system of automatic payments, no matter who is at fault in an accident, as in workmen's compensation. The plan would eliminate many lawsuits which presently clog up the courts and add to the expenses ultimately borne by the insurance buyer. One of the arguments made on behalf of the plan is that it is difficult to assess blame for accidents.

The Keeton-O'Connell plan, while favored even by some insurance companies, can hardly be considered a panacea. It would help correct some of the problem, including part of the legal expenses involved in settling claims and also some of the collusion which may take place with repair shops and perhaps even with doctors and lawyers.

The plan would result in more uniformity and possibly more fairness in settlements.

The proposal also hopes to solve what its authors say are duplicate payments for injury expenses and lost wages due to accidents. The argument is that the injured person often gets payments from Blue Cross, private medical insurance, employer's sick-pay program and perhaps even workmen's compensation and Medicaid in addition to insurance payments.

However, other authorities forsee a conflict. If Blue Cross or employer's sick pay becomes a deductible against auto insurance payments, these groups may decide that they can save money by *not* paying benefits for auto accident injury. Judging from past experience, the medical insurance companies also would try to make *their* policies excess over the auto insurance payments.

Since the Keeton-O'Connell plan in part would base its schedule of payments on the injured person's earnings, insurance companies then would be inclined to charge, say, a college student with little or no earnings less for auto insurance than a skilled craftsman with relatively substantial earnings. Conceivably, the rates could be calculated to even this out. But the more mature man then would be compelled to help pay for the more severe accident record of the younger group. While the Keeton-O'Connell plan would make it easier for young drivers to get insurance, this might be at the expense of family men with established incomes.

Nor does the Keeton-O'Connell proposal offer any solution for one of the largest components in the price of auto insurance—the high cost of selling it on an individual basis.

Another problem with a plan that attempts to set up a scheduled benefit system as in workmen's compensation is the same dilemma that arises in workmen's compensation itself, but even more complex. The program would have to place an economic value on a specific injury; for example, the loss of an arm. One man's arm is worth more, economically, than another's.

Insurors opposing the Keeton-O'Connell plan also argue that blame can be determined in 90 percent of accidents, reports Arthur E. Rowse, editor of U.S. Consumer.

The proposal does have merit as part of a broader program for reducing auto insurance costs. While less than 5 pecent of accident claims finally result in court suits, those that do involve large legal expenses. Under the present system of tort liability for compensating victims of car accidents, courts in some states take up to five years to hear such claims.

Following are other proposals that have been advanced. Most of them probably will have to be used even to partly solve this growing dilemma, with insurance companies currently predicting even further rate hikes.

GROUP PURCHASING

Labor has pioneered in attempting to reduce auto insurance selling and administrative costs through group insurance for cars as is now available in health and life insurance. In contrast to the car insurance administrative and sales expenses of 25 to 35 percent without even counting the adjustment expenses lumped with claims payouts. Blue Cross takes only 4 cents of the premium dollar for selling and administrative expense. Even private companies, including some who also sell auto insurance, take only 8 cents or so of the premium dollar on group health insurance.

Another potential value of group auto insurance is the accompanying group traffic safety program to encourage members to drive with care and avoid trifling or padded claims in order to keep down the group rate, since it would be based on claim experience.

But the stumbling block has been the state insurance departments. The Oregon AFL–CIO Council sought to install such a plan 12 years ago. The state insurance commissioner vetoed it. The council did succeed in establishing a modified group enrollment method which reduced costs to some extent. Similarly, an International Union of Electrical Workers local at Sperry-Rand in Lake Success, New York, sought to devise such a plan but ran up against a state department rule that insurors cannot give a reduction except when vehicles have a common ownership.

There has been some progress in this direction by a housing cooperative—the United Housing Foundation in New York, through setting up its own auto insurance plan. The League Life Insurance Co., sponsored by the Michigan Credit Union League, also is exploring group auto insurance possibilities.

INVESTMENT INCOME

Growing demands may force state insurance departments to take into account at least part of the investment income derived from the policyholders' reserves. Thus a company may show an "underwriting loss" of $2 million but have an investment profit of $11 million (an actual case one year).

Even while the companies have been pushing almost every year for rate increases, they have been building surpluses made up of retained earnings from premiums as well as investment earnings. Dean Sharp points out that the stock companies (not including the mutuals) expanded their surpluses by $6.3

billion in the past 20 years. In contrast, the companies expanded their capital investment by only $705 million—one-ninth of the amount accumulated through growth of surpluses.

Sharp also estimates that almost a billion dollars of investment income collected by the stock companies from 1955 to 1967 came from investment earnings on the unearned premiums and loss reserves held by the companies on behalf of policyholders. Policyholders pay in advance and the money earns more money until it is taken into account for claims, expenses, etc., at the rate of one-twelfth of the unexpired premium each month.

Revealingly, several years ago, at the very time U.S. companies were raising rates, the Saskatchewan Government Insurance Office cut its auto insurance rates. The rate cut was made possible, the agency said, by the income from its invested reserves.

The auto insurance industry claims that increased surpluses are necessary to facilitate expansion. The mutual companies especially are dependent on retained income to build surpluses so they can insure additional drivers with non-assessible policies. But in the case of stock companies certainly, and possibly also mutuals, there needs to be some reasonable limit on how much cash the buyers should be expected to provide to put the sellers in business.

MORE UNIFORMITY IN PAYMENTS

Some effort at establishing standards or limiting payments as in the Keeton-O'Connell plan may temper some of the very costly awards which all insurance buyers must help pay for. While the Saskatchewan plan provides savings by eliminating some of the expense load and including investment income, another factor is that it also limits recoveries to moderate levels.

GREATER COMPETITION

Rate-making through rate-making bureaus may overly protect the least efficient companies, Sharp points out. This observation raises the question of whether such bureaus should be eliminated.

Non-competitive standard rates have reached their peak in North Carolina, which completely forbids rate-deviating mutuals and independents from offering lower prices.

CANCELLATION CONTROL

Insurors insist that many of the complaints about abrupt cancellations do not stand up under investigation. But in my own experience I have seen wholesale cancellations in areas; cancellations for a couple of minor mishaps; cancellations for a combination of age and one accident, etc.

If the complaints are exaggerated, as insurors maintain, they should have no objection to a right of appeal and review by state insurance departments, similar to but more complete than the procedure set up in California in 1966. This procedure requires a written notice if a policy is cancelled within the first 60 days and also provides for appeal.

This is a little help. State insurance departments, if they truly represent the public, should be willing to provide the right of appeal for any mid-term cancellations, not just the first 60 days, and a clear statement from the insuror of the reasons for cancellation. Even then we would still have to make sure that the insurance departments provide a sincerely impartial review.

Meanwhile, a few compaines have begun to offer non-cancellable policies, although not necessarily guaranteed renewable. Unfortunately, these are very selective companies to begin with, but the public complaints have induced at least this much concession.

Curiously, a frequent argument used by insurance companies to defend selectivity, rejections, blackout maps and cancellations (when they are not saying they don't do it), is that the federal government does this, too, in providing crop and other farm insurance and even in insuring housing loans. Unfortunately, that appears to be true.

Federal guaranty and examination to replace present state exams could help in several ways, including guarding against losses to policyholders and claimants from bankrupt companies. A number of such bankruptcies in recent years were traced to inadequate state supervision. The state insurance departments appear ready to fight this proposal to the death. But it would help bolster the notoriously poor regulation in some states.

REQUIRING DEDUCTIBLES

There is no genuine insurance validity for full coverage and the small claims are the most expensive to process. The insurance companies engage in a contradiction when they complain about high adjustment costs and unnecessary claims, while their salesmen continue to write first-dollar coverage. It may cost $25 to process a $15 claim. Deductibles should be required for collision and comprehensive insurance and possibly also for liability insurance, although here the problem is more complex.

This is not to say that all fault lies with the insurance companies and all virtue with us drivers. Probably by now some insurors are not making money, even counting investment income. All parties have contributed their share to the problem: the cars, the drivers, the roads, the oil companies who promote the idea of increased power and speed and the insurors with their expensive operating methods.

But the time has arrived for thorough reforms before the public comes to feel that auto insurance in an auto age needs to be treated as a public utility, with the rates, profits and number of sellers all regulated. The companies had better stop asking, "Is driving a right or a privilege?" before the public starts asking, "Is selling insurance a right or a privilege?"

THE AUTO INSURANCE MUDDLE: MANY COMPLAINTS OF CAR OWNERS SET OFF CONGRESSIONAL INQUIRIES

(By Tom Talburt)

WASHINGTON.—A Connecticut attorney who has paid auto insurance premiums to the same company for 10 years was notified recently by the company that his policy would not be renewed at the end of the year.

Reason: His car had been damaged in two accidents in the last two years at a cost to the insuring company of $90—an amount less than the attorney paid each year in premiums.

The attorney wrote the company, pointing out that his car was struck by other autos in both instances and that both were hit-and-run cases.

"Your information appears to be correct," the company replied; but added: "Our statistics indicate drivers involved in accidents have a greater tendency to be involved in future accidents. This has applied to drivers involved both in fault and non-fault accidents."

The attorney angrily replied in a followup letter that "the net result is protection for yourself and not the policyholder. But the company's decision stood.

Similarly, a Ludlow, Ky., youth was informed his policy would not be renewed although the only claim he filed against his company was two years before when the window of his parked car was smashed, apparently by a tossed rock.

He paid $178 a year for his original policy. Now his insurance agent says he can get him another policy—for $418 a year.

In Chicago, a father was notified that his son's auto insurance, included in a family policy, will cost $315 annually beginning next year—about double what it cost before.

Reason: His son had entered the Army and—though he'd had neither an accident nor a traffic violation—the insurance company feels military personnel are "highly questionable risks."

These may seem to be unusual cases, but they are not according to Congressional investigators who have been looking into the auto insurance industry as a result of the mounting public complaints which center on:

Soaring costs of auto insurance premiums. They have risen, on the average, 55 per cent in the last decade and have doubled in many metropolitan areas.

Refusal by some companies to renew policies, or their decisions to cancel policies, for reasons the policyholders feel are unfair—when they can get the companies to tell them the reasons.

Efforts by some insurance companies to skim the cream off the market by insuring only "safe" risks and refusing to insure persons who hold certain types of jobs or live on the wrong side of the tracks.

Long delays in settlements of accident cases which go to a jury. Some accident victims must wait years before a jury decides and their claims are paid.

Three congressional committees are studying the auto insurance industry and hearings will be held next year. In addition the Federal Trade Commission (FTC) and the Transportation Department are being urged to undertake long-range, comprehensive studies.

In a move to soften public and congressional criticism, representatives of two major groups of auto insurance companies announced plans last week to curb abuses.

The National Assn. of Independent Insurers issued a "policy statement" pledging that its more than 350 affiliated companies no longer would turn down insurance applicants solely on the basis of race, occupation, divorce, old age—or because the applicants had been rejected previously by a company or had their policies canceled. But the statement said these factors still could be considered in evaluating applications.

Two other organizations, representing some 180 companies, said once new policies had been in effect 60 days the companies would cancel them for only two reasons—nonpayment of premiums and suspension of drivers' licenses or auto registrations. Under this plan, companies still could refuse to renew expiring policies for any reason.

"This industry has come to a crossroads," says Donald P. McHugh, vice president and general counsel of State Farm Insurance Co., the nation's top auto insurer which collected premiums totaling $941 million last year.

"It's probably no exaggeration to state that the future of the auto insurance industry may be at stake, certainly in its present form."

Critics and insurance officials alike agree that what has placed the industry on a collision course with Congress is money—the soaring cost of getting your car insured.

Americans will pay more than $9.6 billion for auto accident and liability insurance this year.

Last year, car owners in 32 states had their insurance premiums increased. In the first three months of this year, liability rates rose in seven states and 10 states approved higher premiums for collision and comprehensive coverage.

In Columbus, O., in 1960 a family with an 18-year-old son paid $96 a year for auto liability insurance providing $10,000 for bodily injury (or $20,000 for injuries to more than one person) and $5000 for property damage. The cost as of July 1 of this year: $147.

In Denver the same insurance cost $62 in 1960. The price this year: $118. In the District of Columbia the price shot from $130 in 1960 to $207 this year.

Despite spiraling premium costs the auto insurance companies claim they are not making money on their policies, but in fact are losing.

The industry, in the aggregate, says it had a total auto underwriting loss of $1.67 billion in the decade 1956–66. This would mean that claims and expenses exceeded premiums by that amount. Last year was the first year since 1962 that the industry reported an auto underwriting profit—a narrow 1 per cent on premiums.

Insurance officials point to the skyrocketing rate of traffic accidents as the real reason behind frequent jumps in insurance costs. They insist rates permitted by many states still are inadequate and will have to go up even further.

Since 1957 deaths resulting from auto accidents have risen 37 per cent to 53,000 deaths last year; injuries shot up 74 per cent to 4.4 million.

Largely as a result of accident rate increases, which in many areas account for more than half of all civil cases tried, it now takes an average of 30 months to obtain a jury trial in cities. In Chicago it takes more than five years.

Cost increases affecting insurance claims show that in the last decade there has been a 92 per cent rise in hospital costs and a 40 per cent increase in doctors' fees. Auto repair costs have risen more than 50 per cent.

Federal investigators have received complaints that some auto repair shops tend to jack up prices when they know an insurance company is paying the bill. Repairmen deny it. Some companies require their policyholders to get repair estimates from three different garages before approving a claim.

Critics maintain the underwriting losses claimed by insurance companies are an artificial bookkeeping device to justify higher rates and lower taxes, and has no real relevance in an assessment of the auto insurance industry's over-all performance.

They contend insurance firms should figure at least a portion of their income on investments into calculations of underwriting loss or profit. Underwriting losses now are figured entirely apart from income on investments.

Because motorists pay their premiums in advance companies have the use of the money for investment purposes. In recent years investment income has run at an annual rate of about $1.7 billion which not only covers insurance losses but yields a profit—from 5 to 6 per cent on stockholders' equity—for many companies.

In Kentucky, insurance companies were served notice this year that they will be expected to figure investment income in future requests for rate increases. Other states are weighing the question.

Looming before the auto insurance industry is the specter of possible Federal regulation. A recently published report by investigators for the House Judiciary Committee clearly foreshadowed the fire to be faced by state regulatory commissioners and commissions. It said:

"One criticism, frequently expressed, is that state regulatory officials are unduly responsive to the interests of the insurance companies that are subject to their regulation."

The Judiciary Committee staff report gave insurance executives even less to cheer about by concluding:

"By any objective standard, performance of the auto insurance business in the United States is unsatisfactory. The system is slow, incomplete and expensive. The companies and organizations involved in furnishing this service to the public in many respects do a poor job."

THE AUTO INSURANCE MUDDLE: COMPANIES SAY 30 MILLION DRIVERS ARE HIGH RISKS BY THEIR RATINGS

(By Tom Talburt)

WASHINGTON.—As many as 30 million licensed drivers in the U.S. are considered substandard risks under the guidelines followed by many auto insurance companies.

This estimate is made by auto insurance executives, some of whom privately criticize what they feel are outmoded and prejudicial guidelines on drivers.

Others defend restrictions set up against insuring certain drivers—saying they are based both on sound judgment and experience, and pointing out that insurance companies are private enterprises, in business to show profits.

Among the 30 million—representing nearly a third of the nation's 102 million licensed drivers—are people who never have had an accident. Still, many of them must pay higher auto insurance premiums for a variety of reasons.

Military personnel, as a group, are treated as exceptional risks by 18 of 19 leading auto insurance companies checked by investigators for the House Judiciary Committee.

The companies' underwriting rules ranged from one's ban on insuring enlisted men to another company's advice to agents to use "special care" in screening applications of military personnel for auto insurance.

Said Allstate Insurance Co.:

"The obvious increased hazard presented by the single military risk is the very limited time provided him for use of his car. All of us remember the 800-mile round trip on a 36-hour pass just to spend a few hours at home . . . the frenzied dash to the destination; then the long exhausting drive through the night, with drooping eyelids and dulled reflexes, to make Monday morning reveille.

"Too fast, too far, too little sleep—these are the hazards that concern underwriters."

Allstate noted, however, that it will accept at standard rates a serviceman applying for a policy who is a member of a family already insured by the company.

Who else is considered risky?

Members of the clergy and doctors, according to Continental-National of Chicago which makes this comment about ministers and doctors under a listing of "undesirable occupational:"

"Their driving records are among the poorest. Both appear to drive when preoccupied with problems. The clergyman may drive with the attitude that the Lord will provide. With doctors, there is the possibility of the use of the car in emergencies."

Says another company under the heading "underwriting factors:"

"Persons in groups of low income may live in substandard environment areas. Juries may be adversely influenced by crime rates which are high, also high accident frequency rates in these areas. Appearance and manners of such persons may prejudice a jury against them."

As for actors, musicians, entertainers and professional athletes: "May be target risks if income is high. Juries may award liberal settlements because the jury feels that they can afford it."

Other drivers marked as poor risks by some companies are those over age 65 and single drivers under 25. Continental Insurance Co.'s instructions to underwriters says:

"If the husband is under 21 we should proceed with caution. This is especially so if he is less than 20. Marriage by males at these ages is frequently an indication of emotional problems that produce a below-average risk."

The Hanover Insurance Group of New York includes on its list of 50 "occupations or exposures which should be avoided or selected with care:" Barbers, bartenders, beauty shop operators, farm laborers, masseurs, waiters, wrestlers, domestics, and sheriffs or deputies who may use their cars in emergencies.

Basically, today's high-risk driver is anyone rejected by the major auto insurance companies. Their standards alone—not those of a motor vehicle department or state insurance commission—determine the risk category of drivers.

Only three states—New York, Massachusetts and North Carolina—make it mandatory that drivers carry liability insurance.

But all states and the District of Columbia have financial responsibility laws or their equivalent requiring drivers to prove they can meet damage claims arising from auto accidents. Most comply with the law by purchasing liability insurance.

Of 94 million registered motor vehicles in the U.S., the insurance industry estimates 9.4 million—or 10 per cent—are not covered by liability insurance.

Some persons have trouble getting insurance simply because they work in menial jobs.

Others may be ruled out because they live in certain sections of a city. Virtually all insurance companies use "zone systems" and costs of obtaining auto insurance vary from one zone to another. In cities, these zone rates often depend on incidence of crime, whether there is off-street parking, and other factors.

Some companies use "blackout maps"—in which entire slum areas of cities are blocked off as too risky to provide auto insurance for their residents. One company's instructions to agents lists as "unacceptable," for example, "residents of prohibited areas."

Sen. Gaylord Nelson (D., Wis.) says that in a case brought to his attention a driver demanded to know why his policy had been canceled. The company told him his neighborhood was "going downhill."

And Rep. M. G. Snyder (R., Ky.) said insurance company representatives have informed him they have to black out whole areas—all of Appalachia in Kentucky, for instance. They say, according to Snyder: "We don't have the time to underwrite these people individually."

Sen. Philip A. Hart (D., Mich.), chairman of the Senate Antitrust subcommittee which has announced it will hold hearings on auto insurance next year, says:

"Auto insurance, far from being a luxury, is regarded by most drivers as a necessary protection. But can we legitimately request that drivers carry insurance without taking some measures to see that it is available at something resembling reasonable cost?"

Some insurance companies acknowledged in statements to the House Judiciary Committee that they could not justify with precise statistics their underwriting guidelines and rules. Continental Insurance Co., for example, said:

"We do not maintain statistical information based on occupation, marital status, etc. We cannot statistically support all of our underwriting judgments. (We cannot, in fact, statistically support our refusal to write insurance for known dishonest and completely immoral persons.)"

On the other hand, Nationwide Insurance Co. of Columbus, O., submitted findings of a study it made of some 400,000 drivers involved in accidents over a one-year period to back up its underwriting principles.

Among its significant findings: "Those drivers who live in slums or blighted neighborhoods had accidents at about twice the rate of the average drivers in the study. While those who resided in deteriorating neighborhoods produced an accident frequency 50 per cent higher."

THE AUTO INSURANCE MUDDLE: "BAD RISK" DRIVERS PAY HIGH RATE BUT VICTIMS HOLD THE BAG ANYWAY

(By Tom Talburt)

WASHINGTON.—Nearly 900 companies that sell auto liability insurance compete fiercely for the $9.6 billion now paid annually by U.S. drivers—but the competition is for "preferred risks."

What happens to the driver whose applications for auto insurance are rejected by company after company or the driver whose policy is canceled?

His insurance agent may be able to obtain a policy for him with a smaller company—

possibly a subsidiary of a larger company—at a slightly higher cost.

If these companies also turn him down he can get into what is known as the assigned-risk plan which has been set up by law in all states and the District of Columbia. It is a catchall for the risks no company wants to underwrite.

Each company doing business in a state is required to accept its quota of assigned-risk drivers in proportion to the total volume of business it does in the state. As with regular auto insurance, rates must be approved by the state.

Cost of insurance for drivers in these "risk pools" runs from 25 per cent above standard rates to 200 per cent higher. This means a driver with a string of traffic convictions on his record who was paying, say, $150 annually at standard rates would pay $450.

My spot check of records of 20 assigned-risk drivers—records pulled from an insurance company's file at random and in no way a statistically sound sampling—showed:

Each of the drivers had from three to six moving traffic violations in the 18-month period before they applied for insurance in the risk pool. Twelve of the 20 had been in accidents during that period.

Some states use a system whereby drivers in the pools pay standard insurance rates, others have a starting base which is 25 per cent higher. Then surcharges are tacked on for prior driving convictions within a given period.

For example, Maryland's base rate in the pool is about 25 per cent higher than the average auto-insurance policy carried by a non-risk driver. A driver in the Maryland pool who has had five moving traffic violations in the previous three years is required to pay a 75 percent surcharge. If he has had two moving traffic convictions he pays an extra 20 per cent surcharge.

A person convicted of driving while drunk or failing to stop and report his involvement in an accident pays a 150 per cent surcharge.

In Maryland 67,310 drivers are assigned to the risk pool, as are 6968 drivers from the District of Columbia. In Maryland and most others states the drivers are assigned to the pool for three years. As a rule, companies cannot cancel their policies during this period unless the driver's license is revoked or he is convicted of a felony.

At the end of three years many of the drivers try again on "voluntary" market to get standard auto insurance.

C. W. Hufft, manager of the Maryland-District of Columbia assigned-risk pool, says he has no statistics showing how many drivers manage to get out of the plan after three years.

Insurance companies, in aggregate, maintain they have paid $160 million more in claims than they have received in premiums for assigned-risk drivers since the first pool plan went into effect in 1938. This figure does not reflect any yield on investments made by the companies with premiums received.

Some drivers, possibly fearing the stigma of the state assigned-risk pools, turn instead to high-risk companies which usually will take them at costs ranging from two to six times the going market rates for auto insurance.

Many of these companies cropped up in the early 1960s, apparently because of a growing demand for what they offer—expensive insurance for the cast-off driver—and a climate of laxity in some state regulatory commissions.

Since 1960, some 80 high-risk companies have gone broke leaving more than 300,000 policyholders and accident victims holding the bag in at least 35 states. Claimants are seeking $600 million out of collectible assets of $25 million from these companies, according to the Senate Antitrust subcommittee.

At present only three states—New York, New Jersey and Maryland—have set up guarantee funds to compensate accident victims with claims against insolvent auto insurance companies.

In earlier hearings on high-risk failures the Senate subcommittee found that fraud, incompetency and dubious vigilance by state regulators—rather than inadequate rates—were major causes for the failures.

Causes included: Pirating of company funds (in one instance to help pay for a company official's yacht); underestimating or falsifying claims records (in another case 10,000 accident claims marked "closed" that had never really been settled at all were found stuffed into cardboard boxes in a company closet); and payment of large management fees for services never performed.

Neither the insurance industry nor state regulatory officials favor federal control. They say there is nothing to be gained by junking state regulatory systems and placing control in the hands of federal bureaucrats.

"The insurance companies are in the states and here there is a grassroots control," says A. John Smither, chief deputy insurance commissioner for Pennsylvania. "There would be no point in dumping this system, which can be improved, for one that could easily prove worse."

In at least 20 states, auto insurance rate changes are made without public hearings and in some of these states neither the public nor competing companies are told of a company's request for higher rates until after the insurance commissioner has acted on it.

In Ohio, State Sen. Anthony O. Calabrese of Cleveland said he will introduce a bill which would require insurance companies operating in Ohio to submit proposed rate increases to a five-member board for approval before the new rates go into effect. The board would hold a public hearing.

THE AUTO INSURANCE MUDDLE: CANCELLATION PRACTICES OF FIRMS BRING COMPLAINTS AND REFORMS

(By Tom Talburt)

WASHINGTON.—Stung by charges they are discriminating against many drivers on a wholesale basis, some auto insurance companies are striving to repair their badly bent public image.

The National Assn. of Independent Insurers, representing more than 350 companies, has just issued a "policy statement" pledging its members will give insurance applicants individual consideration.

Under this plan, these companies would not reject applicants solely on the basis of race, occupation, old age or previous rejections or policy cancellations.

But the association's statement noted that an applicant's occupation may have an important bearing on driving hazards involved and therefore may be a "proper factor" in evaluating insurance applications.

The association also suggested establishing a system that would provide auto insurance to all licensed drivers "provided there are adequate rates and a uniform all-out government effort through the country to remove unfit drivers from the road."

Spokesmen for another group of some 180 companies said these companies would cancel policies, once they were in effect 60 days, for only two reasons: Nonpayment of premiums and suspension of drivers' licenses or auto registrations.

"The pledges are both constructive and significant," said one state insurance commissioner. "Now we will find out if these companies live up to them and whether the rest of the industry follows suit."

State legislatures and insurance commissions also are moving in some instances to protect policyholders from being informed abruptly that their insurance is being terminated.

Allstate Insurance Co. now provides a five-year non-cancellation guarantee in its policies, a move the company claims is unique in the industry. While the Allstate policy assures renewal, premium charges still can be raised if the policyholder is involved in an accident.

State Farm has indicated it will follow Allstate's lead. Other companies have restricted their rights to cancel by issuing policies which will not permit them to cut off a policyholder merely because he passes a certain age or moves to a less desirable part of town.

Maryland this year started requiring by law that insurance companies furnish a report, upon request of the policyholder, showing the "real reason" for cancelling. A copy must also be sent to the state insurance department. The law provides immunity to the companies so they cannot be sued for defamation.

When the insurance department feels the "real reason" fails to justify the cancellation, it investigates further and tries to have the insurance reinstated.

In the first two months after the law went into effect, the Maryland department received 225 "real reason" reports from insurance companies. In 36 cases, after discussions with the drivers involved and the companies, the insurance was reinstated. Of the remainder, 168 cancellations were considered justified by state officials. The other 21 were still awaiting action.

State legislatures in Pennsylvania and Wisconsin are considering bills which would bar insurance companies from canceling or refusing to renew policies for drivers on the basis of age, race, occupation or place of residence.

"How far the companies will go on their own in outlawing rights to cancel is questionable," said one state insurance commissioner. "I tend to be pessimistic."

Insurance company executives say the public clamor over policy cancellations has made a mountain of a molehill. They are talking in terms of volume and a report issued by the House Judiciary Committee—based on data submitted by the insurance companies—explains:

". . . The number of policies cancelled (for reasons other than non-payment of premiums) to the number of policies outstanding, in any state and in the U.S. as a whole, is not very substantial. In most instances the proportion of cancellations and non-renewals to total outstanding policies did not exceed 2 per cent in any locality."

No statistics are available relating cancellations and non-renewal to claims submitted against companies because of accidents involving their policyholders.

And though there appears to be no way of estimating accurately how many policies are canceled for reasons other than nonpayment of premiums across the nation in a given period, studies in four states—Wisconsin, Michigan, Washington and California—showed annual cancellation rates of less than 1 per cent of outstanding policies.

But if, as the insurance industry claims, there are some 90 million persons covered by auto liability insurance, even 1 per cent would account for 900,000 being affected by policy cancellations in a one-year period.

And the driver whose policy is canceled often finds himself in a jam because many companies will not insure, or will insure only at stepped-up rates, a driver whose policy has been canceled by another company.

For many the next step is to apply for insurance at much steeper rates in an assigned-risk pool operated under state aegis or to apply to a company specializing in "high-risk" drivers.

Most companies refuse to state their reasons for canceling, saying that in many states the law does not protect them against defamation suits.

Industry executives, while conceding that

some companies cancel policies merely because a policyholder passes age 65 or because the policyholder was in an accident which resulted in a claim against the company, insist their business is to insure and they don't want to cancel.

They contend the issue has been distorted because some drivers have been canceled unfairly—but more often because the industry's flaws have become grist for ambitious politicians.

"This industry has an absolute right to expect rates charged for insurance to reflect the risks taken on the driver," says Norman L. Gidden, president of the Government Employees Insurance Co which collected auto premiums totaling more than $143 million last year.

"This business is risk selection and the question we face is whether we can underwrite drivers profitably at the rates we're permitted to charge."

Says John J. Nangle of the National Assn. of Independent Insurers, which represents more than half of the nation's insurance firms handling auto insurance:

"It's perfectly understandable that motorists who have poor driving records and show a disregard for law and rights of others have difficulty getting insurance.

"Government at all levels should have the courage to take the unfit drivers and the irresponsible off the roads. There are some in government who want the insurance business to be the policeman and then condemn us when we are."

Donald McHugh, vice president and general counsel of State Farm, says: "We welcome the impending investigation of our business. Some imperfections may be bared and derelictions revealed, but out of it all should emerge a healthier industry."

THE AUTO INSURANCE MUDDLE: PREMIUMS WILL KEEP GOING HIGHER UNLESS ACCIDENT RATE IS REDUCED

(By Tom Talburt)

WASHINGTON.—Auto insurers, facing both federal investigations and a public that is howling over zooming auto insurance rates, are wondering: Where do we go from here?

The answers, by all estimates, will be years coming because the problems afflicting the industry are numerous and complicated.

These points seem clear:

Costs of auto insurance will continue to rise unless the mounting rate of auto accidents is stayed. There is no indication that will happen.

Insurance companies, caught between demands for lower rates and rising accident claims, will continue to seek the "preferred driving risks" by weeding out and rejecting risky applicants.

The industry as a whole, despite its complaints that some states will not permit high-enough rates for auto insurance, does not want to be placed under federal regulation.

Aside from the issue of federal control, the most hotly debated proposal for change would revolutionize the present auto-insurance system. To recover damages from an accident today, a victim must be able to prove the other driver was at fault.

But because many accidents occur in a blurring crunch of metal and often involve tremendous emotional as well as physical shock for drivers involved, it is often virtually impossible to prove who was at fault.

The proposal, advanced by two law professors, is called the Basic Protection Plan. It would do away with the "fault principle" in most auto accidents.

Under this plan, the insurance company would pay off its own policyholder, regardless of who was to blame. The company routinely would pay up to $10,000 for out-of-pocket losses—chiefly medical costs and wage losses.

Backers of this plan, along with its sponsors, Robert E. Keeton of Harvard University and Jeffrey O'Connell of the University of Illinois, contend it would cut the interminable haggling over claims and reduce the backlog of cases clogging court dockets in many cities.

Opponents argue that, while it would reduce sharply the costs of litigation, there is no convincing evidence that it would lead to lower insurance rates.

The Keeton-O'Connell non-fault plan would permit the accident victim to go to court only for losses in excess of $10,000.

The non-fault concept—which has been batted around for years but is emerging again because of the outcry for auto insurance reforms—is opposed by many trial lawyers, some of whom do a handsome business handling auto accident claims.

And it is viewed dubiously by a large segment of the insurance industry although the Insurance Company of North America, in recent full-page newspaper advertisements, has recommended adoption of some reform "along the lines" of the Keeton-O'Connell plan.

Insurance groups are studying the plan and at least three states—California, Michigan and New York—are doing the same. A bill embracing the plan passed the Massachusetts house, but was defeated in the state senate.

The Keeton-O'Connell plan is being challenged by many including James S. Kemper Jr., president of the Kemper Insurance group, who says: "Our attorneys are of the opinion . . . that the Basic Protection Plan will be struck down as a violation of the due process and equal protection clauses of the federal and state constitutions."

Adds Norman L. Gidden, president of the Government Employees Insurance Co.: "The Keeton-O'Connell plan would have to be uniform in all states. Otherwise if you drove out of state you would have to have a second layer of insurance protection."

Before Congress now is a bill sponsored by Sen. Thomas J. Dodd (D., Conn.) to set up a federal agency which would pay claims against insurance companies that go broke. It would operate much the way the government insures bank depositors through the Federal Deposit Insurance Corp.

Edward Rust, president of State Farm Mutual Insurance Co., has proposed that claims normally paid now by insurance companies be reduced in the future by any sum paid for the same accident from other sources. His stated aim: To reduce insurance costs to permit lower premiums.

This view centers on findings of other insurance experts who say it's commonplace for someone injured in a traffic accident to collect several times over—under auto insurance, a separate accident or health policy, and state or federal health programs including Medicare.

Insurance companies themselves are taking some steps to improve their services. They include:

Some companies, led by Allstate with its five-year non-cancellation-of-policy guarantee, are restricting their rights to cancel in their policies.

Most companies, for $3 to $5 a year extra on their premiums, are providing families protection against injuries caused by other motorists who have no insurance. (Forty-one states now require this be offered in all auto liability policies.)

Some companies also offer good-driver incentive plans by offering drivers who have had no accidents or moving traffic violations from 10 per cent to 25 per cent cuts on standard premium rates. (But the rates go up if you have an accident.)

San Francisco-based Fireman's Fund Insurance Co. two years ago started paying off some accident claims immediately without first demanding a waiver against future claims arising from the same accident. Several other companies have adopted the plan.

It had been traditional that payments were made by companies only after the full extent of injuries and damages had been set. This often required months or years, and could deprive a badly injured accident victim of needed rehabilitative treatment for lack of funds.

Under Fireman Co.'s advance-payment plan, payments for all out-of-pocket expenses are made to the injured person as soon as the company decides the person it insured was at fault. In many cases this is accomplished within a few days, according to the company.

Despite these efforts by auto insurance firms to step up services to the public—efforts which in some cases are comparatively isolated rather than industry-wide—insurance executives acknowledge that more and faster changes are needed.

"Either we'll improve the system or we'll be forced to swallow some pretty radical reforms in the long run," said one.

[From the Seattle Post-Intelligencer, Dec. 4, 1967]

GOOD NEWS FOR MOTORISTS

Many of the nation's motorists will be a little more relaxed behind the wheels of their automobiles after January 1, secure in the knowledge that their car insurance won't be cancelled unjustly.

The announcement last week of the National Underwriters Association and the National Bureau of Casualty Underwriters that it will cancel policies only for non-payment of premiums or suspension of a driver's license or car registration, is a commendable reform.

The two groups represent companies which insure an estimated 40 per cent of the nation's 75 million motorists.

The industry's action obviously was stimulated by mounting public concern, manifested by legislative inquiries, over practices in the automobile insurance field.

Washington's Sen. Warren G. Magnuson, as chairman of the Senate Commerce Committee, has been among the most active members of Congress in seeking insurance reforms. Last June Magnuson, in a report to the Department of Transportation, cited numerous unfair underwriting practices, including arbitrary cancellation of policies and failures to renew policies of motorists with good driving records.

In this State the last legislature, following a vigorous campaign by this newspaper, passed an act requiring companies to specify reasons for policy cancellations and granting policy holders the right to challenge arbitrary cancellations.

It's certain that one of the chief reasons the two national automobile underwriting groups took their action was fear of further government intervention in the industry.

It provides a clear message for not only the insurance industry, but other industries as well—if public abuses are not eliminated voluntarily, the public will act to eliminate them itself through its legislative bodies. We believe self-improvement is preferable and it's our hope the underwriters' action will establish a welcome trend.

AUTHORIZATION TO FILE A REPORT WITH THE SECRETARY OF THE SENATE DURING ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, on behalf of Senator SMATHERS, chairman of the Select Committee on Small Business, who is temporarily and necessarily absent at this time, I ask unanimous consent that the Select Committee on Small Business be author-

ized, during the adjournment of the first session of the 90th Congress, to file with the Secretary of the Senate a report entitled "The Prospects for Technology Transfer", and that the report be printed.

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

ENROLLED BILL SIGNED

The PRESIDING OFFICER announced that on today, December 14, 1967, the President pro tempore signed the enrolled bill (H.R. 8338) to create a new division for the western district of Texas, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILLS SIGNED

The PRESIDING OFFICER announced that on today, December 14, 1967, the Acting President pro tempore [Mr. METCALF] signed the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

H.R. 5709. An act to amend the District of of Columbia Teachers' Leave Act of 1940 to remove certain limitations, and for other purposes;

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and new loans, and for other purposes; and

H.R. 8715. An act to amend the District of Columbia Alcoholic Beverage Control Act to limit the amount of wines, spirits, and beer that may be brought into the District of Columbia.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. GORE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from Tennessee [Mr. BAKER] be added as a cosponsor of the bill (S. 2670) to authorize the Secretary of the Air Force to convey certain lands in Tennessee to the Industrial Board of Coffee County, Tenn., Inc.

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

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Washington [Mr. MAGNUSON] be added as a cosponsor of the bill (S. 2524) to amend the Immigration and Nationality Act, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Alaska [Mr. GRUENING] I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the concurrent resolution (S. Con. Res. 50) expressing the sense of Congress that the United States should have one uniform nationwide police reporting telephone number.

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

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. TYDINGS:

Speech by him entitled "Juan T. Trippe: 1967 Winner of the Hubbard."

By Mr. THURMOND:

Article entitled "McCLELLAN Wants To Slash Nation's Crime Rate," written by Vera Glaser, and published in the Columbia, S.C., Record of December 7, 1967.

SUMMARY OF COMMITTEE ACTIVITY

Mr. MANSFIELD. Mr. President, it is my privilege and pleasure to submit activity summaries for the first session of the 90th Congress for the following Senate committees: Agriculture and Forestry, Aeronautical and Space Sciences, Banking and Currency, Interior and Insular Affairs, and Rules and Administration.

These committees are to be commended for their excellent performance under the leadership of their respective chairmen: Senators ELLENDER, ANDERSON, SPARKMAN, JACKSON, and JORDAN of North Carolina. Not only are the committee chairmen to be commended but also the subcommittee chairmen who have labored hard and long to work out the problems that arise in connection with numerous pieces of legislation.

It is my wish, at this time, to take the opportunity to express my personal appreciation to the able staff members of each of these committees, and all committees and our personal staffs.

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

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

U.S. SENATE,
COMMITTEE ON AGRICULTURE
AND FORESTRY,
December 11, 1967.

Hon. MIKE MANSFIELD,
Majority Leader,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: During the first session of the 90th Congress the Senate Committee on Agriculture and Forestry reported thirty-two bills as shown on the attached list.

Twenty-one days of hearings have been held in connection with these and other bills studied by the Committee. We considered and reported four nominations and approved sixteen watershed projects.

With kindest personal regards, I am

Sincerely yours,

ALLEN J. ELLENDER,
Chairman.

LIST OF MEASURES FAVORABLY REPORTED TO THE SENATE BY THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY, 90TH CONGRESS, FIRST SESSION

SENATE BILLS AND JOINT RESOLUTIONS

S. 109: Controls unfair trade practices affecting producers of agricultural products and associations of such producers. Passed Senate August 4 and H.R. 13541 reported to House October 26.

S. 219: Authorizes the Secretary of Agriculture to sell certain land in Lander, Wyo. Approved Public Law 90–139.

S. 645. Provides needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts approved by the Secretary of Agriculture. Referred to House Committee on Agriculture May 10.

S. 852: Amends sec. 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended, to authorize the Secretary of Agriculture to furnish financial assistance in carrying out plans for works of improvement for land conservation and utilization. Referred to House Committee on Agriculture September 25.

S. 953: Amends the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967. Approved Public Law 90–91.

S. 974: Authorizes the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz. Reported to House November 22.

S. 1136: Amends sec. 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the U.S. Passed House December 4.

S. 1477: Amends sec. 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee. Reported to House November 17.

S. 1504: Amends the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income, authorize loans and grants for community centers, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, and establish a flexible loan interest rate. Referred to House Committee on Agriculture August 29.

S. 1550: Amends the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens. Referred to House Committee on Agriculture August 7.

S. 1564: Amends the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Approved Public Law 90–106.

S. 1568: Amend the 6th paragraph of sec. 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal land banks. Referred to House Committee on Agriculture August 30.

S. 1657: Extends for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government. Approved Public Law 90–95.

S. 1722: Amends the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938, as amended. Referred to House Committee on Agriculture November 28.

S. 2068: Repeals certain acts relating to containers for fruits and vegetables; exportation of tobacco plants and seed; naval stores; and wool. Referred to House Committee on Science and Astronautics October 23.

S. 2126: Amends the Food and Agriculture Act of 1965. Senate agreed to House amendment December 7.

S. 2179: Extends for 3 years the special milk programs for the Armed Forces and veterans hospitals. Approved Public Law 90–140.

S. 2195: Amends the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Passed House December 4.

S. 2511: Maintains and improves the income of producers of crude pine gum and stabilizes production of crude pine gum. Reported to Senate December 8.

S. 2565: Amends the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended. Senate agreed to House amendment November 30.

S. 2722: Maintains farm income, to stabilize prices and assure adequate supplies for extra-long-staple cotton for the 1968 and succeeding crops. Reported to Senate December 8 (see H.R. 10864).

S. Res. 147: Authority for the printing of a report by the Department of Agriculture entitled "Parity Returns Positions of Farms" as a Senate document. Agreed to by Senate August 10.

HOUSE BILLS AND JOINT RESOLUTIONS

H.J. Res. 273: Amends the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments. Approved Public Law 90–6.

H.J. Res. 267: Supports emergency food assistance to India. Approved Public Law 90–7.

H.R. 5702: Removes the 5-acre limitation on the amount of tobacco allotment acreage which may be leased. Approved Public Law 90–52.

H.R. 8265: Amends the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas. Approved Public Law 90–51.

H.R. 547: Authorizes the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center. Approved Public Law 90–85.

H.R. 472: Authorizes the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex. Approved Public Law 90–98.

H.R. 10442: Facilitates exchanges of land under the act of March 20, 1922 (42 Stat. 465), for use of public schools. Approved Public Law 90–171.

H.R. 12144: Clarifies and otherwise amends the Meat Inspection Act, to provide for cooperation with appropriate State agencies with respect to State meat inspection programs. Conference report agreed to by House and Senate December 6. (S. 2147)

H.R. 11565: Amends section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments. Reported to Senate December 8.

H.R. 10864: Authorizes the Secretary of Agriculture to convey certain lands in Saline County, Arkansas, to the Dierks Forests, Inc. Reported to Senate December 8.

SUMMARY OF ACTIVITIES OF AERONAUTICAL AND SPACE SCIENCES COMMITTEE OF THE U.S. SENATE DURING 1967

The Aeronautical and Space Sciences Committee during 1967 directed its attention toward overseeing many of the activities of the government in space and in aeronautics.

In January, immediately after the disastrous Apollo spacecraft fire which took the lives of three of our astronauts, Chairman Anderson announced that the Committee would conduct a thorough inquiry in order (a) to establish the facts related to the accident, (b) to insure that the formal NASA inquiry is conducted with complete objectivity, (c) to establish the validity of any recommendations to prevent a recurrence and (d) to review such other aspects of NASA's stewardship of the Apollo program which may be necessary in order to accomplish the foregoing objectives. In carrying out this responsibility, the Committee conducted a series of hearings during the period January through June, publishing over 750 pages of testimony and related documents concerning the disaster. Witnesses included all officials of NASA directly concerned with the Apollo program, including the entire Review Board selected to conduct the official inquiry, as well as officials of North American Aviation, Inc., prime contractor for the Apollo spacecraft.

On January 31st, Chairman Anderson, for himself and the Senator from Maine (Mrs. Smith), introduced NASA's budget request of $5,050 million (S. 781). Subsequent to this time, the Administrator submitted an added request for nuclear propulsion development funds which was added to the original NASA request for a revised total of $5,100 million and re-introduced as S. 1296, on March 15, 1967. After a thorough review and analysis of the budget by the staff, open hearings were held on April 18, 19, 20, 21, 25 and 26 and the hearings published. On April 27, the Committee held a classified hearing on the space programs of the Department of Defense, after which a sanitized version was printed. On June 17 and 23, the Committee marked up the bill and reported out S. 1296 which was passed by the Senate as reported on June 27. The total amount approved by the Senate was $4,851,006,000. The House subsequently passed H.R. 10340 and then substituted its provisions as an amendment to the Senate passed bill. The total amount authorized by the House was $4,927,182,000; however, individual cuts in line items resulted in a lesser total of $4,790,782,000. The Senate and House conferees met during the week beginning July 24 and subsequently agreed to a conference report totaling $4,865,751,000. This conference report was agreed to by both Houses in early August and approved by the President on August 21, 1967 (Public Law 90–67).

The Appropriation committees of the Senate and the House of Representatives subsequently approved an appropriation for NASA for FY 1968 in an amount of $4,588,900,000.

On November 8, the Administrator of NASA and other NASA officials appeared before the Committee and discussed NASA's Operating Plan for FY 1968 in light of adjustments which had to be made as a result of Congressional action on NASA's budget. This hearing was subsequently published.

In carrying out its responsibilities for the oversight of aeronautical research and development, the Committee, following up its staff report published in 1966 on "Policy Planning for Aeronautical Research and Development", held a series of public hearings on January 25 and 26, and February 27. On January 25, Mr. James E. Webb, Administrator of NASA, and Mr. Karl G. Harr, President, Aerospace Industries Association, testified. On January 26, Mr. Alan S. Boyd, who at that time had been designated as Secretary of Transportation, but had not been confirmed, testified along with General William F. McKee, Administrator, Federal Aviation Administration, and Mr. Stuart G. Tipton, President, Air Transportation Association. On February 27, the Committee took testimony from Dr. John S. Foster, Jr., Director of Defense Research and Engineering, and Dr. Edward C. Welsh, Executive Secretary, National Aeronautics and Space Council. These hearings were subsequently published.

Continuing its interest in the international aspects of space, the Committee had published in January 1967, a staff report (dated December 1966) entitled, "Soviet Space Programs, 1962–1965; Goals and Purposes, Achievements, Plans and International Implications". This report was compiled by the staff of the Legislative Reference Service and other departments of the Library of Congress, and reviewed by members of the Committee staff.

The Committee followed closely the adoption by the Senate of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and other Celestial Bodies. The Committee was briefed by the staff on the subject matter contained in such Treaty and a Staff Report was published on the Treaty provisions in March.

ACTIVITIES OF THE SENATE COMMITTEE ON BANKING AND CURRENCY, FIRST SESSION, 90TH CONGRESS

S. 5 (Mr. Proxmire); passed Senate July 11, 1967; the bill would require creditors to disclose to consumers the full cost of consumer credit. (S. Rept. 392, June 29, 1967.)

S. 376 (Mr. Proxmire); passed Senate January 18, 1967; P.L. 90–2; the Act increased the number of members of the Joint Economic Committee and fixed the representation of the majority and the minority. (Reported January 18, 1967; passed House January 23, 1967; approved January 25, 1967.)

S. 510 (Mr. Williams of N.J.); passed Senate August 30, 1967; the bill would amend the Securities Exchange Act of 1934 and require disclosure to shareholders and to the public of all pertinent information (1) when a person or a group of persons seek to acquire 10% of the stock of a corporation by a cash tender offer or through open market or privately negotiated purchases, and (2) when a corporation repurchases its own securities in the open market. (S. Rept. 550, August 29, 1967.)

S. 714 (Mr. Proxmire); passed Senate April 14, 1967; P.L. 90–44; the Act increases the amounts which member banks and Federal credit unions may lend to certain officers. (S. Rept. 165, April 12, 1967; passed House June 5, 1967; approved July 3, 1967.)

S. 965 (Mr. Proxmire); passed Senate April 14, 1967; the bill would authorize Federal Reserve banks to invest in securities which are direct obligations of any foreign government and which have maturities from date of purchase not exceeding twelve months. (S. Rept. 163, April 12, 1967.)

S. 966 (Mr. Proxmire); passed Senate April 14, 1967; the bill would remove from the Federal Reserve Act certain unwarranted restrictions on the kinds of assets on which banks may borrow from the Federal Reserve banks. (S. Rept. 164, April 12, 1967.)

S. 1084 (Mr. Sparkman); passed Senate October 11, 1967; the bill would permit Federal employees to save through automatic payroll deductions. (S. Rept. 590, October 9, 1967.)

S. 1085 (Mr. Sparkman); passed Senate October 11, 1967; P.L. 90– ; the Act modernizes Federal credit union operations by liberalizing loan and dividend payment procedures. (S. Rept. 591, October 9, 1967; passed House November 27, 1967.)

S. 1155 (Mr. Sparkman); passed Senate August 11, 1967; the bill would extend the life of the Export-Import Bank to June 30, 1973, increase the Bank's lending authority and its authority to make guarantees under some circumstances, impose prohibitions upon certain financing connected with transactions with Communist countries or countries with which the United States is engaged in armed conflict, limit participation of the Bank in arms sales financing to underdeveloped countries, and make changes in the organization of the Bank. (S. Rept. 493, August 4, 1967.)

S. 1306 (Mr. Proxmire); passed Senate November 7, 1967; the bill would authorize banks to underwrite and deal in State and local revenue bonds. (S. Rept. 713, November 1, 1967.)

S. 1352 (Mr. Sparkman); passed Senate June 5, 1967; P. L. 90–29; the Act authorized the Secretary of the Treasury to write off the amount of silver certificates outstanding which he deems to have been destroyed or lost, provided that silver certificates shall be exchangeable for silver bullion for one year following the enactment of the Act, provided for the stockpiling of silver to meet certain contingencies, and repealed the prohibition

against mint marks. (S. Rept. 232, May 15, 1967; passed House June 12, 1967; approved June 24, 1967.)

S. 1542 (Mr. Sparkman); passed Senate June 26, 1967; the bill would provide the Federal Home Loan Bank Board with more control over savings and loan holding companies. (S. Rept. 354, June 23, 1967.)

S. 1762 (Mr. Sparkman); passed Senate May 15, 1967; P. L. 90–66; the Act extends for three years (from July 1, 1967 through June 30, 1970) the fellowship program authorized by section 810 of the Housing Act of 1964. (S. Rept. 224, May 11, 1967; passed House August 7, 1967; approved August 19, 1967.)

S. 1862 (Mr. Sparkman); passed Senate June 28, 1967; P. L. 90–104; the Act clarified the regulatory authority of the Small Business Administration with respect to the management and of small business investment companies, authorized additional government financing to small business investment companies falling within a certain category, and increased the amount of stock of a small business investment company which may be held by a bank. (S. Rept. 368, June 27, 1967; passed House September 12, 1967; approved October 11, 1967.)

S. 1909 (Mr. Moss); passed Senate July 21, 1967; the bill would provide for the striking of medals in commemoration of the 100th anniversary of the completion of the first transcontinental railroad. (S. Rept. 404, July 18, 1967.)

S. 1956 (Mr. Sparkman); passed Senate July 17, 1967; P. L. 90–87; the Act extended for one year the authority to regulate the maximum interest rate paid on time and savings deposits by banks and savings and loan associations. (S. Rept. 396, July 13, 1967; passed House September 19, 1967; approved September 21, 1967.)

S. 1985 (Mr. Williams of N. J.); passed Senate September 14, 1967; the Act authorized a national program under which flood insurance could be made available to occupants of flood-prone areas through the cooperative efforts of the Federal Government and the private insurance industry. (S. Rept. 549, August 29, 1967; passed House November 1, 1967.)

H.R. 1499 (Mr. Zablocki); passed Senate October 26, 1967; P.L. 90–125; the Act provided for the striking of medals in commemoration of the 300th anniversary of the explorations of Father Jacques Marquette. (S. Rept. 678, October 24, 1967; passed House October 16, 1967; approved November 4, 1967.)

H.R. 10105 (Mr. Montgomery); passed Senate October 26, 1967; P.L. 90–128; the Act provided for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Mississippi. (S. Rept. 681, October 24, 1967; passed House October 16, 1967; approved November 4, 1967.)

H.R. 10160 (Mr. Patman); passed Senate October 26, 1967; P.L. 90–127; the Act provided for the striking of medals in commemoration of the 50th anniversary of the founding of the American Legion. (S. Rept. 680, October 24, 1967; passed House October 16, 1967; approved November 4, 1967.)

H.R. 10595 (Mr. Patman); passed Senate November 13, 1967; P.L. 90– ; the Act prohibits Federally insured banks and savings and loan associations from selling lottery tickets. (S. Rept. 727, November 6, 1967; passed House July 13, 1967, approved.)

H.R. 13212 (Mr. Utt); passed Senate October 26, 1967; P.L. 90–124; the Act provided for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego. (S. Rept. 679, October 24, 1967; passed House October 16, 1967, approved November 4, 1967.)

S.J. Res. 42 (Mr. Sparkman); passed Senate February 20, 1967; P.L. 90–19; the Act amends the National Housing Act and other laws relating to Housing and Urban Development to correct certain obsolete references. (S. Rept. 56, February 16, 1967; passed House May 15, 1967; approved May 25, 1967.)

S.J. Res. 93 (Mr. Murphy); passed Senate August 29, 1967; the bill would provide for the issuance of a gold medal to the widow of Walt Disney and for the issuance of bronze medals to the California Institute of Arts in recognition of the public service and outstanding contributions of Walt Disney. (S. Rept. 541, August 25, 1967.)

S.J. Res. 112 (Mr. Sparkman); passed Senate September 21, 1967; P.L. 90–118; the Act extends the time for filing a report of Commission on Urban Problems from March 6, 1968 to December 31, 1968. (S. Rept. 566, September 20, 1967; passed House October 16, 1967; approved October 31, 1967.)

H.J. Res. 601 (Mr. Patman); passed Senate June 19, 1967; P.L. 90–34; the Act extends for four months (from July 1, 1967 to November 1, 1967) the Urban Mass Transportation Program. (S. Rept. 347 on S.J. Res. 90, June 16, 1967; passed House June 19, 1967; approved June 28, 1967.)

H.J. Res. 859 (Mr. Patman); passed Senate November 22, 1967; P.L. 90–169; the Act extends for one year (from November 1, 1967 to October 31, 1968) the emergency provisions of the Urban Mass Transportation Program. (Passed House November 21, 1967; approved December 1, 1967.)

In regard to bills numbered S. 1085, S. 1985, and H.R. 10595, these are matters which may very well become public law before this material is utilized by you.

S. 1085—President will sign tomorrow Dec. 13.

S. 1985—No conference committee meeting is anticipated before next year.

H.R. 10595—Bill is at the White House for signature.

LEGISLATIVE SUMMARY, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, FIRST SESSION, 90TH CONGRESS

STATEMENT BY SENATOR JACKSON

The Senate Committee on Interior and Insular Affairs, which it is my privilege to chair, has long been recognized as one of the most productive committees of Congress. The credit for our good record of achievement in the field of natural resources is largely due to the attitudes and cooperation of the Members of the Committee from both sides of the aisle.

We have had many difficult and time-consuming policy issues before us in all areas of our jurisdiction. Yet the Committee has willingly and cheerfully met these tasks and produced a meaningful legislative record in which the entire Senate can take pride.

There are many challenges yet awaiting our consideration, and we hope to complete additional legislative action on more proposals in the next session. When dealing with the conservation and utilization of our nation's great natural resources, there is no final action to be taken. We must constantly be on the alert to see that these resources are used wisely for the present, planned for and developed properly for the future to assure that generations of Americans will not be deprived through our negligence, mismanagement, or lack of foresight. When we act in connection with these resources, we hold in our hands the power to enhance or destroy the birthright of millions of future Americans. This is a great and burdensome responsibility, and I am proud of the way my Committee is meeting it.

I particularly want to thank the respective subcommittee chairmen who have faithfully handled the many hearings and other aspects comprising the legislative process. I also thank my ranking minority colleague, Mr. Kuchel, for his cooperation throughout the year.

The other Members of the Committee, both majority and minority, have demonstrated that reasonable men can cope with difficult and delicate issues in an effort to achieve the goal we are all seeking—the promotion of the public interest.

FULL COMMITTEE

During the first session of the 90th Congress, up to December 11, some 269 Senate bills, 8 joint resolutions, 4 concurrent resolutions, and 6 Senate resolutions, were referred to the Committee, as were 31 House-passed measures, or a total of 318 measures in all. Of these, 95 were reported favorably to the Senate, and 28 signed into law. Certain of these proposals were referred directly to the full committee for consideration.

Among these measures were: S. 20, by Senator Jackson and 53 other Senators of both parties, to establish at National Water Commission for the purpose of providing a comprehensive review of national water resource problems and programs, and for other purposes.

The text of this measure was submitted by the Bureau of the Budget to the 89th Congress in furtherance and fulfillment of that part of President Johnson's message of February 23, 1966 on preserving our national heritage, in which the President called for the establishment of a National Water Commission to review and advise on the entire range of water resource problems.

During the 89th Congress extensive hearings were held on this measure on May 16 and 17, 1966. In attendance and testifying in favor of the establishment of a National Water Commission were many of the Nation's foremost natural and water resource experts.

The bill (S. 3107 in the 89th Congress) was favorably reported with amendments (Rept. 1212) and passed the Senate without objection on June 9, 1966. The House did not act upon this measure prior to adjournment.

In the 90th Congress the text of the measure was introduced as S. 20 by Senator Jackson. The Committee reported the measure on February 2, 1967 (S. Rept. 25) and it was passed by the Senate on February 6th. The House passed S. 20 with amendments on July 12, 1967. Further action on S. 20 awaits resolution of differences between the Senate and House passed versions of the bill.

The Commission would be composed of seven members appointed by the President and would be charged with the responsibility of studying alternative solutions to water problems without prior commitment to any interest group, region, or agency of government. The Commission will be charged with the responsibility of objectively reviewing the premises underlying our water resources policy and making recommendations in the light of broad national interest.

S. 119, by Senator Church with 37 bipartisan co-sponsors, to establish a National Wild Rivers System, to incorporate certain public lands within the system, and to provide a procedure for adding additional public lands and other lands to it. The Administration submitted a proposed substitute bill, which was introduced as S. 1092, and the Committee incorporated the basic recommendations of this measure into S. 119, making it a Wild and Scenic Rivers system bill. The amended measure was reported favorably (S. Rept. 491) on August 3, and passed the Senate on a roll call vote of 84–0 on August 8, 1967.

S. 827, by Senators Jackson, Nelson and Dominick, establishing a nationwide system of trails, including "national scenic trails," and construction and expansion of park, forest and outdoor recreation area trails. Provision is made for trail markers, protection, and campsites and shelters. S. 827 is based on recommendations made by President Johnson in his Feb. 23, 1966, message on preservation of our natural heritage. Public hearings were held on March 15 and 16, 1967. Some controversy developed over the location of certain specific trails and proposed condemna-

tion procedures. Detailed maps are now available showing more precisely the location of the trails and the measure will be scheduled for further consideration early in the second session.

S.J. Res. 18, by Senators Jackson and Kuchel, establishing certain portions of Pennsylvania Avenue in Washington, D.C. as a National Historic Site and providing for its protection and administration. S.J. Res. 18 is based directly on a similar bill in the 89th Congress, S.J. Res. 116, which was submitted and recommended by President Johnson and passed the Senate with Committee amendments on June 8, 1966. S. J. Res. 18 was reported by Senator Jackson on March 9, 1967 (S. Rept. 64) and passed the Senate on March 13, 1967.

S.J. Res. 123, by Senators Anderson and Montoya, a joint resolution to approve long-term contracts for delivery of water from Navajo Reservoir in the State of New Mexico, and for other purposes.

The purpose of this measure is to grant authority to the Secretary of the Interior to enter into two repayment contracts for the sale of water for industrial purposes from the Navajo Reservation in New Mexico.

S.J. Res. 123 was ordered reported to the Senate on November 29, 1967, and was passed on November 30, 1967, without amendment.

SUBCOMMITTEE ON PARKS AND RECREATION, SENATOR ALAN BIBLE, OF NEVADA, CHAIRMAN

The goals and aspirations set forth for making the 1960's truly a decade which will be remembered as the "Parks-for-America Decade" by the President's 1965 message on natural beauty were substantially furthered by the subcommittee, committee, and the Senate during the First Session of the 90th Congress.

Americans have become increasingly aware of the need to act now if we are to provide examples of our Nation's natural heritage to inspire coming generations to build America to its maximum potential. The Parks and Recreation Subcommittee has paved the way for significant strides toward meeting the outdoor recreation needs of the people during the First Session. A listing of the actions taken would show:

S. 2515, to establish the Redwood National Park in the State of California, was the end result of long months of deliberation and consideration of a number of proposals (including S. 1370, sponsored by Senator Kuchel and others, S. 514, sponsored by Senator Metcalf and others, and S. 1526, sponsored by Senators Murphy and Fannin). Urgency in acting was dictated by the realization that the last significant blocks of old-growth redwood forests were being rapidly liquidated by redwood lumber industries. The bill, as passed by the Senate on November 1, represents the best combination of areas which could be acquired without undue disruption of the local industries, tax base, and employment patterns.

S. 1321, to establish in the State of Washington the North Cascades National Park, the Ross Lake National Recreation Area, the Lake Chelan National Recreation Area, the Pasayten Wilderness, and to modify the Glacier Peak Wilderness, is a landmark example of legislation dealing with the entire complex of recreation opportunities and needs of a region. This bill, the most studied and most widely aired proposal ever to come before the subcommittee, passed the Senate on November 2, culminating three of the most significant days for conservation in the Senate.

S. 778, to establish the Apostle Islands National Lakeshore in the State of Wisconsin, sponsored by Senators Nelson and Proxmire, passed the Senate on August 21, culminating studies which were authorized by the Congress in 1930. The 21 islands in Lake Superior, the 30-mile long strip of shoreline in the Red Cliffs area, and the unique marsh and sloughs which make up the three units of the Lakeshore should provide some 50 million people living in the Midwest with a superlative unit of the National Park System.

S. 25, to establish the Great Salt Lake National Monument in the State of Utah, sponsored by Senator Moss, passed the Senate on July 13. This monument, on Antelope Island in the Great Salt Lake, will provide the people of America with a unique opportunity for interpretation of the unusual geology and fauna and flora of this remnant of pre-Historic Lake Bonneville. Under a unique arrangement, the State of Utah will be encouraged to become the concessionaire to operate the swimming, picnicking, and certain other recreation features within the Monument.

S. 269 and S. 1821, bills to authorize several small exchanges in the Acadia National Park in the State of Maine, sponsored by Senator Smith, were favorably reported and passed by the Senate.

S. 444, to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, sponsored by Senators Moss, Hansen, and McGee, would establish the Secretary of Agriculture as the administering secretary, and sets forth certain criteria under which the Forest Service would manage the area. Hearings were held on October 19.

S. 561, authorizing appropriations to settle final judgments in eminent domain proceedings for acquisition of lands in the Cape Hatteras National Seashore, sponsored by Senators Ervin and Jordan of North Carolina, was passed by the Senate on November 2.

S. 814, to establish a National Park Foundation, sponsored by Senators Bible, Jackson, and Kuchel, passed both the Senate and the House of Representatives, where it was amended. The Senate accepted the amendments added by the House. The Foundation is designed to encourage gifts or endowments which could be used to assist in defraying expenses of acquiring park lands or for other national park purposes. It became public law.

S. 1161, to establish the John Fitzgerald Kennedy National Historic Site at the birthplace of the late President in the Commonwealth of Massachusetts, sponsored by Senators Cooper and Jackson, provides for the acceptance of the birthplace' donation and the assumption of the operation and maintenance of the home. The bill passed the Senate on March 21 and is now Public Law 90–20.

S. 1267, to establish the Sawtooth National Recreation Area in the State of Idaho, sponsored by Senators Church and Jordan of Idaho, passed the Senate on November 9. This action culminates years of study of the area for either national park or recreation area status. The area will be managed by the Forest Service.

S. 2159, to establish the Fort Point National Historic Site in San Francisco, California, Sponsored by Senators Kuchel and Murphy, was heard by the subcommittee on August 16, and consideration is being given to holding hearings in San Francisco prior to further action on the bill.

H.R. 7362, companion to the bill S. 1411 (Senator Spong)), to authorize acquisition of certain historic properties within the Colonial National Historical Park in Yorktown, Virginia, was heard, reported, and passed the Senate on August 18, and is now Public Law 90–74.

SUBCOMMITTEE ON WATER AND POWER RESOURCES, SENATOR CLINTON P. ANDERSON, OF NEW MEXICO, CHAIRMAN

The Subcommittee on Water and Power Resources considers and makes recommendations to the full committee on legislation proposals relating to irrigation, reclamation, water supply, interstate compacts apportioning water for irrigation purposes, desalination, weather modification, and other aspects of the Nation's water resource programs.

During the first session of the 90th Congress, 57 Senate bills, 1 Senate resolution, and 3 House bills were referred to the Subcommittee. Public hearings were held on 22 of these measures, and 19 were reported favorably to the Full Committee, and to the Senate. Of these 19 measures, 18 were passed by the Senate. Six of these measures are now Public Law, and one is in conference.

Legislation considered by the Subcommittee during the first session of the 90th Congress included:

S. 6, by Senators McGovern and Mundt, to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes.

S. 6 reauthorizes the initial stage of the multipurpose Oahe irrigation unit, Missouri River Basin project. It was originally authorized by the Flood Control Act of 1944 and is being reauthorized in accordance with a subsequent congressional directive in Public Law 442, 88th Congress.

The initial stage of the Oahe unit provides for the irrigation of 190,000 acres of land out of the 495,000 now contemplated in the total unit. It will supply municipal and industrial water to 17 towns and cities, make possible full development of the fish and wildlife and recreational potential in an area which is a part of the principal breeding ground for migratory wildfowl in the United States, and afford additional flood control in the Missouri-Mississippi Basin.

The benefit-cost ratio is a favorable 2.5 to 1 on the basis of total benefits and 1.6 to 1 in relation to direct benefits alone. S. 6 authorizes appropriations up to $188.5 million for new construction.

Following field hearings in Redfield, South Dakota and hearings in Washington, D.C., S. 6 was ordered favorably reported to the Senate (S. Rept. 699). The measure was passed with Committee amendments on November 1, 1967.

S. 51, by Senators Morse and Hatfield, to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes.

The purpose of S. 51 is to authorize the construction and operation of the Merlin division, Rogue River Basin project, in Oregon. The project is a multiple-purpose proposal to irrigate some 9,260 acres of now arid, but potentially fertile, lands in the vicinity of the village of Merlin in the southwestern part of the State and to serve additional functions of recreation, flood control, and area redevelopment.

Total cost of construction is estimated to be $16,660,000.

Following hearings by the Subcommittee, S. 51 was ordered favorably reported to the Senate (S. Rept. 905) and was passed with Committee amendments on December 8, 1967.

S. 270 by Senator Kuchel with 7 cosponsors authorizes the participation of the Interior Department in the construction and operation of a large prototype desalting plant, and for other purposes.

The purpose of S. 270 is to authorize the Department of the Interior, through its Office of Saline Water, to participate in the construction and operation of a saline water conversion plant. The plant is a dual-purpose desalting and nuclear power generating facility, to be built and financed as a non-Federal undertaking by the Metropolitan Water District of Southern California in partnership with a group of public and private electric utilities serving the southern California market area. The installation is designed to produce 150 million gallons of fresh water per day, 168,300 acre-feet per year from the Pacific Ocean, and to generate

approximately 1,500 megawatts of net electrical power.

It is estimated that the total capital cost of the nuclear fueled power and desalting plant will be $444.3 million, of which the Federal government will contribute $72.2 million to the project.

Following hearings by the Subcommittee S. 270 was ordered favorably reported to the Senate (S. Rept. 49) and was passed by the Senate on February 6, 1967. Following House passage on April 20, 1967, the measure became Public Law 90–18 on May 19, 1967.

S. 286 by Senator Anderson, a bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable.

The purpose of S. 286 is to make the policies of the Bureau of Reclamation, Department of the Interior, with respect to the reimbursability of costs of investigations uniform and consistent within the Bureau itself and with other agencies of the Federal Government.

S. 286 was ordered favorably reported to the Senate (S. Rept. 830) on November 29, 1967 and was passed by the Senate with Committee amendments on December 6, 1967.

S. 370, by Senators Jackson and Magnuson, a bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes.

The purpose of S. 370 is to bring an additional 6,300 acres of land under irrigation in the Yakima River Valley in the southern part of the State of Washington. This purpose would be attained through amendment to the act of June 12, 1948 (62 Stat. 382), the measure authorizing the parent Kennewick division of the Yakima project, to provide for construction, operation, and maintenance of the necessary additional works to the existing facilities of the Kennewick division. The presently proposed extension was contemplated in the construction of the existing facilities.

The project has a benefit-cost ratio of 3.5 to 1. The cost of the project is $6,141,700 (October 1966 prices).

Following hearings by the Subcommittee S. 370 was ordered favorably reported to the Senate (S. Rept. 63) and was passed by the Senate with Committee amendments on March 6, 1967.

S. 485 by Senators Jackson and Magnuson, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes.

S. 485 authorizes construction and operation, under Federal reclamation laws, of the multi-purpose Touchet division of the Walla Walla project. The Touchet division is in southeastern Washington along the Touchet River.

Dayton Dam and Reservoir which are authorized by the bill will form the only sizable lake in the Walla Walla Basin. The facility will bring 10,000 acres of rich farmland under full irrigation in its initial stages with deferred water storage for an additional 7,000 acres. Water sports, boating swimming, fishing, and water skiing as well as camping and picnicking opportunities will be created. Works authorized by the bill will make 1,000 acre-feet of municipal and industrial water available to the city of Dayton.

The benefit cost ratio of the Touchet division, as reported by the committee would be 2.35 to 1 for all benefits and 1.83 to 1 for direct benefits only. Revised overall costs of the Touchet division were placed at $16,630,000 by the Department of the Interior using January 1965 prices.

Following hearings by the Subcommittee, the Committee ordered S. 485 favorably reported to the Senate (S. Rept. 527) and the measure was passed without amendment on August 23, 1967.

S. 605 by Senators Jackson and Magnuson, a bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable.

Under the present irrigation operation, Banks Lake fluctuates considerably during the year. These fluctuations are normal for such equalizing and reregulating reservoirs in an irrigation system, but they have a very detrimental effect upon recreational and fish and wildlife uses. S. 370 authorizes the Secretary to pump additional water to reduce reservoir fluctuations. Average annual costs are estimated at $21,000 and recreational benefits are estimated at 60,000.

Following a hearing before the Subcommittee, the measure was ordered favorably reported (S. Rept. 61) and was passed by the Senate without amendment on March 6, 1967.

S. 670 by Senators McGee and Hansen, a bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes.

The Riverton extension unit (third division) a previously authorized project which encountered financial difficulties and was subsequently acquired by the United States under the provisions of Public Law 88–278 (76 Stat. 156). S. 670 would reauthorize the project as a Reclamation project.

Hearings were held by the Subcommittee on November 30, 1967.

S. 697, by Senators Church and Jordan (Idaho), a bill to authorize the Secretary of the Interior to construct, operate, and maintain the southwest Idaho water development project, and for other purposes.

The Southwest Idaho Water Development Project which is composed of four divisions would bring into production some 490,000 acres or dry sagebrush land and stabilize and increase the production on over 60,000 acres which are now inadequately irrigated. It would provide flood protection to cities and farms throughout the area and improve the quality of water in certain streams and municipal systems. A municipal and industrial water supply would be provided to the city of Mountain Home. The electric power generation potential of the area would be increased by over 450,000 kilowatts of installed capacity in the proposed hydroelectric plants. Opportunities for new recreation developments and for enhancement of fish and wildlife resources would be of major significance.

A hearing on S. 697 was held before the Subcommittee on August 15, 1967.

S. 774, by Senators Curtis and Hruska, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska mid-state division, Missouri River Basin project, and for other purposes.

No further action on this measure was taken because H.R. 845, a companion bill, was ordered favorably reported and was passed by the Senate on November 1, 1967 and became Public Law 90–136.

S. 1004, by Senators Hayden, Fannin, Cannon, and Jackson, a bill to authorize the construction, operation, and maintenance of the Central Arizona Project, Arizona-New Mexico, and for other purposes.

The principal purpose of S. 1004, as introduced, was to authorize the construction, operation, and maintenance of the Central Arizona Project, Arizona-New Mexico. The Central Arizona Project is designed to enable the State of Arizona to put to beneficial use waters from the main stream of the Colorado River which it is presently unable to use because of a lack of diversion works, and to thereby meet a critical need for a supplemental water supply in the densely populated central portion of the State.

The bill as reported also authorizes five reclamation projects in the Upper Colorado River Basin; establishes a Lower Colorado River Basin development fund; and includes provisions concerning river regulation and reservoir-operating criteria which were agreed upon by representatives of the Colorado River Basin States during recent years.

The benefit-cost ratio of the Central Arizona Project is 2.6 to 1 over a 100 year period. Total cost is $768 million (October 1963 prices) and $100 million for construction of distribution and drainage facilities for non-Indian lands. The five projects in the Upper Colorado River Basin have an appropriation authorization of $360 million.

The Subcommittee held 4 days of hearings on S. 1004 and other similar measures (S. 861, S. 1013, S. 1242, and S. 1409) in early May. Full Committee executive sessions were held on June 9, 22, 23, 27, 28, and 29, 1967. The measure was ordered favorably reported to the Senate on June 29, 1967 (S. Rept. 408) and was passed by the Senate on August 7, 1967 with Committee and floor amendments.

S. 862, by Senator Jackson (by request), a bill to amend the Small Reclamation Projects Act of 1956, as amended.

The purpose of S. 862 is to remove certain provisions of the Act which the Executive Branch maintains violate the separation-of-powers doctrine by encroaching upon executive responsibilities. Although the Committee does not necessarily agree with the conclusions of the executive agencies either on policy on constitutional issues, it was agreed to report the bill in order to continue the small reclamation projects program which has proven to be successful.

Following a hearing by the Subcommittee S. 862 was ordered reported to the Senate (S. Rept. 486) and was passed by the Senate with amendments on August 2, 1967.

S. 1098, by Senator Kuchel, a bill to amend the Act of September 26, 1950 authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

The purpose of this legislation is to authorize an enlargement and realinement of the last of the last 50 miles of the authorized Tehama-Colusa Canal as a part of the potential West Sacramento Canal unit. This additional capacity would be needed and used only after the West Sacramento Canal unit is authorized and constructed. The authorization and construction of the additional canal capacity at this time, however, is in the interest of long-range economy, saving approximately $5.7 million in construction costs at $65,000 per year in operating expenses over the life of the future West Sacramento Canal unit.

The benefit-cost ratio of the project is 3.82 to 1. The estimated cost of the enlarged canal is $17.4 million.

A hearing was held on the measure and it was ordered favorably reported to the Senate (S. Rept. 200) on April 28, 1967. No further action was necessary because H.R. 743, a companion measure was passed by the Senate on August 9, 1967 and became Public Law 90–65.

S. 1101 by Senators Jackson (by request) and Kuchel, a bill to authorize appropriations for the saline water conversion program, to expand the program, and for other purposes.

The purpose of S. 1101 is to authorize additional appropriations for the saline water conversion program and amend the Saline Water Conversion Act in certain other respects.

Following hearings by the Subcommittee, the measure was ordered favorably reported to the Senate on April 27, 1967. No further action on the bill was necessary, however, because H.R. 6133, a companion measure, was passed by the Senate on May 10, 1967 and became Public Law 90–30.

S. 111, by Senator Kuchel, a bill to authorize the Secretary of the Interior to con-

struct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

The purpose of this legislation is to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, a proposed multiple-purpose addition to the Central Valley project, involving the delivery of water from that project system to portions of Santa Clara, San Benito, Santa Cruz, and Monterey Counties, Calif.

The benefit-cost ratio of the project 2.76 to 1 for all benefits and 2.08 to 1 for direct benefits only. The bill authorizes an appropriation of $92,380,000 (October 1966 prices).

Following a hearing by the Subcommittee, the measure was ordered favorably reported (S. Rept. 282) and was passed by the Senate on July 10, 1967 with Committee amendments. The measure passed the House on August 14, 1967 and became Public Law 90–72 on August 27, 1967.

S. 1251, by Senators Jordan and Church, a bill to make certain reclamation project expenses nonreimbursable.

S. 1251 would make nonreimbursable the severance payments to which departmental employees are entitled when their Federal employment is terminated because of the transfer of reclamation works to a local agency for operation and maintenance. This will facilitate an orderly and equitable turnover of responsibility for operation and maintenance of irrigation projects to the water users organizations.

Hearings were held on S. 1251 June 7, 1967 and the measure was ordered favorably reported on July 26, 1967 (S. Rept. 1251). The bill passed the Senate with Committee amendments on August 2, 1967.

S. 1601 by Senators Metcalf (by request) and Mansfield, a bill to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior.

The purpose of S. 1601 is to increase the authorization for appropriation for continuing the going work on the Missouri River Basin project by the Department of the Interior. The measure will increase the authorization of $60 million authorized in the Act of July 19, 1966, by $9 million, the amount determined by the Department of the Interior to be necessary to continue work on the Tiber Dam of the Lower Marias unit to alleviate a dangerous weakening of the spillway in the dam. It will also provide authorization for the continuation of work on the Fort Thompson-Grand Island 345-Kilovolt transmission line and transmission facilities on the transmission division.

S. 1601 was ordered favorably reported to the Senate on April 27, 1967 (S. Rept. 204) and was passed by the Senate on May 4, 1967. Following House passage on September 11, 1967, the measure became Public Law 90–89 on September 27, 1967.

S. 1788 by Senator Jackson (by request) a bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments.

Section 8 of the Federal Water Project Recreation Act (P.L. 89–72, 79 Stat. 213) requires specific Congressional authorization before the Department of the Interior may engage in the preparation of any feasibility report on a water resource project.

The purpose of S. 1788 is to authorize the Secretary of the Interior to undertake certain designated feasibility investigations.

Following a hearing by the Subcommittee the measure was ordered favorably reported to the Senate on May 22, 1967 (S. Rept. 285). S. 1788 was passed by the Senate on May 24, 1967, and subsequently was passed by the House with amendments.

The measure is now in conference.

S. 1946, by Senators Monroney and Harris, a bill to amend the repayment contract with the Foss Reservoir Master Conservancy District, and for other purposes.

The purpose of S. 1946, as amended by the Committee, is to authorize the Secretary of the Interior to (1) conduct feasibility studies of ways and means of alleviating the problems encountered by the Foss Reservoir Master Conservancy District associated with the poor quality and supply of water stored in Foss Reservoir, Washita River Basin project, Oklahoma; and (2) afford relief to the district from the burden under its repayment contract wherein it is obligated to pay for water that is unusable.

The relief is granted by suspending further construction charge payments and interest accrued on the total obligation until usable water is available. The Secretary is also authorized to refund the amount paid thus far on this contract. When usable water is available, this amount will have to be repaid as will the suspended amount of the construction charges under the contract. Any penalties which have accrued on unpaid construction charges will be canceled.

Following a Subcommittee hearing, S. 1946 was ordered favorably reported to the Senate on October 25, 1967 (S. Rept. 702) and was passed with Committee amendments on November 6, 1967.

S. 2402, by Senators Kuchel and Murphy, a bill to provide for credit to the Kings River Water Association and others for excess payments for the years 1954 and 1955.

The purpose of S. 2402 is to give the Secretary of the Interior authority to do equity to a group of citizens who were overcharged for water conservation storage. The Secretary, with the backing of the Comptroller General, asserts that he does not have such authority under existing law.

Specifically, the bill directs the Secretary to credit outstanding obligations of all members of the Kings River Water Association incurred pursuant to the master agreement among the members and the association and the United States dated December 30, 1963, and the Alta Irrigation District, Consolidated Irrigation District, Fresno Irrigation District, Kings River Water District, and Tulare Lake Canal Company pursuant to agreements dated December 23, 1963, in a total amount of $1,098,597.92, representing excess payments over their share of the operation and maintenance charges of Pine Flat Reservoir, Kings River, California during the years 1954 and 1955.

S. 2402 was ordered favorably reported to the Senate on November 29, 1967 (S. Rept. 837) and was passed by the Senate with Committee amendments on December 6, 1967.

House bills

H.R. 743, by Mr. Johnson of California, a bill to amend the Act of September 26, 1950, authorizing the Sacramento Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands.

The purpose of H.R. 743 is to authorize an enlargement and realinement of the last 50 miles of the authorized Tehama-Colusa Canal as a part of the potential West Sacramento Canal unit. This additional capacity would be needed and used only after the West Sacramento Canal unit is authorized and constructed. The authorization and construction of the additional canal capacity at this time, however, is in the interest of long-range economy, saving approximately $5.7 million in construction costs at $65,000 per year in operating expenses over the life of the future West Sacramento Canal unit.

A companion measure, S. 1098 by Senator Kuchel was reported by the Committee (S. Rept. 200). H.R. 743 was passed by the Senate on August 9, 1967 and on August 19, 1967 became Public Law 90–65.

H.R. 845, by Mr. Martin, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division, Missouri River Basin project, and for other purposes.

The purpose of H.R. 845 is to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska Mid-State division of the Missouri River Basin project. The Mid-State division is a proposed multiple-purpose project, located along the north side of the Platte River in central Nebraska, which will provide irrigation and flood control benefits and outdoor recreation opportunities. The Mid-State division, which is estimated to cost $106,135,000 at current price and wage levels, will be integrated physically and financially with the other works being constructed by the Department of the Interior in the Missouri River Basin.

A companion bill, S. 774, by Senators Curtis and Hruska was also before the Committee, but at their request the Sub-Committee ordered H.R. 845 (previously passed by the House) favorably reported following a hearing by the Subcommittee (S. Rept. 695). H.R. 845 passed the Senate on November 1, 1967 and on November 15, 1967 became Public Law 90–136.

H.R. 6133, by Mr. Aspinall, a bill to authorize appropriations for the saline water conversion program, to expand the program, and for other purposes.

The purpose of H.R. 6133 is to authorize additional appropriations for the saline water conversion program and amend the Saline Water Conversion Act in certain other respects. The increase in the amount authorized to be appropriated, will make available for appropriation in fiscal year 1968 a total of $26,782,000 which is the amount recommended in the President's budget. The basic act is amended to provide authority for "test bed" plants and for redesignating "demonstration plants" as "prototype plants," thus clarifying the definitions for the full sequence in the development of a process and conforming the terminology in the act to that currently in use throughout the industry. In addition, the demonstration plant program is integrated into the regular research and development program, and authority is provided for using the existing demonstration plants as test bed plants.

The bill requires that a detailed report concerning any test bed plant, module, or component costing in excess of $1 million shall be submitted to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives.

A companion measure, S. 1101, by Senators Jackson and Kuchel was also before the Subcommittee. Following hearings H.R. 6133 was ordered favorably reported to the Senate on May 8, 1967 and was passed with Committee amendments on May 10, 1967. The measure was approved and became Public Law 90–30 on June 24, 1967.

SUBCOMMITTEE ON MINERALS, MATERIALS AND FUELS SENATOR ERNEST GRUENING, OF ALASKA, CHAIRMAN

The Subcommittee on Minerals, Materials and Fuels is the Unit of the Senate Interior Committee to which is referred measures relating to the Committee's responsibility under sesction 102(1)(m) of the Legislative Reorganization Act (Public Law 601, 79th Congress) for proposed legislation and other matters respecting mineral resources of the public lands, mining interests generally, mineral land laws and entries thereunder, Geological Survey and petroleum conservation.

During the first session of the 90th Congress, 23 Senate bills, 2 Senate joint resolutions, and 4 House bills were referred to the Subcommittee. Public hearings were held on 9 of these measures, and 7 were reported favorably to the full Committee; five passed the Senate, and one became law.

Major proposed legislation considered by the Subcommittee included:

S. 23, by Senator Bible with 10 co-sponsors, providing for the development of the geothermal steam resources of the public

lands. This measure, as introduced, was identical to S. 1674 of the 89th Congress, which was the subject of a pocket veto and Memorandum-of-Disapproval by President Johnson. The Subcommittee conducted hearings on S. 23 and on the substitute bill submitted by the Interior Department, S. 912. The Subcommittee reported S. 23 favorably, with amendments. The full Committee put the measure over for further consideration when controversy developed over the amendments, particularly the so-called "grandfather clause."

S. 49, by Senator Gruening with 19 cosponsors to revitalize the American gold mining industry. S. 49 provides for a program by which domestic gold producers would be compensated for the differences in the costs of production in the last quarter of 1939 (the peak year of American gold production was 1940) and present-day costs. The measure would stimulate new production of gold, increasing our dwindling reserves, as well as afford some equitable relief to American producers who were the victims of uniquely harsh governmental action. The bill was reported favorably to the Senate (Senate Report 67) and is on the Calendar for action.

S. 615, by Senator McGovern and 8 cosponsors, also providing domestic gold production incentives, was the subject of subcommittee hearings and consideration along with S. 49.

S. 289, by Senator Anderson and 27 cosponsors, to stabilize the lead-zinc industry and assure adequate supplies for consumption from both domestic and foreign sources. S. 289 provides a 5-year program for flexible import quotas, to go into effect only when needed, based on the ratio between primary producers' stocks of lead and zinc and shipments of the metal, which are a direct measure of consumption. Foreign producers are guaranteed a share of the United States market on a country-by-country basis. S. 289 was the subject of hearings, was favorably reported to the Senate (Senate Report 218) and was re-referred to the Committee on Finance.

S. 1367, by Senators Gruening, Hansen and Moss, to authorize the Secretary of the Interior to prevent termination of Federal oil and gas leases in certain circumstances and to reinstate terminated leases in some instances. In each Congress several private bills to authorize the Secretary to take equitable action in the case of individual lessees have been the subject of legislative action. S. 1367 would make this authority general within specified limits and under specified conditions. An amendment sponsored by Senator Anderson and adopted by the Committee limited the Secretary's authority to instances in which termination of the lease was the result of error on the part of the Department of the Interior (Senate Report 698). The Senate passed the amended measure.

S.J. Res. 35, by Senator Anderson, granting the consent of Congress to a 4-year extension and renewal of the interstate compact to conserve oil and gas. The measure also provides for report by the Attorney General on the operations of the compact commission during the period. S.J. Res. 35 was reported favorably (Senate Report 202), and passed the Senate May 4. In the House, the Interstate and Foreign Commerce Committee amended the measure to limit the extension to a 2-year period, and to require a report from the Attorney General prior to December 31, 1968. The Senate concurred in the House amendment, and the measure became Public Law.

Oil Shale. The full Committee held two comprehensive public hearings on the development of a Federal oil shale program. Vast deposits of oil shale are found in the Green River Formation in the States of Colorado, Utah and Wyoming. These deposits are regarded as the largest reservoir of energy known in the world, and in very large part they underlie public lands of the United States. In January the Secretary of the Interior announced a five-point development program designed to solve in part existing legal stalemates with respect to the Federal reserves, to further advancement of the state of the art of production of oil from the shale, and to form the basis of a commercial oil shale industry. The Committee held hearings in February on these proposals.

In May, the Secretary caused to be published in the Federal Register proposed regulations to implement part of the program, and in September the Committee held two full days of open hearings to obtain views and comments on the probable effect of the proposed regulations on the development of an oil shale industry.

Probable action for second session

Mined Lands Reclamation: The Committee expects to consider legislation for the control, reclamation, and development of mined lands, in accordance with the program outlined by the President. The Secretary has issued proposed regulations for such control and development with respect to Federal lands, but legislation will be required to extend the program to private and State lands. The program is expected to be a cooperative one, with the States and Federal government joining forces.

Pending before the Subcommittee is S. 217, by Senator Lausche and 8 co-sponsors, which would establish a program for the reclamation, acquisition, and conservation of lands and waters adversely affected by coal mining. It is anticipated that this or similar proposed legislation will be broadened to include all mining operations, rather than being restricted to coal alone.

Common Varieties Act: The Subcommittee has before it S. 1049, by Senators Metcalf and Gruening, to amend the so-called Common Varieties Act of 1955. Early in the year, the bill was referred to the Departments of Interior and Agriculture for report and comment, but despite the fact that it is identical to S. 3485 of the 89th Congress, which passed the Senate on September 21, 1966, no reports have been received. The Subcommittee plans public hearings early in the 2nd session. Purpose of the bill is to clarify the 1955 Act to bring administration into line with the intent of the Act.

Geothermal Steam: It is hoped and expected that differences with respect to the terms of S. 23, the geothermal steam leasing bill, can be worked out, and the measure submitted to the Senate. Geothermal steam is a natural resource of potential importance, both as a source of energy and as a source of minerals.

SUBCOMMITTEE ON INDIAN AFFAIRS, SENATOR GEORGE M'GOVERN, SOUTH DAKOTA, CHAIRMAN

The Subcommittee on Indian Affairs has legislative responsibility over matters involving the relations of the Federal Government and approximately 500,000 Indians, Eskimos, and Ileuts, about half of whom reside on reservations; over Indian landholdings and reservations which, subject to varying degrees of Federal control, total approximately 52 million acres in 29 States; and over the administration of the Bureau of Indian Affairs. In addition, the Indian health and sanitation program supervised by the Division of Indian Health in the U.S. Public Health Service is of concern to the subcommittee, as is the Indian Claims Commission.

Of the 64 measures referred to the subcommittee, 36 were reported and passed and 15 were enacted into law.

The following Indian bills of general applicability throughout Indian country were acted upon during the first session of the 90th Congress:

S. 285 (Anderson): To amend the Indian Long-Term Leasing Act. The bill would amend section 1 of the 1955 Indian Leasing Act (69 Stat. 539) relating to leases of individual and tribal lands for public, religious, educational, recreational, residential, and business purposes by increasing the maximum term of such leases from 50 to 65 years. In addition, the bill authorizes leases for up to 99 years for several Indian pueblos and reservations in the States of New Mexico, Arizona, and Washington, and provides for farming leases up to 40 years in length under certain circumstances on all reservations. This additional leasing authority would greatly increase economic development on most Indian reservations.

S. 304 (Jackson): Relating to the Indian Revolving Loan Fund and the Indian Heirship Land Problem. The purposes of S. 304 are to (1) authorize an increase of $35 million in the Indian revolving credit loan fund created by the act of June 18, 1934; (2) consolidate all existing loan funds presently authorized for loans to Indians into a single revolving fund and prescribe the administration thereof; and (3) provide the Secretary of the Interior with authority that will enable him to reduce the rapidly increasing number of Indian allotments in multiple ownership by—

(a) Partitioning or selling lands in heirship status, upon application of the requisite number of Indian owners, where such partition or sale is found to be in the best interest of the Indian owners, and not detrimental to the Indian tribe;

(b) Providing for judicial partition or sale where non-Indian interests so require;

(c) Authorizing the Secretary of the Interior to represent owners who are minors, non compos mentis, or unlocatable;

(d) Establishing procedures for selling heirship lands that will afford the owners full opportunity to obtain fair market value for their property and give the Indian owners and tribes preference rights to purchase the land;

(e) Increasing the Indian revolving credit loan fund in order that individual Indians and tribes may borrow funds with which to purchase heirship tracts; and

(f) Providing for tribal land consolidation programs to permit maximum economic utilization of the land resource by Indians.

The provisions of this legislation are identical to those in S. 2196, 89th Congress, which passed the Senate on September 8, 1966.

S. 306 (Jackson): To increase the amounts authorized for Indian adult vocational education. The bill amends the act of August 3, 1956 (70 Stat. 986, 25 U.S.C. 309), entitled "An act relative to employment for certain adult Indians on or near Indian reservations," by increasing the amount authorized to be appropriated for the program from $15 to $25 million annually. This legislation is necessary in order to accommodate the large number of Indians who are seeking enrollment under the 1956 act. The response of Indians to the opportunities afforded them in vocational courses and on-the-job training has been most favorable. From its inception through 1964, 18,000 persons have enrolled in various vocational programs throughout the United States. More and more of the younger Indians are completing high school and will become available for these training programs in the near future.

S. 307 (Jackson), Public Law 90-9: To amend the Indian Claims Commission Act of 1946.

The purposes of S. 307 are to provide for the adjudication or dismissal of all claims filed with the Indian Claims Commission and to extend the life of the Commission to April 10, 1972.

The Indian Claims Commission was established to provide for a final disposition of all claims of Indian tribes against the United States that existed on the date of the act of August 13, 1946 (60 Stat. 1049). The Indian tribes were given 5 years in which to file their

claims, and the Commission was given an additional 5⅔ years within which to adjudicate the claims. The Commission was to terminate on April 10, 1957. The time allotted in the original act to adjudicate the many claims filed proved to be inadequate, and the Congress extended the life of the Commission for 5 years by the act of July 24, 1956 (Public Law 84–767), until April 10, 1962. This extension also proved to be inadequate, and Congress again extended the life of the Commission for 5 years by act of June 16, 1961 (Public Law 87–48), until April 10, 1967.

The Indian tribes filed a total of 852 separate causes of action with the Claims Commission. These claims have been consolidated into a total of 583 dockets. To date, 236 docket numbers have been adjudicated and the files sent to the National Archives. Of this number, 103 awards were made to Indian tribes for a total sum of over $200 million and 133 cases have been dismissed. There are 347 dockets now pending and active, some of which have been partly adjudicated and others of which are in early stages of processing.

As enacted, Public Law 90–9 would:

First. Amend section 23 of the 1946 Indian Claims Commission Act to provide that the Commission shall terminate at the end of 10 years from and after April 10, 1962. In other words, the Commission's life would be extended for an additional 5 years in order to complete its assigned task.

Second. Amend section 3 of the 1946 statute to provide that the Commission shall be expanded from three to five members, and the President shall designate one of these members as the Chairman. The three Commissioners who are presently holding office will continue to serve as Commissioners on the Commission until June 30, 1968, unless prior to that date the President reappoints them.

Third. Add a new section 27 to the 1946 act which directs the Commission to prepare a trial calendar which will set a date, not later than December 31, 1970, for the trial of each claim pending before the Commission. If a claimant fails to proceed to trial, the Commission is directed to dismiss the claim unless for good cause, the Commission grants a continuance which would be for a period of not more than 6 months. The only exception to the 6-month continuance would be under circumstances or events beyond control of the party and in this situation further continuances could be given that could not exceed an aggregate of 6 months.

The provisions of this bill are intended to expedite the adjudication of the remaining claims filed by the Indians more than 15 years ago. The purpose of this legislation is to get the Indian tribes before the court as promptly as possible in order that they may benefit from awards that may be made to them.

S. 876 (Gruening et al.): Relating to Federal support of education of Indian students in sectarian institutions of higher education.

The purpose of S. 876 is to remove an outworn impediment to the pursuit of higher education by Indian students qualifying for certain Federal educational aids. It would accomplish this purpose by amending section 21 of the act of March 2, 1917 (39 Stat. 969, 988; 25 U.S.C. 278) to delete a prohibition against appropriation of Federal funds for "education of Indian children in any sectarian school." The prohibition in existing law against use of Federal funds for Indian educational programs in sectarian elementary and secondary schools is restated and affirmed in section 2 of the bill.

To this section are added provisions that an Indian scholarship aid recipient shall be free to choose the accredited college or institution he wishes to attend, whether public or private, sectarian or nonsectarian, and that the aid shall be extended to the individual directly, as far as is consistent with sound administration, rather than to the institution or school.

The following bills relating to specific tribes, bands or groups were enacted or passed by the Senate during the first session, 90th Congress:

S. 282 (Jackson, Magnuson, by request): To provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes. As a result of a directive in section 5 of Public Law 772, 84th Congress, the Business Council of the Confederated Tribes of Colville Indians submitted proposed legislation providing for the termination of Federal supervision over the property of the tribes. After hearings on the proposed legislation in the 88th and 89th Congresses, Senator Jackson was requested to introduce S. 282. As passed by the Senate, the bill provides for a referendum and the remaining provisions of the bill shall become effective only if a majority of the voting adult members of the tribes approve. The bill provides for the closing of the tribal rolls, the updating of all land records, and the appraisal by three qualified independent appraisers of all tribal assets. Thereafter, individual members of the tribes will be afforded a right to withdraw from the tribes and have their shares of tribal property converted to money and paid to them or to remain in the tribe and participate in a tribal management program. Such amounts of the tribes' timberlands as would be required to be sold would be purchased by the Secretary of Agriculture and designated as national forest lands. Other property would be sold on a competitive bid basis, except that property belonging to those remaining in the tribe shall be placed in the hands of a private corporation or trustee. This legislation is similar to the Klamath Termination Act of 1954.

S. 391 (Moss): Amending the Act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation and for other purposes".

The purpose of S. 391 is to broaden the provisions of existing law governing the use of revenue from oil and gas leasing on a portion of the Navajo Indian Reservation in Utah.

The act of March 1, 1933 (47 Stat. 1418), withdrew certain public lands in southern Utah "for the benefit of the Navajo and such other Indians as the Secretary of the Interior may see fit to settle thereon" and added the lands to the Navajo Reservation. The statute provided that 37½ percent of the net revenues accruing from tribal oil and gas leases of such lands shall be "expended by the State of Utah in the tuition of Indian children in white schools and/or the building or maintenance of roads across the lands described in section 1 hereof, or for the benefit of the Indians residing therein."

S. 391 would modify the 1933 act by permitting the State to expend such oil and gas revenues for the benefit of the Navajo Indians residing in San Juan County, which is a larger group than the Indians residing on the lands that were withdrawn by the 1933 act. The bill also would authorize the use of the funds for "health, education, and general welfare" of those Indians, instead of limiting such use to tuition in white schools and reservation roads.

S. 491 (Allott): Determining the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes.

The purpose of S. 491 is to authorize the Navajo Tribe or the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. The litigation would be before a district court of three judges in the U.S. District Court for the District of New Mexico, with a statutory right of appeal direct to the Supreme Court. The district court would base its decision on "such principles as may be just and fair in law and equity."

The Navajo boundary immediately south of the Colorado boundary was fixed by a treaty of June 1, 1868. In 1869 the boundary was surveyed and monumented but the monuments cannot be located at the present time. The Ute Mountain boundary was established by the act of February 20, 1895. Apparently there is an overlap and the purpose of the bill is to quiet title to the land in one or the other of the tribes.

S. 528 (McGee, Hansen): Placing in trust status certain lands on the Wind River Indian Reservation in Wyoming.

The purpose of S. 528 is to place in trust status 15 acres on the Wind River Indian Reservation in Wyoming. The land with which S. 528 is concerned was acquired by the United States in the 1920's for administrative, irrigation, and other Indian Bureau needs at a cost of $812.50. The land is no longer needed by the Bureau of Indian Affairs, and the Wind River Tribes have requested the conveyance.

S. 1119 (Metcalf, Mansfield): Granting minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes.

S. 1119 would amend existing law to grant full ownership of the minerals underlying the Crow Indian Reservation in Montana to members of the Crow Tribe. The measure also provides that with the approval of the tribal council certain oil and gas leases granted under previous law may be renewed and extended so as to make them uniform and consistent with other oil and gas leases on reservation lands.

Absent legislative action, the tribe's interest in the minerals will terminate in 1970 under existing law enacted in 1920 (41 Stat. 751), which reserves the minerals to the tribe for a 50-year period.

The total income to the tribe from the development of oil and gas since 1920 amounts to $3,665,000. About 40 percent of that income has been received during the past 5 years. The Senate concurred with the finding of the Department of the Interior "that the tribe has not enjoyed the full benefit of the mineral reservation that was contemplated in 1920, and that an extension of tribal ownership is justifiable for that reason."

S. 1165 (McCarthy, Mondale), Public Law 90–94: Providing for the disposition of judgment funds now on deposit to the credit of the Minnesota Chippewa Tribe of Indians on behalf of the Mississippi Bands and the Pillager and Lake Winnibigoshish Bands of Chippewa Indians.

A judgment in the amount of $1,671,262.18 was awarded to the Mississippi Bands and $2,260,942.90 to the Pillager and Lake Winnibigoshish Bands in Indian Claims Commission docket 18–B. The awards represent additional payment for 10,213,700 acres of land in Minnesota ceded under the treaty of February 22, 1855 (10 Stat. 1165). These funds are on deposit in the U.S. Treasury in interest-bearing accounts.

The bill contemplates that approximately $330,000 of the funds remaining after deduction of attorney fees and expenses will be used as a program fund on the White Earth, Leech Lake, and Mille Lacs Reservations. The remainder of the judgment will be distributed per capita to the approximately 18,000 Indians comprising the Minnesota Chippewa Tribe.

S. 1171 (H.R. 5910) (Harris, Monroney): Declaring that the United States holds certain lands in trust for the Pawnee Indian Tribe, Oklahoma.

S. 1173 (Harris, Monroney): Declaring that certain land of the United States is held by

the United States in trust for the Cheyenne and Arapaho Tribes of Oklahoma.

The purpose of the bill, as introduced, was to donate approximately 116 acres of Federal land to the Cheyenne and Arapaho Tribes of Oklahoma. The subject lands were originally part of an Indian allotment which was relinquished and subsequently became classified as unallotted land with title vesting in the United States. For many years the land has been utilized for school farm station purposes in connection with Segar Indian School located a short distance from the city of Clinton, Okla. The lands are now surplus to the needs of the Bureau of Indian Affairs, and it is proposed that they be donated to the tribes for an old-age rest home, housing development, commercial or light industrial use, and agricultural purposes.

By Resolution No. 343–S15, dated April 26, 1967, the business committee of the Cheyenne and Arapaho Tribes requested that these lands be conveyed to them in fee simple rather than in trust status. The Senate therefore amended the bill to provide that the land will be given to the tribes without any restriction on its use, management, or disposition because of Indian ownership.

S. 1177. (Metcalf, Mansfield), Public Law 90–11: Providing for the disposition of a judgment against the United States recovered by the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana.

The purpose of S. 1177 is to authorize the distribution of an award by the Indian Claims Commission to the Confederated Salish and Kootenai Tribes of the Flathead Reservation by the Indian Claims Commission in docket No. 61 may be used as authorized by the tribal governing body and approved by the Secretary of the Interior. It also exempts from Federal and State income taxes any funds distributed to tribal members.

The judgment funds appropriated by the act of October 27, 1966 (80 Stat. 1065), are on deposit in the U.S. Treasury to the credit of the tribes in an interest-bearing account. This bill authorizes the use of both the principal and the interest. The judgment was for $4,431,622.18, and the payment of attorney fees and expenses will reduce the figure to about $4 million. The interest earned to December 31, 1966, amounts to $24,768.52.

S. 1191 (Allott), Public Law 90–60: Providing for the disposition of a judgment against the United States recovered by the Southern Ute Tribe of the Southern Ute Reservation in Colorado.

The bill, as amended, provides that the Secretary of the Interior is authorized and directed to divide the trust fund belonging to the Confederated Bands of Ute Indians appropriated by the Second Supplemental Appropriations Act, 1965, and deposited in the United States Treasury pursuant to the final judgment entered in Indian Claims Commission docket numbered 327, including the interest thereon, by crediting 60 per centum to the Ute Indian Tribe of the Uintah and Ouray Reservation and the Ute Distribution Corporation, 20 per centum to the Ute Mountain Tribe of the Ute Mountain Reservation, and 20 per centum for the Southern Ute Tribe of the Southern Ute Reservation. The portion of the trust fund, upon its division as directed, credited to the Ute Indian Tribe of the Uintah and Ouray Reservation to the Ute Distribution Corporation and to the Southern Ute Tribe of the Southern Ute Reservation, shall be available for use in accordance with existing authorization for use of funds of the tribes and the Ute Distribution Corporation, including the Act of August 21, 1951 (65 Stat. 193), as amended, the Act of June 28, 1954 (68 Stat. 300), and the Act of August 27, 1954 (68 Stat. 868), as amended. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income taxes. The total judgment awarded the tribes amounts to $7.9 million.

S. 1391 (Metcalf, Mansfield), Public Law 90– : Canceling certain construction costs and irrigation assessments chargeable against lands of the Fort Peck Indian Reservation, Montana.

The purpose of S. 1391, as amended, is to do equity to certain Indian and non-Indian landholders in the Fort Peck Indian Reservation, Mont., by canceling specified construction costs and irrigation assessments chargeable against their lands. In some of the instances covered by the bill irrigation was not successful, that is, the lands did not get water, and the landholders would be charged for benefits they never received. In other instances, the records are so unspecific that it is impossible to determine at this time whether the lands that would be charged ever received any benefits.

The bill provides for the cancellation of all charges against the non-Indian lands in the units where irrigation can no longer be practiced because of the inadequate water supplies and other adverse conditions. It also approves the partial cancellation of charges against non-Indian lands in those units now operated in order to equalize the per acre construction charges with those of the Indians. This adjusted per acre cost is the amount that all lands, Indian and non-Indian, are economically capable of repaying.

The bill also provides for the cancellation by direct statutory action unassessed construction costs in the sum of $118,266.64 for land clearing and leveling performed on both Indian and non-Indian lands. The specific tracts of land so benefited cannot be identified for proper distribution and assessments of these costs.

These delinquent charges, costs, and assessments totaling $325,630.25, now determined to be uncollectable, inequitable, or unjust, and due the United States, are to be canceled. The remaining charges of $232,830.68 for construction and $81.37 for operation and maintenance, relate to Indian-owned lands and will be canceled administratively under the act of July 1, 1932 (47 Stat. 564).

S. 1699 (Harris, Monroney): To permit negotiation of a modification to a contract for sale of certain real property by the United States to the City of Lawton, Oklahoma.

The Federal Government sold 270 acres of Federal land to the city of Lawton, Oklahoma, in 1913 for $2,880, and the city promised it would "furnish a sufficient supply of water for Fort Sill Indian School and Kiowa Hospital for so long as they are maintained as government installations, without cost to the government."

The value of such water service was estimated at $1,000 per year in 1926. By reason of expansion of the two government facilities, present consumption of water has increased more than 500 percent in the past 40 years.

The purpose of S. 1699 would be to permit the modification of the early agreement to take care of the inequitable situation that has arisen.

S. 1701 (Bible), Public Law 90–71: Declaring that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes.

The purpose of this bill is to place in trust status for the Battle Mountain Indian Colony of Nevada two tracts of withdrawn public domain land totaling 6.25 acres for use as a cemetery. The bill also provides for a right-of-way some 33 feet wide across approximately 2,805 feet of adjacent, vacant public domain land which gives access to both tracts.

This group of Indians has been using the two tracts for cemetery purposes for some time. There are about 130 graves in one tract and approximately 16 graves in the other. The estimated fair market value of the two cemetery sites and the right-of-way is $400. This colony has a beneficial interest in 680 acres of land. These cemetery sites are approximately one-half mile from the colony land.

S. 1727 (Anderson, Montoya): Authorizing the consolidation and use of funds arising from judgments in favor of the Apache Tribe of the Mescalero Reservation and of each of its constituent groups.

The purpose of S. 1727 is to authorize the use of an $8.5 million judgment awarded to the Apache Tribe and bands of the Mescalero Reservation by the Indian Claims Commission in docket 22–B.

The bill as introduced permitted the judgment already recovered, and the judgments anticipated in other pending claims, to be used for any purpose that is authorized by the tribal governing body and approved by the Secretary. The Senate adopted an amendment which would restrict the bill's application to the use and distribution of the sum recovered in docket 22–B. When awards are made to the tribe in other pending claims further legislation will be required in keeping with the language in the Department of the Interior Appropriations Act which reads as follows: "* * * nothing contained in this paragraph or in any other provision of law shall be construed to authorize the expenditure of funds derived from appropriations in satisfaction of awards of the Indian Claims Commission and the Court of Claims, except for such amounts as may be necessary to pay attorney fees, expenses of litigation, and expenses of program planning, until after legislation has been enacted that sets forth the purposes for which said funds will be used * * *."

The Mescalero Tribe has advised the committee that it plans to use the $8.5 million judgment in the following manner:

Land purchase	$375,000
Scholarship trust	310,000
Credit expansion	200,000
Apache summit	40,000
Rental housing	200,000
Claims research	35,000
Community center	143,800
Recreation areas	30,000
Industrial promotion	30,000
Liquor licenses	50,000
Tribal store complex	220,000
Per capita payments	1,650,000
Investments	4,366,200

S. 1933 (Harris, Monroney), Public Law 90–117: Providing for the disposition of judgment funds now on deposit to the credit of the Cheyenne-Arapaho Tribes of Oklahoma.

The purpose of S. 1933 is to authorize the use of funds appropriated by the act of October 31, 1965 (79 Stat. 1152), to cover an award of $15 million to the Cheyenne and Arapaho Tribes of Oklahoma in a compromise settlement in Indian Claims Commission dockets Nos. 329–A and 329–B. The sum of $14,166,348 is on deposit in two commercial banks, drawing interest at the rates of 5⅜ and 5⅛ percent, respectively. The remainder of the judgment funds, including interest, is on deposit in the U.S. Treasury to the credit of the tribes.

The award represents additional payment (in docket No. 329–A) for 4,608,878 acres of land in western Oklahoma granted jointly to the Southern Cheyenne and Southern Arapaho by Executive order of August 10, 1869, and ceded under the act of March 3, 1891 (26 Stat. 1022–1026). It further represents additional compensation (in docket No. 329–B) for the tribes' 50.61 percent interest in 51,210,000 acres of land in Colorado, Wyoming, Kansas, and Nebraska which were ceded by the Southern Cheyenne and Southern Arapaho under the Treaties of February 18, 1861, October 14, 1865, and

October 28, 1867; and by the Northern Cheyenne and Northern Arapaho under the Treaty of May 10, 1868.

The bill provides that $500,000 of the judgment funds are to be held in trust by an Oklahoma bank to provide education and scholarship grants for tribal members. The remainder of the judgment will be distributed in per capita shares to the approximately 5,300 tribal members living on the date of the act. Tribal membership is widely scattered throughout Oklahoma and other States.

S. 1972 (Nelson), Public Law 90–93: Providing for the disposition of funds appropriated to pay a judgment in favor of the Emigrant New York Indians in Indian Claims Commission Docket No. 75, and for other purposes.

The Indian Claims Commission, in docket No. 75, awarded the Emigrant Indians of New York $1,313,472.65. The Oneida Indians, the Stockbridge-Munsee Indians, and the Brotherton Indians in Wisconsin are the recipients of this award. The amount of the judgment, less $131,347.26 for attorney fees, is on deposit in the Treasury of the United States, to the credit of the Emigrant New York Indians.

S. 1972 provides that the Secretary of the Interior shall prepare rolls of all persons born on or prior to and living on the date of this Act, whose names appear on the membership rolls of the Oneida Tribe and the Stockbridge-Munsee Community. The bill also provides that the Secretary shall prepare a roll of the Brotherton Indians of at least one-fourth degree Emigrant New York Indian blood who are not members of either of the other two communities. The bill provides for the apportionment to each group of so much of the judgment fund and accrued interest as the ratio of its enrollees bear to the total enrollees of all three groups. The judgment fund will be placed to the credit of the respective groups and may be advanced for any purpose authorized by the tribal governing bodies and approved by the Secretary.

S. 2162 (Bible), Public Law 90–107: Amending the Act of January 17, 1936 (49 Stat. 1094), reserving certain public domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev.

The purpose of S. 2162 is to correct an error in a land description contained in the act of January 17, 1936, reserving certain public lands in Nevada for the Fort McDermitt Indians.

The 1936 act withdrew 21,500 acres for use by the Indians. Due to the deletion of a comma, about 400 acres were excluded from the description. Although all of the land has been administered as part of the reservation, enactment of the bill will restore the comma and make the statute conform to the original intent.

S. 2336 (Jackson, Magnuson): Determining the respective rights and interests of the Confederated Tribes of the Colville Reservation and the Yakima Tribe of Indians of the Yakima Reservation and their constituent tribal groups in and to a judgment fund on deposit in the Treasury of the United States, and for other purposes.

The basic purpose of S. 2336, as amended, is to confer jurisdiction on the Court of Claims to determine the respective rights of two Indian tribal bands of the State of Washington in and to a joint judgment fund. The Indian groups are the Confederated Tribes of the Colville Reservation and the Yakima Tribes of the Yakima Reservation.

The fund is that appropriated by the act of April 30, 1965 (79 Stat. 81) to cover an award of $3,446,700 made by the Indian Claims Commission in dockets 161, 222, and 224. Payment from the judgment fund of $332,670 on attorney fees totaling $344,670, also awarded by the Indian Claims Commission, has reduced that fund to $3,114,030. Interest at 4 percent per annum accruing on the award moneys in the amount of $205,597.24 (as of August 14, 1967) has increased the total amount for distribution to $3,319,627.24.

Delay in making the award money available for economic development is costly to both tribes, yet both are equally adamant. The Indian Claims Commission is without authority to determine the method of distribution of its award. Efforts of the Secretary of the Interior, the Solicitor, and Bureau personnel to effect a compromise have been of no avail. Referral of the problem to the Court of Claims, which has authority to render final judgment, seems necessary and logical.

H.R. 536 (Edmondson): Providing that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government.

The principal purpose of H.R. 536, as amended, is to convey 2,668 acres of land which are no longer needed for the Cherokee Indian School in Oklahoma providing the nation pays to the United States the amount the United States paid the nation for the land.

The lands within the Chilocco Indian School reserve, now consisting of about 8,550 acres, were first set aside by President Arthur by Executive order dated July 12, 1884 (1 Kappler, Indian Laws and Treaties, 842). The act of March 3, 1893 (27 Stat. 640), provided for payment for these and other lands in the Cherokee outlet in an amount which averaged $1.29 per acre. In 1961 the Indian Claims Commission determined that the fair market value of these lands in 1893 was $3.75 per acre and gave judgment to the Cherokees for the difference between this and the amount actually paid them by the United States. For the acreage involved in H.R. 536, therefore, the Indians have been paid a total of $10,000 more or less.

Section 10 of the 1893 act, which opened most of the Cherokee outlet to settlement, provided that the lands which President Arthur set aside for school purposes should continue to be reserved for these purposes. Hence, though the 2,668 acres covered by H.R. 536 are now excess to the needs of the Chilocco School, legislation is necessary before they can be disposed of. Enactment of H.R. 536 will furnish the needed authority.

The Cherokees plan to lease the acreage for farming and to use the revenues for educational purposes among Cherokee young people. No objection has been voiced by any tribe in Oklahoma or in the 19 States sending pupils to the Chilocco School.

The Committee adopted several amendments, the first of which provides that only the surface of the subject lands shall be donated to the tribe, with a reservation of oil, gas, and other minerals in the United States.

The second amendment provides that the tribe shall receive a nontrust title to the land and that there will be no exemption from taxation or restriction on use, management, or disposition because of Indian ownership.

The third amendment provides that the conveyance made by H.R. 536 is subject to existing rights-of-way for waterlines, electric transmission lines, roads, and railroads.

The fourth amendment directs the Indian Claims Commission to determine in accordance with the provisions of section 2 of the act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this act, less the payment of $3.75 per acre as provided in section 1, should or should not be set off against any claim against the United States determined by the Commission.

The title of the bill has been amended to reflect amendments recommended by the committee.

The lands to which H.R. 536 applies are located many miles away from other lands of the Cherokee Nation. At the committee hearing on August 9, 1967, the tribal representative expressed the Cherokee Nation's willingess to accept this surplus property without minerals and in a nontrust status. The bill has been modified accordingly.

H.R. 678 (Mrs. Hansen), Public Law 90–114 Providing for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission Docket No. 237, and for other purposes.

The Upper and Lower Chehalis Indians were awarded $754,380 by the Indian Claims Commission in their suit against the United States (docket 237). Funds to pay the judgment were appropriated by the act of June 9, 1964 (78 Stat. 213), and are drawing interest at the rate of 4 percent per annum. The award represents a compromise settlement for a claim for compensation for lands in Washington State acquired by the United States from this group on March 3, 1855, without their consent and without compensation.

There is no existing roll of the Upper and Lower Chehalis Indians who are the beneficiaries of the judgment and to whom the fund should be distributed. The first section of the bill, accordingly, calls for the preparation of a roll of the living descendants of members of the tribes as they existed in 1855. A rough estimate is that there may be as many as 700 individuals entitled to be enrolled and to share in the award. After the deduction of attorney fees, litigation expenses and roll preparation costs, the award will be distributed per capita since most of those who will share in the judgment are outside of an organized group having a known land base. Per capita payments will be exempt from Federal and State income taxes.

Sums payable to enrollees or to their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be held in trust by the Secretary of the Interior with use limited to emergency medical care and direct educational expenses, until such minor becomes of age or disability ceases. Proportional shares of heirs or legatees amounting to $5 or less shall not be distributed, and shall escheat to the United States. In the event that the sum of money reserved by the Secretary to pay the costs of distributing the individual shares exceeds the amount actually necessary to accomplish this purpose, the money remaining shall also be distributed per capita unless individual shares would have a value of less than $5. Individual shares or proportional shares of heirs or legatees amounting to $5 or less shall not be distributed but shall escheat to the United States.

H.R. 2154 (Udall): Providing long-term leasing for the Gila River Indian Reservation.

The tribe owns land that is subject to development if lease terms longer than 50 years, as now authorized by law, can be obtained. The bill would authorize up to 99 year leasing terms by adding the Gila River Indians to the list of tribes that already have 99 year authority.

H.R. 2531 (Edmondson), Public Law 90–76: Providing for the disposition of the unclaimed and unpaid share of the Loyal Creek judgment fund, and providing for disposition of estates of interstate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs.

H.R. 2531 has two purposes: (1) to credit to the account of the Creek Nation of Indians of Oklahoma the approximately $74,900 which has been held in the Treasury for distribution to members of that nation for a number of years but which has not been claimed; (2) to provide for the escheat to the Creek

Nation of the estates of its intestate and heirless members.

In docket No. 1 of the Indian Claims Commission an award of $600,000 was made to the Loyal Creeks for certain losses which they or their ancestors sustained during the Civil War. Funds to satisfy this award were appropriated in 1952. The act of August 1, 1955, provided for distribution of these funds to persons or the heirs and legatees of persons whose names appeared on a roll prepared pursuant to a 1903 act. By April 30, 1965, full distribution of the moneys had been made except for the $74,894.33 which is the subject of this legislation. Since those rightfully entitled to this amount have not been and cannot be located, it seems proper that it be turned over for the use and benefit of the Creek Nation as a whole in spite of the suggestion that it be escheated to the United States.

The bill also provides an escheat procedure for the estates of members of the Creek Nation who die intestate and without heirs. Estates of members of the Five Civilized Tribes, a term which includes the Creeks of Oklahoma, have been probated in State courts for many years where the value of the estate is $2,500 or more. Without disturbing this procedure, H.R. 2531 makes applicable to the estates of members of the Creek Nation the same rule with respect to escheat to the tribe that generally prevails in the case of members of other tribes. It also allows the determination that a decedent died heirless and intestate to be made either by a local court or by the Secretary of the Interior. The last provision was suggested by the tribe.

H.R. 2532 (Edmondson), Public Law 90–63: Providing for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket numbered 303 of the Indian Claims Commission, and for other purposes.

The committee also considered S. 1579, introduced by Senators Harris and Monroney.

In 1965 the Indian Claims Commission awarded $368,039.55 to the Ottawa Tribe and, in addition, interest at the rate of 4 percent per annum from March 22, 1934, on $30,603.-94 of unaccounted trust land funds. The principal component of the award was payment found to be due for Indian lands in Kansas ceded to the United States by treaties entered into in 1862 and 1867. The Indian Claims Commission found that the Ottawa Tribe represents the bands of Indians that were parties to these treaties. Funds to satisfy the award were appropriated by Congress in 1965 and are being held in the Treasury and drawing interest at the usual rate.

A final roll of the tribe's membership, prepared in connection with the termination of Federal supervision over its affairs (act of August 3, 1956, 70 Stat. 963, 25 U.S.C. 841), was published in the Federal Register on August 13, 1959. This roll listed 630 names. It is to these persons or their heirs that distribution of the deposit in the Treasury will be made.

Before making the distribution, the Secretary of the Interior will set aside sufficient funds to cover the estimated cost thereof. If all of the moneys so set aside are not required for this purpose, the residue will remain to the credit of the Ottawa Tribe until several tribal claims still pending are settled and will be available for use in prosecuting these claims. Any that remain after the claims are settled will then be turned over to the Ottawa Tribe which, though now lacking a Federal charter, is organized under the laws of the State of Oklahoma. H.R. 2532 provides that per capita shares of the amount to be distributed that remain unclaimed for 2 years after the date on which distribution is directed shall be turned over to the Ottawa Tribe and used for the purposes set forth in its articles of incorporation.

H.R. 2828 (Mize): Providing 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.

A little less than $1½ million for 2,150 Indians is involved. H.R. 2828 provides a mathematical formula for division of the fund which has been accepted by both Tribes.

H.R. 3631 (Tunney) (S. 1639, Kuchel), Public Law 90–64: Providing for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land.

The purpose of H.R. 3631 is to provide for the dedication to the public of certain land on the Agua Caliente Indian Reservation, Calif., for street purposes and to convey title to certain other land which has heretofore been retained for streets and alleys to the abutting landowners.

In 1923 the area to which H.R. 3631 pertains was divided into blocks and lots preparatory to making allotments to individual Indians, and strips of land varying in width from 23½ to 100 feet were set aside for alleys and streets. The allotments to individual Indians did not include the strips. Consequently title still rests in the United States and the Agua Caliente Band of Mission Indians. The 44-year-old street and alley plan is now obsolete. Many of the streets which it contemplated were never completed and others have been abandoned. Meanwhile the city of Palm Springs has developed a master plan which calls for a somewhat different street layout from that in the 1923 plan. Under the new plan each block or lot is assured a frontage on at least one street.

Enactment of H.R. 3631 is necessary in order to authorize the Secretary of the Interior, with the consent of the tribe, to dedicate for public use any of the lands in question. Those strips which are not needed to carry out the Palm Springs master plan will not be dedicated but will be conveyed to the adjoining landowners.

H.R. 4919 (Steiger, of Ariz.): Amending the Act of August 9, 1955, to authorize longer term leases of Indian lands on the Hualapai Reservation in Arizona.

The tribe owns land that is subject to development if lease terms longer than 50 years, as now authorized by law, can be obtained. The bill would authorize up to 99 year leasing terms by adding the Hualapai Indians to the list of tribes that already have 99 year authority.

H.R. 4920 (Steiger, of Ariz.): Amending the Act of August 9, 1955 to authorize longer term leases of Indian lands on the San Carlos Reservation in Arizona.

The tribe owns land that is subject to development if lease terms longer than 50 years, as now authorized by law, can be obtained. The bill would authorize up to 99 year leasing terms by adding the San Carlos Apache Indians to the list of tribes that already have 99 year authority.

H.R. 7965 (Battin) (S. 1428, Metcalf, Mansfield), Public Law 90–24: Transferring title to tribal land on the Fort Peck Indian Reservation, and for other purposes.

The purpose of H.R. 7965 is to authorize the Secretary of the Interior to issue a patent conveying all right, title, and interest of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to 20.62 acres of tribal land to School District Nos. 45 and 45A, Roosevelt County, Mont., in exchange for certain other lands and benefits.

On March 4, 1967, the Wolf Point High School was totally destroyed by fire. This 20.62 acres with which H.R. 7965 is concerned will be used for enlarging the school plant and its facilities in order to meet requirements established by the Montana State Board of Health.

H.R. 8580 (Mrs. Hansen of Washington): Conveying certain land to the Squaxin Island Tribe of Indians.

The purpose of H.R. 8580 is to hold in trust for the Squaxin Island Indian Tribe all right, title, and interest of the United States in and to 1.84 acres of land lying within the Squaxin Island Indian Reservation, in the State of Washington.

H.R. 10566 (Kyl) (S. 1750, Harris, Monroney), Public Law 90–80: Providing for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians, and for other purposes.

The purpose of the bill is to provide for the disposition of two awards to the Sac and Fox of the Mississippi in Iowa and in Oklahoma and the Sac and Fox of Missouri in Kansas and Nebraska. Funds to cover an award of $1,096,533.42 in Indian Claims Commission docket No. 138 were appropriated by the act of April 30, 1965 (79 Stat. 108–109). The act of October 31, 1965 (79 Stat. 1152), appropriated funds to cover an award of $1,789,201.45 in docket No. 143. Funds in both dockets are on deposit in the U.S. Treasury to the credit of the respective Sac and Fox Tribes.

The awards represent additional payment to the Sac and Fox Tribes for lands in Iowa ceded under the treaty of July 15, 1830, and for lands in western Iowa and northwestern Missouri ceded under the treaties of October 21, 1837.

Funds also were appropriated by the act of April 30, 1965 (79 Stat. 108–109), to cover an award of $192,000 granted solely to the Sac and Fox of Missouri in Kansas and Nebraska in docket No. 195, as additional compensation for lands in northeastern Kansas ceded under the treaty of May 18, 1854.

H.R. 10566 provides for a division of the funds in dockets Nos. 138 and 143 on the basis of allotment rolls of February 13, 1891 (Sac and Fox of the Mississippi located in Oklahoma), annuity rolls of 1892 (Sac and Fox of the Mississippi located in Iowa), and allotment rolls of February 28, 1891 (Sac and Fox of Missouri in Kansas and Nebraska).

H.R. 10599 (White) (S. 1958, Yarborough): Relating to the Tiwa Indians of Texas.

The purposes of H.R. 10599 are to recognize the Tiwa people of the pueblo of Ysleta del Sur in El Paso County, Texas, as a band of American Indians and to transfer to the State of Texas any responsibility that the United States may have for them.

During its last session the Legislature of Texas enacted laws extending to the Tiwas the services of the State's commission for Indian affairs, authorizing the Governor to accept a transfer of responsibilities from the United States such as is proposed in H.R. 10599, and appropriating $35,000 to finance in a modest way certain assistance programs for them. The attorney general of the State has advised that Federal recognition and a transfer of trust responsibility to the State is necessary before these acts can be implemented. It is this that makes necessary enactment of H.R. 10599.

Subcommittee hearings

In addition to the foregoing actions, the Subcommittee held a hearing on S. 1816, introduced by Senator Jackson at the request of the Department of the Interior, to provide for the economic development and management of the resources of individual Indians and Indian Tribes and for other purposes.

Expected subcommittee actions in 1968

The Subcommittee will consider several bills during the second session that provide for the use and distribution of judgments awarded by the Indian Claims Commission to various Indian tribes. Consideration will also be given to bills donating lands to tribes, and to special problems of individual Indian groups.

SUBCOMMITTEE ON TERRITORIES AND INSULAR AFFAIRS, SENATOR QUENTIN N. BURDICK, N. DAK., CHAIRMAN

The Subcommittee on Territories and Insular Affairs has responsibility for measures

relating to the insular possessions of the United States, the Commonwealth of Puerto Rico, and the Trust Territory of the Pacific Islands, except those measures affecting their revenue and appropriations.

Of the 10 bills referred to the subcommittee, 4 were reported and subsequently acted upon by the Senate. They are as follows:

Guam

S. 449 (Jackson and Burdick): To provide for the popular election of the Governor of Guam, and for other purposes.

The primary purpose of S. 449 is to provide for the popular election of the Governor and Lieutenant Governor for the territory of Guam. Other purposes which the bill would accomplish are: (1) Create the office of Lieutenant Governor; (2) provide that the salaries and expenses of the office of the executive as well as the legislative branch be paid by the government of Guam; (3) specify the powers, duties, and responsibilities of the Governor; (4) provide a method of recall for removal of the Governor; (5) set out the line of succession in the event the Governor is disabled; (6) create the office of government comptroller and specify the powers, duties, responsibilities, and procedures of that office; (7) provide that the expenses and salaries of the office of the government comptroller shall be paid by the United States from funds to be covered into the treasury of Guam pursuant to section 30 of the Organic Act of Guam, thus resulting in a substantial savings to the Federal Government; (9) extend the privileges and immunities clauses, the due process clause, and the equal protection clause of the U.S. Constitution to the people of Guam; (10) make Guam subject to the general military law of the United States; and (11) make certain technical changes in the organic act.

On October 11, 1966, the Senate passed H.R. 11775, a bill similar to S. 449, providing an elective Governor for Guam. Due to the lateness of the session, it was not possible to take final action on that measure.

S. 1763 (Burdick, Hatfield, and Jackson): To promote the economic development of Guam.

The purpose of S. 1763 is to establish a $5 million fund which the government of Guam will use to make loans to stimulate and develop private industries and private enterprises on Guam.

In enacting Public Law 88–170, the Rehabilitation Act of Guam, Congress recognized the imperative need to develop a viable civilian economy and thus provide under section 6 of the act, authorization of $200,000 for a Federal Territorial Commission to make a long-range economic study for Guam. In 1966, the Department of the Interior released its two-volume economic development study which showed that Guam has excellent economic potential in several areas: tourism, assembly plants, fishing, and livestock. The Guam Economic Development Authority, an arm of the government of Guam created by the local legislature, has aggressively followed up these recommendations, searching to attract suitable business enterprises to the island, but capital remains the problem: sufficient private financing simply has not been available to do the job. As an example, the first recommendation of Interior's economic study was for a first-class hotel capable of attracting and accommodating tourists for which Guam has excellent natural facilities, beautiful coral beaches, a pleasant climate and many interesting historic attractions. Shortly after the study was released, the leaders on Guam selected a hotel site, approved architectural plans and established a nonprofit corporation to handle financing of the hotel. Of the $2.8 million required to build the planned 150-room structure, all but $500,000 has been raised or guaranteed in loans. Yet the project has been stalled for months because the remaining $500,000 cannot be obtained. In addition to the hotel, loan funds are needed to develop agricultural enterprises, commercial fishing, manufacturing and service industries, and for the construction of an industrial park.

S. 1763, the Guam Development Act of 1967, will provide what Guam patently needs most: an economic mechanism to help develop a viable civilian economy. The bill as amended authorizes to be appropriated to the Secretary of the Interior, to be paid to the government of Guam for the purposes of the act, the sum of $5 million. Prior to the time the authorized funds are made available to Guam, a plan for the use of the funds is to be submitted to the Secretary of the Interior and approved by him. The plan must designate the agency or agencies of Guam's government that will administer the plan. It must set forth the policies and procedures to be followed in promoting the economic development of the territory through a program of loans and loan guarantees to promote private industry and make provision for a revolving loan fund for such purposes.

Virgin Islands

S. 450 (Jackson and Burdick): To provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

The primary purpose of S. 450 is to provide for the election of the Governor and Lieutenant Governor of the territory of the Virgin Islands. Other purposes which S. 450, as amended, would accomplish are: (1) Create the office of Lieutenant Governor; (2) provide that the salaries and expenses of the executive as well as the legislative branch be paid by the government of the Virgin Islands; (3) specify the powers, duties, and responsibilities of the Governor; (4) provide a method of recall for removal of the Governor; (5) set out the line of succession in the event the Governor is disabled; (6) clarify the powers, duties, responsibilities, and procedures of the office of the government comptroller; (7) provide that the expenses and salaries of the office of the government comptroller shall be paid by the United States from funds derived by transfer from the internal revenue collections appropriated for the Virgin Islands, thus resulting in a substantial savings to the Federal Government; (8) extend the privileges and immunities clauses, the due process clause, and the equal protection clause of the U.S. Constitution to the people of the Virgin Islands; (9) make the Virgin Islands subject to the general military law of the United States; and (10) make certain technical changes in the revised organic act.

On October 11, 1966, the Senate passed H.R. 11777, a bill similar to S. 450, providing an elective Governor for the Virgin Islands. Due to the lateness of the session, it was not possible to take final action on that measure.

Trust Territory of the Pacific Islands

S. 303 (Jackson). Public Law 90–16: To amend the Act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes.

The purpose of S. 303 is to authorize increased appropriations for the Trust Territory of the Pacific Islands for civil works and administrative costs. The bill increases the present appropriation authorization of $17,500,000 annually to a maximum of $25 million for fiscal year 1967 and $35 million for fiscal years 1968 and 1969. It provides that appointment hereafter made to the office of High Commissioner of the Trust Territory shall be made by the President, with the advice and consent of the Senate.

Although increased appropriations for the Trust Territory in recent years have enabled important and significant progress to be made in administration and capital improvements, much remains to be done. The bill recognizes that addiitonal funds must be made available to develop public health and educational facilities, and the infrastructure of roads, harbors, water supplies, etc., without which the local economy cannot readily expand, and attract private investment. The development of these basic facilities and services has been greatly complicated by factors such as the geographic dispersion of the inhabited islands, which means an uneconomic duplication of facilities for the population; the small total land area of the islands, the high birth rate, the large proportion of children in the population, and the low level of economic and social development. Past appropriations, in the face of steadily rising administrative costs, have not encouraged development of the full potential of the islands.

The money authorized to be appropriated by S. 303 would bolster health, education, water, power and sewage services; provide better air, ground, and water transportation; modernize and extend radio and telephone communications; and establish suitable buildings for executive, legislative, and judicial branches of the territorial government. At the same time, the higher level of economic development produced by these improvements would enable the territory to pay for a much greater portion of its financial needs.

Expected subcommittee activities in 1968

The Subcommittee plans to make an inspection trip to the Trust Territory and Guam early in 1968. The primary purpose of this visit will be to obtain firsthand knowledge and information about Micronesia on which to base legislation to authorize appropriations beyond fiscal year 1969. In addition, the Committee will consult with members of the Congress of Micronesia and other island leaders on pending legislation (S. J. Res. 106) submitted by the President regarding the future political status of the Trust Territory. Action will be taken on S. J. Res. 106 during the second session of the 90th Congress.

SUBCOMMITTEE ON PUBLIC LANDS, SENATOR FRANK CHURCH, IDAHO, CHAIRMAN

The Senate Public Land Subcommittee is concerned with public lands generally, including entry, easements and grazing. Within its purview during the First Session of the 90th Congress has been legislation ranging from bills which would remove clouds on titles to the private property of individuals, to a measure establishing the San Rafael Wilderness in California.

Of signal importance in the specific area of public lands policy were identical bills, H.R. 12121 and S. 2255, to extend the life of the Public Land Law Review Commission. The Commission was established in 1964 to make a comprehensive review of all policies applicable to the use, management, and disposition of the public lands of the United States. At the same time the commission was established, two related acts—Public Law 88–607, the Classification and Multiple Use Act, and Public Law 88–608, the Public Land Sale Act—became effective. These were to serve as legislative guidelines for the orderly classification and managment, and public sale of public lands during the period that the overall study of these lands is made by the commission. Both H.R. 12121 and S. 2255 would have extended the life of the commission a year and a half beyond its June 30, 1969 deadline, and extended its reporting date of six months earlier for a similar period. However, no legislation had been introduced to extend the Classification and Multiple Use Act and the Public Land Sale Act. The committee subsequently amended H.R. 12121 to also extend these acts for the life of the Commission, and after Senate passage, the House accepted the amendments.

Of major importance in the field of conservation was the bill, S. 889, establishing the San Rafael Wilderness. On September 3, 1964, the President signed a bill which created the

National Wilderness Preservation System. This act (78 Stat. 891) incorporated 54 national forest areas into the system—preserving by statute more than 9 million acres of pristine beauty. The act also provided that the President should make recommendations to the Congress for the inclusion of additional areas in the system. The proposed San Rafael Wilderness will be the first of these. Located in southeastern Santa Barbara County, California, the area will embrace approximately 143,000 acres of a wooded, brush and mountainous terrain and offer a wide variety of recreation, including camping, riding, hiking, fishing and nature study. There are 6 million people who reside within a 2-hour drive of the area.

Other major legislation considered by the Public Lands Subcommittee, under the Chairmanship of Senator Church (Idaho), included:

S. 220, by Senators Hansen and Jordan (Idaho), would authorize the sale of certain public lands upon which an agricultural trespass has recently been discovered. In various parts of the West there exist many small parcels of arable lands adjacent to private farms and ranches which could be put to economic use as part of the private cultivation and which have no public value requiring their retention in public ownership. Such small parcels are found on occasion to be cultivated in trespass, sometimes because of the uncertainty of titles or land boundaries. Where such tracts cannot meet the requirements for classification for sale under the Public Land Sales Act, or the Homestead or Desert Land Acts, the Secretary has no means to sell them. S. 220 would provide the needed authority. This bill was favorably reported with an amendment and passed by the Senate November 1.

S. 617, by Senators Magnuson and Jackson, to amend the land grant provisions of the enabling act of 1889 (25 Stat. 676) which granted statehood to Montana, North Dakota, South Dakota and Washington. S. 617 made it clear that timber receipts are expressly covered in the revenues from granted lands, and that all income from these lands may be used for the acquisition and construction of facilities (including the retirement of bonds authorized by State law for such purposes) for those State schools and institutions which are beneficiaries of enabling act land grants. The bill passed the Senate with committee amendments on May 2, the House without amendment on June 19, and was approved, June 30. Public Law 90–41

S. 1058, by Senators Gruening and Bartlett, authorizing the Secretary of the Interior to sell lands embraced in certain terminated entries, and thus mitigate hardship encountered by public land claimants. Provisions would apply in certain situations where entrymen under the homestead or desert land laws, lessees under the Small Tract Act, and other persons in good faith expend considerable sums of money in making improvements on public land, but for one reason or another fail to qualify for patent under the law. The bill was reported to the Senate December 4 with an amendment, and passed by the Senate December 6.

S. 1059, by Senators Gruening and Bartlett, amending the Act relating to the leasing of lands in Alaska for grazing. Purpose of this bill is to encourage and assist in the development of the Alaskan livestock industry. It would provide longer term grazing leases, a maximum of 55 years in place of 20 years, to attract long-term financing. Reported to the Senate with an amendment on December 4, it was passed by the Senate December 6.

S. 2121, by Senators Church, Bible and Cannon, extended the provisions of the Act of October 23, 1962, relating to the relief for residential occupants of certain unpatented mining claims, to June 30, 1971. Since the early days of the West, miners have historically made homes on their claims. Many of these were not patented, but the miners continued to live upon them. In other instances, the invalid claims were purchased in good faith, and used as homes. Under the Act, the land is not given to the applicant, but conveyed only for the fair market value, less the value of improvement. The Secretary of the Interior need not give fee title, but may grant any lesser interest. The bill was passed by the Senate October 12 with committee amendment, passed the House without amendment on October 16, and was approved October 23.

S. 2452, introduced by Senator Jackson by request, provides for the adjustment of the legislative jurisdiction exercised by the United States over the lands with the Crab Orchard National Wildlife Refuge in Illinois. Because uniform Federal and State jurisdiction has not existed, various jurisdictional and law enforcement problems, involving both capital offenses and minor crimes, have arisen within the refuge. The bill was reported, without amendment, to the Senate November 30, and passed the Senate December 1.

Probable action for second session

Wilderness Areas: The Senate Subcommittee on Public Lands expects to consider legislation for the inclusion of at least three new wilderness areas to the National Wilderness Preservation System.

The proposed San Gabriel Wilderness in California would comprise some 36,000 acres of primitive mountain terrain in the Angeles National Forest 35 miles northeast of Los Angeles. It would provide opportunities for such outdoor activities as hiking, fishing, hunting and camping in an uninhabited area.

The proposed Mount Jefferson Wilderness in Oregon would include some 96,000 acres now within the Willamette, Deschutes and Mount Hood National Forest, about 60 miles from Salem, Oregon. Located within its boundaries would be the second tallest peak in Oregon, nearly 150 lakes, 160 miles of trails, and good fishing and hunting.

The proposed Washakie Wilderness of nearly 680,000 acres is in the Shoshone National Forest of Wyoming. Excellent elk and other hunting, hiking on rugged mountain trails, and exploration of petrified remains of ancient forests, would be afforded here.

ACTIVITIES OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION, FIRST SESSION, 90TH CONGRESS, SENATOR B. EVERETT JORDAN, CHAIRMAN

During the First Session of the 90th Congress 177 legislative items were referred to or originated in the Committee on Rules and Administration. Of these items of proposed legislation considered by the Committee, 133 were reported to the Senate. All but seven of those measures have been enacted or agreed to as of this date. Committee action on several of the remaining proposals has been obviated by the approval of similar measures. In other cases, the Committee has requested agency reports or has referred the subject matter involved to one of its subcommittees for appropriate attention.

Perhaps the most important single legislative proposal considered by the Committee during the current year was S. 1880, an act to revise the Federal election laws and for other purposes, which passed the Senate on September 12, 1967. In summary, S. 1880 would encompass all areas of financial activity relating to a candidate for Federal political office and political committees, not only during the course of campaigns for general election, but for primary elections, political conventions, and all other fundraising events. The bill would insure not only the disclosure by political committees and candidates of all contributions and expenditures to certain Federal officers but also to all interested citizens, groups, or associations in the United States.

S. 1880 is a departure from the theory followed during prior years in drafting remedial legislation in the area of campaign contributions and expenditures. Earlier attempts to improve the law were based primarily upon limiting the amounts which could be contributed to candidates or political committees or which could be expended by candidates and political committees. Disclosure of campaign finances was secondary to limitations. S. 1880 follows the philosophy of dependence upon total disclosure by candidates and political committees rather than upon the setting of limitations upon contributions or expenditures. This would reverse the present tendency to evade the letter of the law by a proliferation of committees, since the removal of limitations would make such efforts pointless.

Other items of significant interest approved by the Committee during the current year include Public Law 90–55, an Act to extend the life of the Commission on Political Activity of Government Personnel; S. 1581, an Act to amend the Federal Voting Assistance Act of 1955, passed by the Senate on July 17, 1967; and S. Res. 150, authorizing the Committee on Government Operations to investigate crime and lawlessness within the United States, agreed to by the Senate on August 11, 1967. The Committee recommended S. Res. 150 to the Senate only after careful consideration of several alternative legislative proposals, all directed toward an investigation of the spate of riots and civil disturbances which occurred throughout the nation during the past summer.

Since the beginning of this session, the Committee on Rules and Administration has considered and processed requests from standing, select, special, and joint committees for additional funds for inquiries and investigations and for routine purposes in the amount of $7,044,985. To date the Committee has approved $6,305,500 of such expenditures, and the authorizations therefor have been agreed to by the Senate.

In addition to its legislative docket, the Committee on Rules and Administration during this session has resolved several matters of policy and performed many tasks related to its administrative responsibilities. Included among such actions were approval of a system to incorporate the legislative buzzers into the general attack and major disaster warnings program established by the Office of Civil Defense, general supervisory assistance to the Senate Youth Program, new arrangements for the operation of the Senate Recording Studio and the Senate Beauty Shop, and the issuance of revised regulations governing Senatorial long-distance telephone and telegram allocations and the rates payable to commercial reporting firms for reporting committee hearings in the Senate.

The Committee's Subcommittee on the Smithsonian Institution held hearings on S. 277, to authorize the preparation of plans for a memorial to Woodrow Wilson; and its Subcommittee on the Restaurant exercised vigilant supervision over the many complexities involved in that facility.

In the early months of the year the Committee was engaged in its usual housekeeping functions relating to the relocation of Senatorial office suites and the preparation and publication of a completely revised edition of the Senate Manual. Everything considered, the Committee has had a full year and looks forward to a continuation of its active schedule during the coming session.

FULL OEO APPROPRIATION SHOULD BE APPROVED

Mr. WILLIAMS of New Jersey. Mr. President, I urge that the total appropriation for the Office of Economic Oppor-

tunity be increased substantially above the amount for this agency provided in the House-passed version of the bill. As chairman of the Special Committee on Aging, I am vitally interested in programs to lift the elderly poor out of poverty. Unfortunately, OEO was late in starting programs for the elderly, due to the necessary emphasis placed on programs for youth. During the past 12 months, there has been a growing awareness among OEO officials of the importance of the problem of the elderly poor, and many programs for this age group are just now beginning to get off the ground. One big factor in the development of these programs has been the creation of the new position known as Assistant Director in Charge of Programs for the Elderly Poor, and the appointment several months ago of an able individual to carry out this responsibility.

By now, I believe it is evident to everyone that if this agency is funded at the level of the last fiscal year, the programs which will suffer most are the new programs, and those designed to assist the elderly poor are among the most important of these.

Operation Green Thumb is one such program. It has earned widespread acceptance and praise. The foster grandparents program, though administered by the Administration on Aging, is funded through OEO. And it has been enthusiastically received wherever established.

Perhaps the most potentially far-reaching program in this category is Project FIND. The Committee on Aging received a vivid report on the progress of this program at a hearing last week. I also note that the final version of the Economic Opportunity Act Amendments of 1967 authorization bill provided for establishment of a program called senior opportunities and services. In essence, this program would broaden the Project FIND concept and provide its services in many more communities.

Mr. President, such worthwhile projects should not be reduced to ineffectiveness because of arbitrary cutbacks—without even a word of debate, as happened in the House. I am happy to say that the Senate Appropriations Committee, yesterday, gave due weight to the months of painstaking work put into this bill by the Senate and House committees and appropriated the full amount of the authorization. I urge the Senate to approve the full $1,980,000,000 which the Senate and House authorized, so that the newer OEO programs—and especially those for the elderly poor—will have an opportunity to prove their worth.

ADDRESS BY P. N. BROWNSTEIN BEFORE NATIONAL ASSOCIATION OF HOME BUILDERS

Mr. McINTYRE. Mr. President, speaking before the National Association of Home Builders in Chicago a few days ago, P. N. Brownstein, Assistant Secretary Commissioner of Housing and Urban Development, noted that mortgage money—the lifeline of the homebuilding industry—will continue to be costly.

Current demands, he said, are extremely high, with the possibility of a large Federal budget deficit further aggravating the situation.

There are many alternatives to be considered for correcting the persistent imbalance in the credit markets, according to Mr. Brownstein, including passage of the temporary 10-percent surcharge proposed by the President. Mr. Brownstein told the homebuilders:

> Certainly increased taxes are popular with no one, but from the standpoint of this industry, there is just no reasonable alternative.

Since so many Senators are interested in learning all they can about the surcharge proposal and the possible alternatives, I ask unanimous consent that Mr. Brownstein's well-reasoned remarks be printed in the RECORD.

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

A LOOK INTO THE FUTURE OF THE HOMEBUILDING INDUSTRY

(Remarks by P. N. Brownstein, Assistant Secretary Commissioner, Department of Housing and Urban Development, Federal Housing Administration, before the National Association of Home Builders, Chicago, Ill., December 5, 1967)

The life line of the home building industry is, of course, the supply of mortgage credit. And to borrow the lead line from Casey at the Bat—the outlook isn't brilliant. Demands, from competing sources are at extremely high levels. The possibility of financing a large budget deficit has further aggravated the condition.

These were some of the elements which prompted the President to urge the passage of the 10 percent income tax surcharge. Certainly increased taxes are popular with no one, but from the standpoint of this industry there is just no reasonable alternative.

And let me say further that while President Johnson's surtax proposal will go a long way toward providing the economic stability so sorely needed at this time by reducing inflationary pressures and some of the capital demands brought about by an overheated economy, it will not by any means be a cureall.

Mortgage money is going to continue to be costly. And we must face up to the fact that if the home financing market is to get its fair share the yield to the investor will have to be competitive. Traditionally in times of tight money supply the FHA and VA borrowers are at a competitive disadvantage. The discount device just doesn't work when the fixed interest rate gets completely out of line with that obtainable on other securities.

You just can't drive railroad spikes with a tack hammer. And while we would like to see interest rates lower we must recognize that the important thing for this industry is to have a flow of credit.

The Senate Banking and Currency Committee chaired by Senator Sparkman has recognized this necessity by reporting out a bill which would permit fixing the FHA interest rate at a competitive level. It seems to me that this is the only direction we can go if FHA borrowers are to have their financing needs met.

The mortgage credit facts of life tell us that, for the immediate future, we are going to have to work within boundaries, even if they are not too clearly defined.

As far as the Federal Housing Administration is concerned, we will be paying particular attention to the housing needs of low- and moderate-income families. We are going to do this without sacrifice to our other activities. Traditional programs will continue.

What I am talking about is a shift in the emphasis of the FHA that is for the good of all concerned.

This is the path we must travel if the agency is really going to serve the housing needs of all the American people.

Mortgage insurance should not be set aside for one group, or one area, or one neighborhood.

This is the goal that we have set for FHA, and it is entirely within our capability.

There are good and apparent reasons why FHA must make its presence felt more and more in the inner city areas and in the low- and moderate-income markets.

The crisis in our cities requires this.

Rioting, sniper fire, and looting, this past summer, gave chilling evidence of the explosive frustrations that ferment in the slums and ghettos of our cities.

It was shocking. It was disturbing. And it certainly brought home the gravity of city problems.

Responsible persons throughout the country are searching for a better understanding of the causes of urban strife.

As always, there is a temptation to come up with quick and easy answers. But there is no instant solution—just add water and all will be right and good. There is no panacea. There is only a Pandora's box which must be opened and cleansed.

The causes of urban discontent have developed over time. They are deep-seated, and fundamental.

The solutions, too, are going to have to be basic. They must strike at the root causes, not merely deal with symptoms.

FHA cases in central city areas have climbed steadily from about 200 a week in August to about 800 to 1,000 a week currently. Considering the current stringency in the mortgage market I think this is a very creditable showing. And of interest to builders, some of these units involve new construction.

This is a healthy sign of renewed credit life in older neighborhoods.

It also indicates that traditional mortgage lenders are more sympathetic to the areas they left behind in the crush of post war business in the suburbs.

We would like to see a companion resurgence of builder interest in inner city neighborhoods.

FHA field office directors are going to be knocking on builders' doors to encourage this, and we believe that enlightened self interest will mean active participation.

Bringing lenders and builders into the inner city is something that I consider to be an FHA mission of the highest priority.

From your point of view, building activity in the inner city makes good civic sense, and it makes good business sense.

Just yesterday, for example, Secretary Weaver announced the allocation of $24.5 million in below market interest rate funds for a major private residential rehabilitation program in the heart of Boston.

The project is substantial enough to attract a number of builders, and it has done just that.

I am hopeful we will have more large-scale local programs like this, and that more builders will turn their talents to the rehabilitation field.

This is something that is needed, because rehabilitation as a vehicle for revitalizing older neighborhoods is assuming tremendous importance.

It is part of virtually every successful model cities proposal, and it is certain to be well represented in future ones, and in other city planning.

We who deal with the form and substance of urban life are faced with the urgent necessity of coming to grips with a variety of stresses which tear at the fabric of the American city.

Decent housing is a paramount and pressing need that must be met as quickly as

possible. There are other voids to be filled to answer social, economic, educational, and health care problems.

President Johnson's vision for the rejuvenation of our older city neighborhoods through his farsighted model cities program encompassed a concerted and comprehensive assault on all these interrelated urban ills. He called for a concentration of effort to get the job done.

In giving direction to the program, the President said we must "join together all available talent and skills in a coordinated effort, and mobilize local leadership and private initiative, so that local citizens will determine the shape of their new city."

This concept is the heart of the model cities program. It is guiding FHA policy as we undertake new responsibilities as a major participant in the model cities effort.

The city is the front line. It is where the action is, and where FHA must be to get the low-income housing job done.

On the new construction side of the low-income market, FHA moved ahead about as far and as quickly as it can with the rent supplement program.

The program was funded about 18 months ago, and we are now getting new construction onto the market to serve the poor.

If I had my wish, all of the 34,000 units for which we have reserved rent supplement funds would be on the market today. As it is, we are paying rent supplements on about 1,400 units, including some in new construction.

This is a creditable performance, when one considers the time needed for planning, for processing, and for actual building.

It is creditable, probably realistic, but still short of what is needed. I can assure you the FHA will continue to press with all the vigor and energy at its disposal for completion of what is started, and for starting those which now are on paper.

Congress has continued the program with $10 million in new contract authority. But, we have a sizable backlog of cases against which to apply the new funds.

I expect that it will not be too long before we will have earmarked this new money.

There doesn't seem to be any prospect that demand for the program will slough off, so we then will need funding.

We're going to continue to support this program and to ask for the necessary backing so that it can fulfill its promise in meeting the housing needs of low-income families.

The rent supplement program and the 221(d)(3) program are excellent vehicles for builders at this time.

They are good business always, but the state of the money market should make them especially appealing now.

Life insurance companies gave strong support to financing for rent supplements when they allocated $1 billion for use in older neighborhoods.

At the present time, most of the allocations by the life companies have been for permanent financing of rent supplement projects—some $27 million, so far.

I don't think we can discount use of the fund for single-family mortgage financing, even though its initial impact has been in the multifamily field.

Right here in Chicago, for example, Metropolitan Life has set aside $3.5 million for single-family homes, and FHA responded quickly by issuing conditional commitments.

The below market interest rate program is now well established and I need not tell this group the virtues of 3 percent money. Our current problem is trying to make reasonable and equitable allocations of our funds which fall far short of effective demand.

Another recent step by the FHA should have the effect of producing more housing for the low-income market.

Ten teams of two men each are brushing away the cobwebs from project cases that stalled after we allocated below-market interest rate funds or reserved rent supplement funds.

We want to find out if the dust on these cases has any FHA fingerprints. Housing for the low- and moderate-income families is too desperately needed to let projects lie dormant.

We are going to get them moving, or we will start again with sponsors who are ready to move ahead. There will be no equivocation of our intent to proceed.

These projects are not the refuge of those who want a newspaper clipping of their intent to do good, or those who want assurance of a backlog of work.

The housing is something that needs to be realized. We want the housing for the people who need it now, and not an inventory of paperwork projects.

My charge to the teams in the field was to move rapidly everything that could be moved, and not to sacrifice quality. And I reminded them that prudence is not synonymous with long delay.

The teams have been at work for several weeks, and their job so far has been impressive. The survey has resulted in 146 mortgage insurance commitments covering 17,198 units.

Through efforts of the teams, some $55 million has been recaptured for allocation to projects with greater promise for moving ahead quickly.

We are going to keep at this job of prodding our own personnel and sponsors until we have the flow of housing for poor and near-poor families moving the way it should.

Foot-dragging and dust-gathering are two things that are going to go from the FHA processing scene.

This is one area of recent criticism of the agency for which there is some justification. We are working on this right now, and there is no reason why we can't do for multifamily processing the kind of job that we did for single family cases.

Aside from this, assessing the criticism of FHA has not been easy because it is representative of widely divergent viewpoints.

In some quarters the agency has been labeled too liberal. In others, it is too conservative.

I do not see how we can be all things to all men. But what we intend to do is the job which we view as critical to meeting our country's housing needs.

It has been suggested that FHA is too wedded to the suburban, split-level market to adapt to the needs of families of low income, especially those in the inner city.

This simply is not so.

No agency of Government in being or that might be created could answer the needs quicker or better than can FHA.

The agency has a breadth of knowledge and wealth of experience in housing construction and finance that is unparalleled.

I see no reason why this know how cannot and will not be channeled into meeting the housing needs of all income groups.

FHA has always been equal to the difficult housing tasks at hand, whether they be pioneering a new concept of mortgage finance, meeting postwar housing demand, or helping to finance housing for the elderly or handicapped.

Today, the difficult task at hand calls for us to marshall our forces with industry and to bring them to bear to bring decent housing to the inner city.

With industry's help, we are going to be worthy of FHA's heritage.

Together we are going to win the struggle for decent housing for the low-income families, the disadvantaged, and the discriminated against who live in the hearts of America's cities.

SUMMARY

Mortgage money is going to continue to be costly, and we must face up to the fact that if the home financing market is to get its fair share, the yield to the investor will have to be competitive.

The Senate Banking and Currency Committee has reported out a bill which would permit fixing the FHA interest rate at a competitive level. This seems to be the only answer if families who want to buy with an FHA-insured mortgage are to have their financing needs met.

Within current money market conditions, the FHA will be paying particular attention to the housing needs of low- and moderate-income families, but without sacrifice to the agency's traditional programs.

More and more, FHA is making its presence felt in bringing decent housing into inner city areas through financing assistance.

FHA assumption of risk and its new policy emphasis on meeting housing needs of the poor and near-poor, are encouraging lenders and builders to be sympathetic to housing needs in central city areas.

To accelerate creation of this much-needed housing, the FHA has an intensive effort under way in the field to speed processing of project proposals, weed out those that are not moving, and assign the funds involved to new projects that will.

So far, the survey has resulted in 146 mortgage insurance commitments on 17,198 housing units, and the recapture of $55 million for assignment to faster moving projects.

RELIEF OF CERTAIN EMPLOYEES OF KELLY AIR FORCE BASE

Mr. TOWER. Mr. President, I wish to voice my support today of H.R. 8096, a private bill which would relieve some 73 employees of Kelly Air Force Base from repaying certain overpayments. The measure was passed by the House recently and is currently awaiting the action of the Committee on the Judiciary.

The bill is particularly meritorious, for it was no fault of the employees that they were overpaid; it was not carelessness, but rather a ruling by the General Accounting Office that changed an interpretation of the regulations.

These people should not be punished for following what they believed to be the letter of the law. I therefore ask for expeditious and affirmative consideration of this matter.

THE PLIGHT OF HAITI

Mr. HARTKE. Mr. President, I invite the Senate's attention to an article by Jeremiah O'Leary, published in the Washington Sunday Star of December 10, referring to the sad and potentially explosive situation in Haiti.

The article speaks of the two Haitian Marxist parties and their further unification in the cause of overthrowing the present Haitian Government. Concurrent with this is the fact that Radio Moscow recently initiated a daily, half-hour broadcast to Haiti in the French Creole dialect.

This is another step in the steadily worsening commentary on this island republic so close to us in the Caribbean. With approximately 4½ million people packed into a few cities and valleys of a country about the size of Maryland, we proceed to more basic arithmetic which offers little hope for the immediate future. Conservative estimates say half the population is unemployed, with the average per capita income about $65 a year,

and approximately 90 percent of the populace is illiterate. Fanning this abysmal poverty is one of the highest birth rates in the world.

The state of the economy is equally discouraging. Coffee is the principal crop, but it is grown wild and without any planning or picking schedule. Sugar production is now only about 80,000 tons a year. This leads to a truly incredible statistic: In 1788, Haiti exported $41 million worth of goods; in 1961, less than $40 million. The United States withdrew its economic assistance program from Haiti in 1963 though the United States, through the United Nations, still continues for humanitarian reasons to help the Haitians combat malaria and other diseases. The flourishing tourist business Haiti enjoyed a decade ago, even 5 years ago, is now practically nonexistent thanks to the Duvalier dictatorship and the negative publicity that the country has received abroad.

The charges against the Duvalier government, imagined or real, can be traced in large part to some overt acts and parliamentary decisions of its own. Succeeding five different governments which failed between 1950 and 1957, Dr. Francois Duvalier was elected to a 6-year term in September 1957. In 1961, he dissolved the existing bicameral Parliament and, with 2 years remaining in his term as President, Duvalier was "elected" to a second term later the same year. He then declared himself "President for life," 1964, backed ostensibly by a new Constitution which approved such a move. The existence of and continued reports of repressive measures by the "Ton Ton Macoute," Duvalier's personal police force, are constant reminders of the trouble brewing. With the passage of time, he appears to become more suspicious and paranoid; reports lately have said he has even deported and threatened to kill members of his own family.

The ingredients exist for another Vietnam, though, granted, there are historical and cultural differences. U.S. marines, incidentally, occupied the country from 1915 to 1934. The O'Leary article relates the ripeness of this betroubled republic and the complete breakdown in public order inevitable when Duvalier passes from power. Foreboding is the fact that there is apparently no one person or group to follow him capable of governing or maintaining public order in any democratic sense. The violence, bloodshed, and further deterioration of the economy and the citizenry's hopes, are prospects serious enough in themselves. A menacing and opportunist Communist Cuba scarcely 50 miles across the windward passage makes the situation all that much more ominous.

Mr. President, I ask unanimous consent that Mr. O'Leary's article be printed in the RECORD.

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

EVIDENCE RISES OF MORE RED INTEREST IN HAITI

(By Jeremiah O'Leary)

Evidence is mounting of an increasing Communist interest in Haiti.

The two Haitian Marxist parties reportedly have agreed to make common cause to overthrow the regime of President Francois Duvalier.

Informed sources here note that Radio Moscow recently began a daily 30-minute broadcast to Haiti in the Creole dialect.

This is the first time Moscow has beamed propaganda to Haiti although Radio Havana has been transmitting two-hour daily programs in Creole for several years, urging the Haitian people to overthrow Duvalier.

The Castro broadcasts lately have been saying that although few Haitians may be ready to take armed action, they should not wait for larger numbers because the traditional opposition may move first.

The broadcasts from Cuba are directed by Haitian members of the Party for Popular Accord (PEP) and the United Democratic party (PUDA) who live in Cuba and work with the Castro government to foment revolution in Haiti.

GROUP FORMS IN HAVANA

Earlier this year, a new group called the Haitian-Dominician Solidarity Organization was formed in Havana to promote overthrow by the Communists of both the Dominician and Haitian governments.

This organization, OSHD, has the backing of the Latin American Solidarity Organization, Castro's apparatus to foment revolution everywhere in Latin America.

Both PEP and PUDA exist underground in Haiti, although they are weak in relation to "Papa Doc" Duvalier's 15,000-man Ton Ton Macoute gestapo.

PEP shifted from inertness to a policy of training members for armed struggle in midyear.

Its central committee decided a "popular army" should use three tactics: urban action and guerrilla centers in the countryside and the rural "marragone."

U.S. FEARS BLOODBATH

The United States is watching Port au Prince with considerable concern, not because Washington admires the Duvalier regime but because of apprehension about what would happen in Haiti during the power struggle after the overthrow of Duvalier.

There are few officials here who do not believe the impoverished republic is ripe for a complete breakdown in public order if Duvalier dies or is deposed.

Such a breakdown almost certainly would result in bloodshed and require the Organization of American States to consider swift intervention.

Meanwhile, two colorful and quixotic figures have been in contact in the U.S. in connection with the ineffectual Haitian exile movement against Duvalier.

They are Henri Vixamar, 45, a onetime Haitian school teacher, who talks freely of forming a force to invade his country, and Col. Hubert Fauntleroy Julian, 70, the celebrated "Black Eagle of Harlem."

The significance of their contacts is that Vixamar has money and Julian is a veteran munitions salesman.

EXPELLED BY HAITI

Julian, who lives in the Bronx, has had many adventures including brief service with Haile Selassie during the Italo-Ethiopian War.

He was the subject of a State Department "white paper" in 1954 for trying to obtain arms for the leftist government of Guatemala's President Jacobo Arbenz. In 1958, Haitian police expelled him from the country and in 1962, the United Nations seized him in Elizabethville after he had had a short career as a sort of roving ambassador for secessionist Katanga.

THE DESALTING OF SEAWATER

Mr. ANDERSON. Mr. President, there should be somewhere in the RECORD a few remarks in connection with Senate Resolution 155. I believe I am qualified to speak on it, since for more than 10 years I have been interested in the potential of using nuclear power to desalt seawater. I have given strong support to the development of the U.S. nuclear desalting program, which is being carried on by the Department of the Interior and the Atomic Energy Commission. I have followed the program both from my membership on the Joint Committee on Atomic Energy and the Committee on Interior and Insular Affairs.

I completely support the general objectives of Senate Resolution 155. It is clear that there is an urgent need to solve the basic problem of the lack of water in the Middle East. Implementation of the objectives of this resolution would represent a fine effort to resolve this problem.

The problem is one, however, that will require a long-range solution; and I am hopeful that the adoption of the resolution will lead to the development of an overall program for the long-range solution to this problem. I am fairly certain that as a part of this solution it will be found that large-scale nuclear desalting plants will play the prominent role which has been proposed for them.

It should be clearly recognized, however, that the adoption of the resolution should not in any way interfere with projects already under consideration which provide for near-term contributions to the overall solution of the problem. Specifically, I refer to the proposed United States-Israel project for a large-scale nuclear desalting plant on which engineering and economic studies in depth have been underway since the summer of 1964. Considerable effort and more than half a million dollars have been expended by representatives of both Governments during the past 3½ years. I am informed that a supplemental report of the joint United States-Israel study group will be completed early in 1969. This study conducted by Kaiser Engineers and the Catalytic Co., for the United States-Israel Joint Board covers a project for 300,000 kilowatts electric and a range of 100 million gallons of water per day.

Indications are that there is considerable promise and need for a large-scale nuclear desalting plant in Israel by 1975. Accordingly, I strongly believe that it is essential that every effort be made to conclude the present studies and get on with the project. Accordingly, the adoption of the resolution should not interfere with the design and construction of the facility planned under the United States-Israel agreement.

It is my judgment that this specific project is consistent with the general objectives of the resolution and should be the first bilateral step of an ultimate regional program.

I believe the record of the hearings by the Committee on Foreign Relations, including testimony by Secretary Udall, Commissioner Ramey, and the State Department representatives, support this point of view. I also understand that the sponsors of the resolution are also of this view. I hope for success.

PERMANENT NATO NAVAL FORCE, ATLANTIC

Mr. SPONG. Mr. President, on June 21, 1967, I placed in the RECORD a speech by Adm. Thomas H. Moorer, who was giving up his post as NATO's Supreme Allied Commander, Atlantic, to become Chief of Naval Operations in August. In that speech, Admiral Moorer discussed a plan to convert the Matchmaker Squadron into a permanent multilateral NATO naval force, Atlantic. I endorsed the proposal.

Today, I am happy to note that the proposed Atlantic multinational force has been approved by the NATO Defense Planning Committee, which is meeting in Belgium. The NATO multinational naval force, Atlantic, with headquarters in Norfolk, Va., will become a reality on January 11, or shortly thereafter.

Basically, the new NATO Atlantic fleet will result from the conversion of the Matchmaker Squadron into a permanent force. The Matchmaker fleet, consisting of destroyers from the NATO maritime nations consolidated as a single force, has participated in various joint operations and exercises during the past 3 years. The command of the force has rotated among the participating nations, but the force has been under the overall direction of the Supreme Allied Command Atlantic, Norfolk, Va. Instead of existing continuously, however, the fleet has been organized for a few months and then disbanded in each of the 3 years of its being.

The approved fleet would be the world's first permanent multinational naval force. Although, like the Matchmaker, the force would consist mostly of destroyer-type vessels, other ships such as aircraft carriers and cruisers would participate in certain exercises, and the force eventually would probably become substantially larger than the Matchmaker fleet has ever been.

Although no definite commitments have been announced, it is anticipated that the United States, Great Britain, and the Netherlands will participate in the fleet. There is also the possibility that Canada, West Germany, Norway, and Denmark will contribute vessels. It is expected that the participating nations will rotate ships in and out of the fleet, with each vessel being assigned to it for about 6 months.

I have become increasingly convinced that Russian actions throughout the world are not designed to promote peace, and that the cold war is far from over. The Russians have just begun the construction of their first aircraft carrier, a vessel often associated with offensive rather than defensive strategy. In May 1967, a Soviet vessel collided with the U.S.S. *Walker* in the Sea of Japan. Increased Soviet activities have become apparent in the Norwegian straits. Soviet ships, which the U.S. Ambassador to NATO has said were infrequently seen in the Mediterranean in 1963, are commonly sighted now. Also, shortly after the Middle East crisis in May, Soviet vessels in the Mediterranean came close to matching U.S. vessels in number, if not in strength.

In such a situation, NATO presents one of our main deterrents to war. Certainly, there have been problems within the alliance, but the alliance cannot be abandoned simply because of the problems which have arisen. A similar organization, with the comparable purpose, strength and status could not be created or revived at will or in a short period of time. Our best hope, consequently, lies in working within and strengthening the existing structure and organization.

In recent years, increasing questions have arisen as to whether the European nations fully appreciate the extent to which their own security is involved with NATO and with the security of the entire Western World. No alliance can survive without the continued support and active involvement of its members. The standing NATO fleet will give the members of the organization the opportunity to show their support and willingness to continue cooperative endeavors against threats to Western peace and security. The agreement of the NATO Defense Planning Committee to the Atlantic NATO naval fleet is a significant indication of the Organization's desire to maintain its strength and preserve its role in the defense of the Western nations.

I congratulate the officials who have worked long and hard in Belgium to secure and modernize the North Atlantic Treaty Organization.

ADDRESS BY WILLIAM J. HULL BEFORE COOSA-ALABAMA RIVER IMPROVEMENT ASSOCIATION

Mr. HILL. Mr. President, on December 6, Mr. William J. Hull delivered the principal address at the annual meeting of the Coosa-Alabama River Improvement Association in Montgomery, Ala. Mr. Hull is a well-known attorney in Washington and specializes in law relating to water resources development. Mr. Hull is chairman of the legislative committee of the Ohio Valley Improvement Association and secretary of the National Waterways Conference. He is coauthor of a book published in May 1967, which traces the history and potential of our national waterways system and the development of Government waterways policy.

I commend Mr. Hull's speech to the Senate and ask unanimous consent that it be printed in the RECORD.

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

THE IMPENDING WATER RESOURCE CRISIS

(Address to the Coosa-Alabama River Improvement Association meeting, December 6, 1967)

It is a great honor to have this opportunity to address you. Your distinguished Executive Vice President, George Cleere, and I have worked closely together for many years. He never fails to do an outstanding job in presenting the position of your Association. He is held in the highest esteem by the Appropriations and Public Works Committees of the Congress and by the Corps of Army Engineers. You are fortunate indeed to have him on your team. The record of progress in advancing your excellent program is eloquent testimony to the solid competence and sturdy perservence of your effort, the high quality of your leadership and the loyalty and strength of your membership support.

You stand today on the threshold of achieving completion of the initial phase of your program which will provide new opportunities for economic development of your natural resources. But in common with other water resource development organizations throughout the country you face more difficult challenges in the future as you strive for the realization of the full potential of this richly endowed basin to meet the growing needs of its people. Neither your organization nor any of us concerned with water resource development can rest on our laurels or preen ourselves on the glories of past accomplishments, complacently expecting the future, by force of inertia, to evolve a long the trend lines of the past.

Indeed, I am convinced that if we are to achieve in the next decade the essential goals in water resource development that will be required to meet the demands of our expanding population, we will be called upon to mount immediately a united effort of public education and understanding of the program far exceeding in scale, power and sophistication anything of its kind ever conceived in this country.

Let us consider together the situation that confronts us. The population of the United States has now passed the 200 million mark. In the past 10 years we have added to the United States a population increase exceeding the total population of Canada. During the next 30 years we will add a population equivalent to our 1950 total, reaching 350 million at the end of the century.

With a gross national product approximating $2 trillion in the year 2000, our standard of living and related withdrawals of water will be rising even faster than our population, from a present daily level of 400 billion gallons to nearly a trillion gallons in the next generation. But while people and their water needs are multiplying, the available supply of water stays the same. Even now, in much of the country, most of our waste water is returned to the lakes and rivers to be drawn out and used again by our downstream neighbors. If we are to have the water we need for industries and homes in the year 2000 we will have to maintain its quality while using it over and over again.

The lesson is clear, however, that since the supply cannot be significantly increased, every feasible means to conserve and to use wisely must be employed. The problem is complicated by the unevenness of distribution. In the arid West water scarcity is a perennial problem. Other parts of the country are alternately harassed by devastating floods and periods of drought. The circumstances demand reservoirs and other control works, probably involving controversial inter-basin transfers, designed to collect water where it falls and to make it available where and when it is needed. In addition, as the quality of our water is deteriorating with ever-increasing pollution, Federal and local investments in waste treatment works on a vastly expanded scale will be needed to permit unavoidable reuse of water.

Thus one of the most compelling challenges facing the American people over the next three decades is the development of our water resources. The very survival of our civilization depends upon our skill and energy—our sense of public purpose—in meeting this challenge. We will ignore it at our peril.

The scale of public and private investment required to meet this challenge is of massive proportions. The Department of Commerce has recently released an estimate that expenditures of 66.3 billion dollars by all levels of government and private industry will be required over the next 13 years to provide for necessary water supply and waste treatment facilities alone.

Both the House and Senate Appropriations Committees in their reports on the Fiscal 1968 Public Works and Atomic Energy Appropriations Bill have highlighted the ur-

gency of an augmented scale of development. As the Senate Committee put it:

"The construction of works to preserve and protect our precious land and water resources cannot be postponed long without serious detriment to our domestic economy".

Experts in the field agree that to meet essential goals by 1980, annual expenditures for Corps of Engineers projects alone must be more than doubled.

The plain facts are that we Americans are starving the water resource base of the Nation's economic growth. Construction appropriations for water resource projects of the Army Corps of Engineers provide a suitable illustration. In the present fiscal year, the appropriations amount to just a little over 1/1000th of our gross national product. The meagerness of this allotment represents improvidence to the highest degree. We are confining our outlay in this vital sector of water development to hardly more than 1/1000th of the national livelihood, which that development could nourish so richly.

Neither are we responding in any adequate way to the rising urgency of the problem. Back in 1953, when the pressures for water resources development were much less immediate, we were investing in Corps of Engineer projects at about the same rate as now—1/1000th of our national product. Indeed, the high point of these appropriations since 1953, reached in 1965 was 0.14 of 1% of the gross national product. Since then it has steadily declined. Thus in the past 15 years, while water resource needs have been mounting in urgency our efforts has shown no significant response in relative magnitude.

Every year of delay will cost us that year's water resource contribution to our production and incomes. But it will cost much more than this. Construction costs are going up rapidly. According to the Association of General Contractors of America, construction which might have been completed in 1955 had risen in cost by 40% in the following 10 years. The inflation is continuing. When the hard reckoning of events forces us to act and to build in the 1970's the works we could have completed in the 1960's, the construction cost inflation will have greatly enlarged the budgetary burden. In combination with our loss in deferred benefits, we shall have been doubly penalized for our improvidence.

A program adequate to this challenge will admittedly require large additions to public investment. Some will ask: Can we afford to enlarge the outlays for water resources? There is only one answer: We cannot afford not to. The very wealth of the Nation, upon which the soundness of our Federal Budget rests, is a product of wise and vigorous development of our resources. Outlays for such development are in the nature of capital investments in the future of America to assure the productivity of the national economy and its prosperity for generations to come. It is profoundly misleading to regard such investments as current expenditures.

But we must not delude ourselves. The attainment of these goals, reasonable and essential though they are, will not be an easy task.

Recent experience shows all too clearly the extreme vulnerability of water resources programs to drastic reductions in times of budgetary stringency. We must, of course, concede some postponment in times of emergency for temporary overriding demands. But water resource development, already proceeding at far too slow a pace, must not be treated as a luxury item subject to disproportionately large or prolonged cuts in times of stress.

Let us consider for a moment the present state of affairs. For the past six or seven years there have been added to the Corps of Engineers program new construction starts representing a total cost about equal to one year's appropriation of roughly $1 billion. This rate of new work in relation to completions is about sufficient to maintain the level of the program—to keep the pipeline full. Actually, as we have seen, this is not enough. The rate of progress must be expedited if a grave water crisis is to be averted. For fiscal 1968, however, the total cost of projects added as new starts is reduced to only about $170 million, or one sixth of the total appropriation for construction, and approximately the same fraction of the total cost of projects being completed. At this rate, in just a few years, the Corps program will have dwindled to a trickle.

Nor is that the end of the sorry tale. A stretch out of construction schedules during Fiscal 1968 appears highly probable. A further deep cut into the Corps program for Fiscal 1969, reflecting the carry-over of Fiscal 1968 funds, is practically certain to be proposed in the President's Budget, coupled with stringent limitations on new construction starts and a further slow down of work in progress. It is readily predictable that the Fiscal 1970 program will involve a continuation of these restrictive policies with a still further curtailment in scope, unless a vigorous counter-attack is initiated promptly.

The response to these on-slaughts by political subdivisions of government, by organizations such as yours, and other interests dedicated to water resource development may take one of two forms: Either a selfish and short-sighted attempt by each to salvage as much as possible for itself, to the injury of other basin groups, or a concerted and statesman-like effort in cooperation with similar groups to convince the American people and their elected representatives of the National interest in an adequate, well-balanced program of development for the welfare of the entire Nation.

It is my firm conviction, based upon a profound sense of the community of our interests and of the rightness of our cause, that we will choose the latter course and that we must and will begin *now* to mount a united campaign to bring our message home to the American people, to preserve and enhance our national heritage, and to defeat the combination of narrow, selfish interests, academicians and bureaucrats, now arrayed against us.

Permit me in the time remaining to outline some of the problem areas with which, I believe, we must deal if our efforts are to succeed.

As I have indicated earlier, the problem of assuring essential progress in water resource development is one of priorities. If the public is convinced that our national commitment to such development must be expanded, it can and will be done.

As you know, one of the most serious obstacles to the development of informed public opinion is the persistent, well-financed campaign of misleading propaganda maintained by various special interest groups, designed to discredit various phases of our water resource program.

The standard technique of these interests in opposing a particular project is to brand the entire resource program as "pork barrel." They impugn the competence and integrity of the Corps of Engineers or other agencies of the Executive Branch and charge Congress with wasteful extravagance or worse.

Much of the public confusion and distrust of the water resource development program derives from certain sensation-seeking elements of the Press. Reader attention is, of course, more quickly attracted to a headline referring to a "Mammoth Pork Barrel Bill" than to one describing a "Water Resources Development Bill." It is easier to make snide comments about some Congressmen's "pet project" with suggestions of horse trading, than it is to present responsible reports on the merits of a project. When the public is misled by such biased reporting, it will distrust the agencies responsible for the water resource development program so urgently needed for our future prosperity. Such distrust can only hobble our advance to essential national goals.

For one thing is certain. The facts of our national performance in the water resource field will stand the most critical examination, if only it is fair and the resulting comment truthful. The truth is that no object of Federal concern is subject to more careful scrutiny, more searching analysis or more thorough and competent study than our water resource development programs.

But, knowing the facts as to the meticulous care exercised by the Corps, its attention to detail, the conservatism of its estimates and the objectivity of the Congress and its Committees in the review of Corps findings and their prudence in public expenditure for these purposes, is not enough. It is our duty to bring these facts to the attention of our fellow citizens so they may be assured that their funds are being wisely invested in water resource improvements essential to the general welfare.

We must take full advantage of every opportunity to counter false and misleading propaganda with an accurate presentation of the facts, for without broad public confidence in the merits of our programs, there is little hope of accelerating the pace and expanding the scope of these programs in accordance with growing needs.

Nor will success crown our efforts without vigorous and effectively expressed support from the citizens directly concerned. Without such support no project or program, however meritorious, is likely to win Congressional approval. Sustained local support has been a major factor in the progress you have enjoyed. I can only hope that similar organizations throughout the country will follow your example and that you will continue to broaden your base, to maintain your interest and enthusiasm and to enlist all appropriate assistance from the agencies of state and local government, the communications media, recreational groups, local water supply interests, and all others who can render effective support. In combination, all those who support various water resource programs represent a great majority of the American people. By united effort properly channeled and organized they can make their will prevail.

Increasingly in recent years, the attacks of those who would obstruct water resource development have centered on the standards or criteria employed in project evaluation in an attempt to establish unattainable standards of justification. You are all familiar, I am sure, with the grave difficulties presented a few years ago by the imposition under the "policy guidance" of the Budget Bureau, of criteria requiring determination of direct primary navigation benefits on the basis of so-called projected, water-compelled rates by competing modes of transport. The effect of this device was to make the cost to the shipping community of railway carriage alternative to a proposed waterway improvement appear much lower than the actual level of rail charges. This device blocked for about two years all navigation improvements and all multipurpose projects where navigation was a substantial element. Fortunately for us all, Congress last year reestablished by statute the previous technique for evaluation of primary navigation benefits which are again based upon a comparison of prevailing rates by water and other modes—a method which has served the nation well for many years.

Our experience in this situation illustrates the decisive influence that the standards or criteria employed by an Executive Agency exercise upon the recommendations sub-

mitted to the Congress. This in turn has a profound effect on the decisions of the Congress in carrying out its constitutional responsibility to determine whether or not a project shall be authorized.

Nor have we seen the end of this controversy as to the appropriate measure of primary, direct navigation benefits. Various academic groups have been engaged to study the criteria problem. There is a strong tendency among these groups—generally concurred in by Bureau of Budget economists,—to estimate transportation benefits on the basis of so called "long-run marginal cost" comparisons between water carriers and other modes. Again, this standard would assume imaginary low railroad costs instead of the actual rates which are the real alternative to a waterway improvement. Apart from the practical difficulties of estimating such costs, the decisive objection to this method stands unanswered by its proponents. Railroad rates are not generally based on costs but on the maximum which can be obtained from the shipping community in the absence of waterway competition.

Only when waterway competition exists will the rates of other modes be reduced. Thus if a waterway improvement is disapproved on the basis of a theoretical cost comparison, the public will be deprived of the benefit both of low-cost water transport and the lower water competitive rates of other modes which would normally follow construction of the improvement. A more effective means of blocking waterway improvement is difficult to imagine. The definition of navigation benefits recently enacted into law would prohibit the use of this method but we cannot ignore the risk of an Administration move to repeal that safeguard.

Now we are confronted with still another criteria proposal—concurred in, I am told, by many in the academic community—which would, if adopted, seriously curtail water resource development. This proposal put forward on the floor of the Senate by Senator Proximire of Wisconsin several times in recent months involves a steep upward adjustment in the discount/interest rate factor used to estimate costs of Federal funds for proposed water resource projects. These estimates are now derived from the average rate on outstanding long-term government indebtedness. The Proxmire proposal would substitute for this, the much higher estimated average rate of return obtained by private industry. This alteration would substitute for this, the much higher estimated average rate of return obtained by private industry. This alteration would charge a proposed improvement an exorbitant interest rate, artificially raising the estimated cost so as to make the improvement appear unjustified.

The theory is that funds employed in financing Federal projects are derived from the private sector and would be used for private investment if the projects were not built and, that the full measure of the Federal cost of the funds is the resulting loss to the private sector of the economy. Application of this theory would mean that the discount/interest rate for project evaluation would rise from about 3½% to between 10 and 15%. According to Senator Proxmire, use of a 10% factor would have resulted in benefit/cost ratios of less than unity for such projects as the Arkansas River and tributaries, the Cross Florida Barge Canal, the Kaskaskia River Project, Illinois, and the Missouri River levee system, and would thus have disallowed all these projects and programs and many more.

Time does not permit a full analysis of this proposal, even if a mere lawyer were competent to enter the lists of technical economic debate. Certainly it can be said, however, that any proposal which would have the effect of eliminating projects of such outstanding promise and national significance in on its face unsound. Further, the simple equation of Federal money costs to the rate of return on equity investments in private industry ignores the critical difference in the risk factors. It assumes unrealistically that those who invest in Federal Government bonds would otherwise put this money in equity capital rather than less risky securities. Even more important, it flatly disregards the fact that water resource projects stimulate private investment by reducing costs of transport and electric energy, eliminating hazards to life and property, and providing water supply needed for industrial operations. These benefits permit private investment on a scale which would not otherwise be possible and open up new markets and sources of raw material which create new wealth and contribute to the supply of more abundant goods and services at lower cost. The assumption that Federal investment in such projects is competitive with private industrial investment, like many theoretical models, it seems to me, bears little resemblance to the real world. The correct conclusion, which I confidently believe to be fully justified by our national experience, is that sound water resource development stimulates and supplements and does not hamper or restrict private investment.

Moreover the Corps of Engineers estimates of direct primary benefits have generally been proven by experience to have substantially understated. For example, the Ohio River canalization project was justified on the basis of estimated traffic of 13 million tons annually, while in 1965 this tonnage exceeded 100 million.

Finally, it may be helpful in contending with this high-interest rate proposal to recall that in the conventional benefit-cost analysis a vast range of secondary benefits involving contributions to national defense and important developmental and environmental values is not considered in the benefit-cost ratio. Until we are assured that these intangibles are given due weight and that direct primary benefits are more realistically forecast, application of the higher interest factor on the cost side of the equation would assuredly result in misallocations of resources through failure to construct essential projects which would be far more detrimental to the national welfare than those complained of by the proponents of this untried and highly theoretical approach, however impressive its academic sponsorship.

But I must warn you. This is a gravely serious matter. The proposal is strongly supported by powerful interests, both in and out of government. In resisting it we will be contending with the weight of opinion among professional economists and there is no present statutory safeguard against its adoption by the Executive Branch.

This leads me to a recommendation which I believe merits your most serious consideration, that is, that no standards for water resource project evaluation should become effective without Congressional approval. Too few of us are aware of the scope and consequences of the delegation of authority to the Water Resources Council by the Water Resources Planning Act of 1965. Under that Act, authority was conferred on the Council—consisting of the Secretaries of Interior, Agriculture, Army, Health, Education and Welfare and the Chairman of the Federal Power Commission (and, on matters relating to the navigation features of water resource projects, the Secretary of Transportation) to establish with the approval of the President "principles, standards and procedures for * * * the formulation and evaluation of Federal water and related land resource-projects."

It is well settled in our Constitutional law that the issue as to whether a particular water resource project or program should be authorized, being legislative in character, is for Congress alone to decide. *See Oklahoma* v. *Atkinson* 313 U.S. 508, 527. It is true, of course, that no authority to authorize projects was vested in the Council or the President. But the power granted to the Executive Branch set standards of evaluation is of such decisive consequence as to derogate seriously from the Constitutional authority of Congress with regard to project authorization. For the standards applied will shape the content and conclusions of the reports to Congress and thus, in practical effect, materially limit its legislative discretion.

It seems plain, therefore, that the power conferred upon the Council constitutes an excessive delegation of legislative authority. Under our Constitutional practice, it is for Congress to set standards governing the conduct of the Executive Branch or independent agencies. Here that process is reversed. The Council, not the Congress, sets the standards. I submit that as a minimum step Congress should amend the Water Resources Planning Act to provide that the principles, standards and procedures for the formulation and evaluation of Federal water and related land resources projects established by the Water Resources Council may become effective only with the approval of Congress as well as that of the President. Such a provision would follow the pattern established in the recent act creating the Federal Department of Transportation. This requires approval by both the President and the Congress of standards established by the Department for evaluation of proposals for investment of Federal funds in certain transportation facilities.

I would urge also that consideration be given to the provision of appropriate guidelines for the Council in the exercise of its authority so as to assure attention to pertinent issues of public policy in the evaluation of water resource projects. These might well include the relationship of projects to economic development, public health, national defense, regional rehabilitation, the balance of payments, restraint upon inflationary trends, and of course, to sound, comprehensive development of water resources. This would be fully consistent with the January 1961 report of the Senate Select Committee on National Waster Resources which stated:

"The water resources development job facing this Nation in the years ahead to 1980, and beyond, is of tremendous magnitude and complexity. Far more public understanding and support for the necessary programs will be needed than has been obtained in the past. It is essential that there be created a public sense of high purpose and responsibility for future governmental action in this field. Recognition must be given to the human values involved as well as to the economic values. There must be well organized public participation in the necessary activities in order that human needs can be met. This committee would emphasize the importance of planning the Nation's water development in terms of producing the most jobs at the highest income levels, while at the same time taking full advantage of the nonrevenue purposes associated with water development so that their capacity for improving the quality of life for the people of this country can be fully used."

As a helpful initial step toward the kind of legislation I have in mind for nation-wide application, I invite your attention to Section 206(a) of the Appalachian Regional Development Act of 1965 which calls for a plan of water resource development for the Appalachian Region "giving special attention to the need for an increase in the production of economic goods and services within the region". Consideration of developmental economic benefits in project evaluation promises to provide a needed impetus to water resource improvements in the Appalachian Region, including the navigation project on the Coosa now under study, un-

less, of course, by Executive action high interest rate or other discouraging concepts are imposed to nullify the enlightened approach adopted by Congress for the Appalachian Region.

By such measures as those recommended here Congress would be enabled to discharge properly its Constitutional responsibilities in the area of water resources development. It could, moreover, thus be reasonably assured of information and expert comment germane to the great issues of national policy involved in authorizing and funding our water resources programs. Even more important, the public could confidently assume that the fulfillment of our growing needs for water resources development would not be frustrated by application of unduly restrictive standards or by inadequate attention to all pertinent factors. It was most gratifying to note that the report of the Inland Navigation Committee of the Southern Governors Conference presented and approved by the Conference last September, urged adoption of these measures as safeguards against unduly restrictive standards of project evaluation. It is my earnest hope that water resource organizations throughout the nation will give their full support to this essential and constructive effort.

Finally, in our concern for sound and essential development of our water resources we must stoutly resist all proposals for special fees, taxes, tolls or charges on the use of Federally provided water resource facilities. Whether these charges take the form of tolls or taxes on navigation, as repeatedly recommended by the Bureau of the Budget, or entrance and access fees under the Land and Water Conservation Fund Act, or license fees on mooring, docking and other floating facilities imposed by fiat, their ultimate effect—apart from their profoundly detrimental economic and social consequences—would be to diminish use of facilities. Almost all navigation improvements contribute also to flood control, water supply, recreational opportunities, depressed area rehabilitation or other multi-purpose or public policy objectives. Similarly, provision of recreational facilities serves a variety of national welfare goals.

If, therefore, navigational or recreational use is reduced, justification of water resource projects based in part upon such use will be impaired. For, if any of the joint functions of a multipurpose project or program is eliminated or curtailed, joint costs must be allocated over a reduced number of elements and each charged a higher percentage of the total, with possible impairment or elimination of flood control, water supply, water quality control and other project features. These are risks we cannot afford at a time when accelerated action to deal effectively with our water problem in all its aspects is of paramount national concern. Whatever the justification of fees and user charges in order phases of Governmental activity, they have a sharply limited application in the field of water resources, where their imposition can exercise a gravely obstructive influence upon essential development. They are, indeed, highly inappropriate for imposition on publicly owned facilities constructed at public expense for the use and benefit of all.

The dominant public interest in preservation of our long-established toll-free waterways policy is evidenced by the fact that the Southern Governors Conference at both its 1966 and 1967 meetings recorded its opposition to waterway tolls or user charges in any form or in any amount and that the Mid Western Governors Conference this year took a similar position.

H.R. 11236, now pending before the Public Works Committee of the House, on which hearings have been completed, would prohibit access and entrance fees at Corps of Engineer projects as well as fees for use of minimum facilities, and license fees for private mooring, docking and other floating facilities. It is in the interest of all of us dedicated to sound development of our water resources that this legislation pass to curb the insatiable appetite of the Bureau of the Budget for fees and special charges.

A massive and challenging task in developing its water resources confronts the Nation. With vision and determination the job can be done. But it is imperative that the public understand its urgency and the true values at stake. False and misleading propaganda must be responsibly countered by objective presentation of the facts. Regional and local organizations must redouble their efforts and find more effective means for cooperative action in pursuit of common objectives. It is essential that Congress take all appropriate steps to develop and implement a truly adequate program under meaningful standards appropriate to so commanding a task, and that it rejects with unmistakable conviction all proposals for imposition of unsound taxes, tolls or special charges which would frustrate attainment of vital national water resource objectives. These conditions are basic to success in achieving goals on which our future welfare depends. We must see to it that they are fulfilled.

NEWLY PUBLISHED POETRY BOOK BY EDITH BANNISTER DOWLING

Mr. THURMOND. Mr. President, Mrs. Edith Bannister Dowling, the wife of an able and prominent South Carolina attorney and a noted authoress in her own right, has just published a new book of verse. Entitled "One for Sorrow, Two for Joy," it is a small selection from her poems in various genres—verses for children, dialect story-poems, light and longer pieces. One of the sonnets contained in the book "'Reflexions'—A Bottle of Perfume" was an American finalist in a sonnet competition of the Poetry Society of London. Eighteen of her other poems have been awarded prizes and Mrs. Dowling's more than 80 published poems have appeared in American publications ranging from Baby Talk to the Saturday Evening Post and the Virginia Quarterly Review.

This collection of verse is an outstanding contribution to the world of letters and marks another milestone in the unusual life of a most interesting and creative lady.

Edith Bannister Dowling was born in Liverpool, England but was brought up in the moorland area of North-East Lancashire near "Wuthering Heights."

While at Somerville College, Oxford, she broadened her publishing of verse and prose, which had begun with a poem at age 7, a story at age 10. Besides her regular appearances in undergraduate weeklies, and in the Oxford magazine, she had her writings printed in London publications as unlike as the Adelphi and Eve's Journal, and, away "down under," in Tomorrow and Art in New Zealand. A research degree of bachelor of literature followed the honors B.A., and led her for a while to early 16th century manuscripts, tutoring, work on "The Dictionary of the Older Scottish Tongue," and a study of the dialect of her home in the north. But film reviews, travel articles, and an amazing output of fiction and poetry paralleled all this. World War II found her stationed in New York, as film officer of the British Information Services; there she also did some broadcasting, lecturing, ghostwriting, editing, and acquired her Oxford M.A. American themes made their appearance in her writings, and also in her pen, pencil, and brush sketches. Her work began to be published in America.

Now Mrs. Dowling lives in South Carolina, on the inland waterway. Her husband, as I have noted, is an attorney in Beaufort and a State official; they have two sons and one daughter. Mrs. Dowling is a member of the English faculty of the University of South Carolina, lecturing at its regional campus, and is frequently a guest lecturer and poetry reader elsewhere.

I offer my congratulations to Mrs. Dowling and commend this book of verse to those who enjoy truly fine poetry.

PRIMITIVO GARCIA—A YOUNG HERO

Mr. SYMINGTON. Mr. President, recently in Kansas City a young man of Mexican birth, Primitivo Garcia, gave his life to protect his teacher from a gang of hoodlums. Primitivo, who was leaving a night class in English in preparation for American citizenship, refused to stand by and "not get involved" when several youths began to molest his young teacher, a woman.

Since his death from a gunshot wound incurred in the subsequent struggle, our entire city and State has felt the shock of losing so needlessly such a fine young man.

At a time when we read in the recent FBI report on crime trends that robbery in the streets has gone up 27 percent over last year, it is saddening to note that many Americans are unwilling to get involved. Primitivo Garcia's bravery and unhesitating action, while others stood by, is an example for all of us to remember.

I ask unanimous consent that an editorial about this sad matter, published in the Kansas City Call of December 1, be printed in the RECORD.

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

A MINGLING OF PRIDE AND SHAME

The whole city was pulling for the recovery of a Mexican youth who was shot when he went to the rescue of his teacher when she was attacked by a group of hoodlums as she left night classes at the Westport high school about two weeks ago. But he succumbed to his wounds Tuesday probably without knowing how his adopted city felt about him.

The hearts of Kansas Citians swelled with pride as they read of the heroic act of Primitivo Garcia who did what many a person refuses to do for fear of getting "involved" or of getting hurt. Fearing neither, young Garcia followed his natural impulse to protect a woman when he saw her being attacked. For his act, he received a bullet wound in the abdomen, the undying gratitude of his teacher and the admiration of a city.

As Garcia lay critically ill in his hospital bed, citizens contributed more than $11,000 to help pay his medical and other expenses and the fund likely will continue to grow because the people of this great city have been deeply touched by the deed of young Garcia.

Along with the rest of the city, we have a

feeling of pride in what young Garcia did and one of deep regret that he was wounded in performing what he considered his duty to womanhood. We also have a feeling of shame that it was a group of Negro boys who attacked the school teacher and who shot Garcia when he interrupted their criminal act. All groups have persons within them who are far from models of good behavior.

The five young hoodlums who knocked down the young school teacher and shot Garcia should be dealt with to the fullest extent of the law.

Garcia, a young Mexican studying to become a United States citizen, has set a fine example for many Americans who hesitate to do what this young man did. America needs more citizens like him and fewer like the five who would attack a woman and shoot a young man who sought to help her.

HUMPHREY: HE WALKS IN THE SHADOW

Mr. MANSFIELD. Mr. President, a penetrating article entitled "Humphrey: He Walks in the Shadow" was published in the Kansas City Star of December 3, 1967. The article captures the personality of our beloved Vice President as we in the Senate know him. The Senate has many "graduates" of whom we can be proud, but none more so than our Vice President.

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

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

HUMPHREY: HE WALKS IN THE SHADOW

(By Michael J. Kelley)

Hubert Horatio Humphrey, the vice-president of the United States, is a little like the fabled genie: He may appear only when summoned, and may perform only those tasks requested of him by the owner of the magic lamp, President Lyndon B. Johnson.

This is essential to understanding not Humphrey but the vice-presidency, an office that, by its nature, tends to obscure the man who holds it. A vice-president is responsible to only one man, the President, and therefore lives always in his shadow.

Yet Hubert Humphrey is as unobscured as any vice-president in American history. Under his old friend and Senate colleague, Lyndon Johnson, Humphrey has become the busiest, most responsibility-laden vice-president ever.

In any event Humphrey, by his nature, would be a hard man to obscure. The famous ebullience, the deep interest in so many fields, the phenomenal energy would be impossible to bottle up for long.

"He has an extra gland," says one senator admiringly.

Humphrey, now 56 years old, has come a long way in the 18 years since he entered the Senate, considered a brash liberal. He has come even farther from the Huron, S.D., family drugstore, where he slept in the basement so he could wake up at 5:30 o'clock and make breakfast for the truck drivers.

The question in 1967, is has he come as far as he will go?

As a stepping-stone to the presidency, the vice-presidency has proved most often a dead end. Martin Van Buren, in 1836, was the last vice-president to win the presidency in his own right.

President Johnson has made considerable use of Humphrey's oratorical gifts to explain policies to the American public; of his legislative experience and skill to lobby administration bills through Congress, and of his friendship with many foreign leaders to act as the President's "eyes and ears" in many parts of the world.

But the fact remains that the vice-presidency tends to politically obstruct a vice-president who, while very close to the seat of power, is still just as far away as anybody else.

The most important aspect of the office is its potential: Should tragedy befall, as it has twice in the last 22 years, the vice-president is suddenly President.

Assuming there is no tragedy, the only hope in 1968 for Humphrey's presidential ambitions, should he have them, is if Johnson should decide not to seek re-election.

That possibility, in Washington is considered best by squinting through a microscope, it is so small.

The speculation has been centering instead, around the thought the President might dump Humphrey for a running mate better able to bring him votes in the special circumstances of 1968.

One reason to discount this is that, while Johnson's poll ratings have dropped drastically, Humphrey's have remained basically firm. The lint of public uneasiness is not rubbing off on the vice-presidential clothes.

A close Humphrey associate provided another reason:

"If the President did it would just reinforce the feeling that Johnson is the kind of man who would swap someone for purely political reasons, regardless of their personal relationship."

Thus the Humphrey presidential aspirations logically would be aimed at 1972.

But while forthright and staunch as an advocate of the President's policies, Humphrey proves an artful dodger when asked about his own political future.

The Vice-President, who usually works an 18-hour day, was interviewed recently during a brief visit to Kansas City. It was early in the morning and at first he answered questions slowly, as though still a little sleepy. But as he warmed to his subject the words flowed ever faster, accompanied by waving hands, in the well-known Humphrey style.

He was asked if he had received any assurance from the President that he would be on the ticket, next year.

"I never ask for such assurance," he said. "The President is always very kind and friendly to me and generous in the comments he makes about me."

(At a press conference March 9, Johnson said: "I have never known a public servant that I've worked better with or for whom I have more admiration or who I thought was more entitled to the public trust than the vice-president.")

On the distant future—1972—and the possibility of a clash with Sen. Robert Kennedy (D-N.Y.) Humphrey said:

"I imagine if a man is in good health and there are no unusual developments of a catastrophic nature, then he can do what he is capable of. I would call it an open future.

"I'm not particularly concerned about Senator Kennedy right now. I don't think the world of politics is limited to Hubert Humphrey and Bobby Kennedy. There is a whole roomful of talent in the Senate and the House, and there are the governors. You can't predict that far ahead."

As he talked about the vice-presidency, Humphrey began to come more alive. The metallic voice grew a little higher, the gestures more frequent.

"As vice-president," he said, "you are a member of a team. That's the key. Thereafter I believe a vice-president has a responsibility of loyalty to the President, must be a working member of the team.

"This does not mean he should be without his own views and he has forums to express them in the house of government—in private talks with the President, to the National Security council, to the cabinet.

"There are limitations on a vice-president. As a senator you can be free and independent (he was), almost irresponsible if you want to (he was not). I have to be careful what I say lest it be considered in conflict with the President and because foreign governments watch this very carefully. It requires prudent judgment and yet you must be forceful.

"A vice-president can develop his own philosophy of the office. I believe in making it a very active one. In the past it has been inactive.

"Mr. Truman once told me the office is what you make of it. And the office by statute is getting to be a very, very busy one. I must tell you I feel mighty tired sometimes."

The single duty of the vice-president assigned by the Constitution is to preside over the Senate. By statute or presidential wish Humphrey works with the space program, the Peace corps and advises on marine development.

Humphrey also is the government's coordinator in the fields of civil rights and poverty—particularly in finding employment in private industry for ghetto youths. He is the liaison to the mayors of major U.S. cities, and works with governors and state legislative leaders.

In three years he has traveled more than 500,000 miles in and out of the country—last month, for instance, he visited South Vietnam, Malaysia and Indonesia. Some of his most effective but little-seen work has been with Congress, urging passage of administration programs. His method is to convince by the weight of argument. He has never been an arm-twister.

Humphrey in 1947 was co-founder of the liberal Americans for Democratic Action, which consistently rated his Senate voting record 100 per cent. But recently he has come under fire from the A.D.A. for supporting the President on Vietnam.

In September the A.D.A. national board voted opposition to Johnson's war policy. Humphrey has been accused of changing course from his former liberalism.

He was asked whether, in fact, he had.

"I think the A.D.A. and liberalism have both changed a great deal," he replied. "When I was in the Senate I voted for the Gulf of Tonkin resolution. I said then that it empowered the President to take whatever action was necessary. I said that it could and will mean war, a greater use of American manpower.

"I told them they should know what they were voting for, I pointed out that North Vietnam was an aggressor. I believe the exact same thing now. I said the same thing in 1961, when John F. Kennedy was President and we were embroiled in Laos and he spoke of the menace of Chinese communism. I talked then of the importance to the world of Southeast Asia.

"So I tell my friends in the A.D.A.—and there are quite a few new faces in the A.D.A.—that it isn't Humphrey that's changed and the record will bear me out.

"The A.D.A. has lost much of its usefulness because most of the positions it formerly held have been enacted into law thanks to the Democratic party. The A.D.A. is split right down the middle on Vietnam.

"A handpicked minority can do almost anything. When you get the full board together, with responsible officials present, our gang, then it's not so easy for them."

Humphrey then went into an explanation of the late President Kennedy's views in 1963 on Vietnam, on the domino theory as applied to Southeast Asia and on the threat of Chinese communism.

"He didn't change and neither did I," Humphrey said. "And the same A.D.A. that loved John F. Kennedy when he was alive, and even more after he died, should look at what he said."

Humphrey became even more animated when asked what he thought would be the principal issue of the 1968 campaign.

"The obstinacy and foot-dragging of the

Republican party in the 90th Congress," he said, in his best Democratic manner. "They have produced a record of partisanship above the national interest on the domestic scene. They vote in a bloc, almost, for example, against urban legislation.

"There is the quality of the President's leadership at home and abroad. I will be able to go to the American people with the most amazing record of splendid legislative accomplishment in the 20th century.

"There is the record of our international responsibility. I think our greatest accomplishment has been that we've been willing to protect and defend the cause of freedom in Southeast Asia.

"I think when the people have this explained and proved to them we can neutralize the issue of Vietnam. It is an issue I'm not going to run away from.

"Of course it depends on whom the Republican nominee is. If the candidate is Nixon or Rockefeller, they are pretty much on the same wave length with the administration. There are some minor differences, but then there always are.

"If it is Mr. Reagan, his position is much more extreme. If it is Romney I'm not sure what his position would be.

"I think when the American people come to vote for a President they want experience and the qualities of firmness and strength that a great man needs.

"They are not going to want a man who gets brainwashed, not a man who thinks with his glands, becomes emotional and extremist. They want a man who understands the use of power and knows how to exercise restraint in that use. It isn't important that a President win a popularity contest on the national scene, but that he be respected. Our President is.

"I'm not worried about a campaign against the present Republican contenders. They won't be so lilly-pure after they get through cutting themselves up during the campaign for the nomination (here he smiled broadly). They'll have a little guerrilla warfare of their own.

"I hope they put up the best they have in the field, because it is always good to win against the best competition."

Humphrey was asked whom he would most like to see gain the Republican nomination, and whom he thought would make the best Republican candidate.

"I wouldn't be so unkind as to say," he said with an impish grin.

Not saying at this point was politically wise. But Humphrey's tactics would be uncharacteristic because perhaps the better known attribute of the vice president is that he loves to talk.

Humphrey's critics continually score him for talking too much and accuse him of being willing to talk about anything.

"I can't help it," he once said, "I like every subject."

When he was the Senate majority whip the wags would say that no matter when you entered the Senate chamber, Humphrey was talking; that he didn't bother to file things in his office, he just entered them in the Congressional Record. Former Senator Barry Goldwater once claimed to have clocked Humphrey at 275 words a minute, "with gusts up to 340."

His critics call him loquacious and glib. His defenders call him eloquent, articulate and inspiring. At various times he has been all five. His defenders also point out that while he may be willing to talk about an amazingly wide range of topics, he talks about them all knowledgeably, and that in the Senate he was considered to have one of that body's best minds.

In a recent speech here to about 10,000 members of the Future Farmers of America Humphrey was at once talky and articulate. Sometimes he was inspiring.

The vice-president stepped up to the podium with a relatively brief prepared speech—and spoke for an hour and 10 minutes. The extra time was spent in a sincere effort to tell those young men, who reflected some of his own origins, what he had found life to be, to impart some of his vision of America.

It was genuine, spontaneous and typical of Humphrey, who immensely enjoys helping people, individually and en masse.

"I've seen him go into a coffee shop at 1 a.m. and stop and help a college student with a term paper," said Senator Walter F. Mondale, who was appointed to fill Humphrey's unexpired Senate term when Humphrey became vice-president. "He'd help people all day, then stay up until 2 a.m. to finish his work. This isn't for show, he doesn't send out a press release about it. It comes out of his hide. He does it because he loves it."

Perhaps the best measure of that particular Humphrey speech was that his youthful audience stayed right with him, with hardly a cough or shuffle of the foot.

The origin of Humphrey's love of oratory cannot be precisely pinpointed. But he has often referred to the long discussions about people and politics around the soda fountains of his father's South Dakota drugstores as part of the rich inspirational background of his life.

Humphrey is something of a Populist of the plains. His thinking, his attitude that he owes the world a living, his liberal philosophy, were shaped by the Depression of the 1930's and the small towns he grew up in.

He was born May 27, 1911, in Wallace, S.D., the son of Hubert Horatio Humphrey, sr., and Christine Sannes Humphrey. He attended public schools in Doland, S.D. In 1927 his father had to sell the house in which Humphrey was raised to pay bills. Undaunted, his father moved the family to Huron and opened another drugstore.

Humphrey left the University of Minnesota after two years, in 1931, to help out in the drugstore. He worked there the next six years, with only a brief time out to obtain a pharmacy degree in 1933 from the Denver College of Pharmacy (he is still a registered pharmacist). In 1936 he married Muriel Fay Buck, who used to come into the drugstore for sodas. They have four children.

At his wife's urging, and since the drugstore showed signs of surviving the Depression—it is still operated by family members—Humphrey returned to the University of Minnesota.

He and his wife both worked, and in two years he was graduated magna cum laude with a degree in political science and a Phi Beta Kappa key. He had also acquired a Big Ten conference debating championship. His debating partner was to be an important friend in later life—Orville Freeman, former governor of Minnesota and now Secretary of Agriculture.

The following year Humphrey moved on to Louisiana State University on a graduate fellowship. Muriel did typing to bring in extra money and got up at dawn to make sandwiches, which Humphrey sold to fellow graduate students for 10 cents each.

In a year he obtained his master's degree. His thesis was entitled "The Philosophy of the New Deal."

Back in Minnesota, Humphrey worked for the War Production administration, taught political science at Macalester college in St. Paul and had a radio show.

In 1943 he ran for mayor of Minneapolis and lost by 6,000 votes. The problem, as he saw it, was that the liberal vote was split between the Democratic and Farmer-Labor parties. By 1945 he had effected a merger of the two groups (he was later to cement the merger by expunging a growing Communist influence in the new party) and was elected mayor of Minneapolis by 31,000 votes.

He established a reputation by reorganizing the police department, cleaning out the brothels and gambling halls, improving social welfare and civil rights programs and obtaining enactment of the nation's first municipal fair-employment practices law.

He was re-elected mayor in 1947, and the next year was nominated to run for the Senate.

He received his first major nationwide attention at the 1948 Democratic national convention, where he led a group of liberals who sought a strong civil rights plank in the party platform. The plank was adopted. The direct result was the walkout of Southern delegations and the formation of the Dixiecrat party.

Elected to the Senate, Humphrey seemed, to some, intent on proving that he was just as brash as his opponents had labeled him.

In strong language he attacked Sen. Harry F. Byrd (D-Va.), in an early speech on the Senate floor. One by one the other senators filed out of the chamber, leaving him, finally, talking to himself. He needed, it was said at the time, to learn manners.

But soon, with the help of Lyndon Johnson, then majority leader, Humphrey was taken into the mystical, bipartisan "club" that runs the Senate, and long before 1961, when he was named majority whip, maturity had replaced the brashness.

In 1964 Humphrey, in what was probably the high point of his Senate career, steered the most meaningful civil rights bill since Reconstruction through a Southern filibuster and into law. His fairmindedness throughout the months-long effort earned him respect, rather than enmity, from his Southern foes.

Humphrey has consistently exhibited a desire to get things done. His mind is a launching pad of ideas, and to see them reach fruition he has many times, allowed the credit to go to someone else.

Some of the major legislative accomplishments of the last decade were the product, either directly or indirectly, of Humphrey concepts or, at the least, determination.

Medicare, which was the first bill Humphrey introduced in the Senate in 1949.

The arms control and disarmament agency, of which Humphrey is correctly called the father.

The limited nuclear test-ban treaty.

Federal aid to higher education (Humphrey authored the national defense education act, which provided the first federal aid to schools).

The Job corps, which grew out of a slightly different Humphrey proposal.

The Peace corps, which Humphrey proposed in a Senate bill months before presidential aspirant Kennedy picked up the idea.

* * * * *

Perhaps it is this attitude that is behind the fact that in the last few years Humphrey and business have been getting along better. It also may explain why, while Humphrey is still unacceptable in the South, he has become less unacceptable than he used to be.

But the basic liberalism remains. He once expressed it this way:

"I believe that if it is all right for we, the people, to be taught individually that compassion and charity are noble and moral and decent . . . now, if it is all right for individuals to be that way, what is wrong with a government that represents those individuals, a government of the people, by the people and for the people, to be that way?"

Humphrey sought his party's vice-presidential nomination in 1956 and its presidential nomination in 1960. He failed to get either. In 1964 he again wanted to be vice-president, and now he is.

On Capitol Hill most of his old Senate colleagues—on both sides of the aisle—still hold him in high regard. Several of them, in recent interviews, said that three years in the vice-presidency had not changed him, that he was still the same Hubert Humphrey.

"He's been an excellent vice-president," said one Senate leader, "loyal and effective.

His relations up here couldn't be better. 1972? We'll be with him, but a lot can happen."

What if sudden tragedy should catapult him into the presidency?

"It's a morbid thought. But if he did succeed he'd make a good President."

There is, of course, dissent.

"He's a very fine man," said another senator, "articulate and he knows a lot about politics.

"But as a (presidential) candidate, many people would wonder about his capacity to handle with firmness the problems we will be confronted with in the world. I'm just not sure because he changes his position so often. He gets caught up in his own vocabulary and enthusiasm. I question whether he would be firm enough in a crisis."

This doubt is not shared by Senator Mondale:

"Tough? Isn't he proving that with his stance on Vietnam in the face of all the criticism? In the Senate he always stood up for what he believed in. He was an internationalist and a domestic liberal long before it was thought one could survive that way in the Mid-West. I know few who have shown his courage. I regard him as one of the brightest men I've ever met, one of the most committed citizens I've ever known. He would make an outstanding President."

Hubert Humphrey today is the possessor of an office with influence but no power.

In "The Love Song of J. Alfred Prufrock," T. S. Eliot wrote what might, at least from the vantage point of the public, be a vice-president's lament:

"No I am not Prince Hamlet, nor was meant to be;
Am an attendant lord, one that will do
To swell a progress, start a scene or two,
Advise the prince; no doubt, an easy tool,
Deferential, glad to be of use,
Politic, cautious, and meticulous;
Full of high sentence, but a bit obtuse;
At times, indeed, almost ridiculous—
Almost, at times, the Fool."

Some persons tend to regard any vice-president in this light. But while Humphrey may now be something of an attendant lord, there are many who think he would make a good Prince Hamlet—maybe in 1972. And he certainly is no fool.

Humphrey would disagree emphatically with any such view of his office. He loves it, his aides say. And he has plunged into the job with the same fervor and dedication that have marked his entire career.

His best assets are the ones he has always had—a forceful, vibrant personality, intelligence, and a buoyant, expressive love of life, politics and people.

"He really does enjoy his work, the pace, especially meeting all the people— and sometimes he meets hundreds in a day," said an aide. "When he meets you warmly, with a smile, he doesn't turn after you've gone and say, 'Boy, I'm sure glad that —— left.' He really is glad he met you."

"He hasn't gone stale after 20 years," said Senator Mondale. "He loves new ideas, and there is probably more about what to do in 1990 in his speeches than in any other politician's. But even more than ideas he loves people, all kinds of people."

And, although events and circumstances will play their part, it will be, of course, people—all kinds—who will ultimately decide the course of Hubert Humphrey's political future. It is, as he said, open.

L. B. J. DESERVES CREDIT FOR GREATLY IMPROVED NEW BUDGET FORMAT

Mr. PROXMIRE. Mr. President, the Joint Economic Committee always keeps close watch on Government budget policies, and over the past decade the committee has proposed a number of far-reaching recommendations to improve budgeting systems. Within the last few months, two sets of Joint Economic Committee hearings have dealt with modernizing the budget—the first, looking into the new planning-programing-budgeting—PPB—techniques; the second, analyzing changes outlined by the President's Commission on Budget Concepts, the Kennedy Commission.

One recurring theme kept coming up in both the Joint Economic Committee's reports on budgeting procedures and in our recent hearings: Existing budget methods were often imprecise and misleading—not only to Congress, which must control the Nation's finances, but also to the general public.

Therefore, I find it quite gratifying today to report to the Senate that the administration will incorporate many Kennedy Commission suggestions in the forthcoming fiscal 1969 budget. I would like to congratulate the President and his Budget Director, Charles L. Schultze, the members of the Bureau of the Budget, and all others within the administration who have acted so positively by adapting the new procedures. It is particularly encouraging to note how many Commission proposals will now become standard policy; according to Budget Bureau announcement issued today:

> Virtually all of the basic changes which the Commission recommended, and which can feasibly be undertaken in time, will be incorporated in the fiscal 1969 budget to be submitted to the Congress early next year.

In addition, studies are now going on so that proposals not initiated in the fiscal 1969 budget may soon be applied. This step-by-step approach follows suggestions made in our Joint Economic Committee hearings with Commission Chairman David Kennedy and other leading budget analysts.

As a result of the changes undertaken in the new budget, there will be a single unified statement which reports on all funds administered by the Federal Government; the often confusing triumvirate of the administrative budget, the consolidated cash budget, and the national income accounts budget will be scrapped in favor of the unitary budget approach.

A second major change will be in the area of lending activities, which will not be shown in a separate "lending account" as distinguished from the "spending accounts."

The administration's action in adopting the Kennedy Commission recommendations represents a powerful forward step toward achieving our goal of effective economy in Government. Once again, I commend the Commission, the Bureau of the Budget, and the President for a job well done.

I ask unanimous consent that a news release of the Budget Bureau be printed in the RECORD.

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

NEWS RELEASE FROM BUREAU OF THE BUDGET

Charles L. Schultz, Director of the Bureau of the Budget, today announced that the fiscal 1969 budget will incorporate many of the basic recommendations of the President's Commission on Budget Concepts.

President Johnson asked 16 distinguished American citizens last March to make a thorough study of the Federal budget and to recommend how "this formidable document" could be presented in a manner that would help both the public and the Congress understand it better.

In requesting them to undertake the study, the President pointed out that the Federal budget affects the lives of every man, woman, and child. "Yet," he said, "because of its complexity and scope, there are few who understand it."

The Commission was headed by Mr. David M. Kennedy, Chairman of the Board of the Continental Illinois National Bank & Trust Company of Chicago, and included the chairman and ranking minority members of the Senate and House Appropriations Committees. (Names of members of the Commission are attached.) The Commission made its recommendations in October after a six-month study.

Virtually all of the basic changes which the Commission recommended, and which can feasibly be undertaken in time, will be incorporated in the fiscal 1969 budget to be submitted to the Congress early next year.

The fiscal 1969 budget will offer a unified budget statement to replace the three concepts presently in use—the administrative budget, the consolidated cash budget, and the national income accounts budget.

The Commission's report to the President stated:

"The Commission's most important recommendation is that a unified summary budget statement be used to replace the present three or more competing concepts that are both confusing to the public and the Congress and deficient in certain essential characteristics."

Director Schultze, in commenting on the changeover, said:

"The 1969 presentation will require some adjustment in public thinking about Government finances. For many years emphasis was placed on the single 'administrative budget' which excluded social security funds, the highway trust funds and other earmarked accounts whose receipts and expenditures exceed $45 billion. The new concept is much more comprehensive. It includes all the funds administered by the Federal Government. The totals of both receipts and expenditures in current and past years will, therefore, be significantly higher under the new concepts."

Under the new concept, the budget for fiscal 1968, as presented last January, would have reflected expenditures and net lending of $175.5 billion and appropriation requests of $192.8 billion.

Another major change under the new concept to be adopted in the 1969 budget is the segregation of lending activities, which will be shown in a separate "lending account" within the totals, but clearly distinguished from the "spending accounts."

In recommending this move, the Commission report stated:

"In measuring the economic impact of Government receipts and expenditures, many economists, including most of those consulted by the Commission, think that the budget should be analyzed with reference to a measure of surplus or deficit from which the loan transactions have been excluded."

Also to be incorporated in the 1969 budget will be a change in the treatment of the sale of participation certificates, which under the accounting rules in use until now have been shown as a deduction from Government spending totals. Under the new concept recommended by the Commission, participation certificates will, like borrowing and taxes, be treated as a means of financing rather than as a deduction from expenditures.

Three members of the 16-man Commission—Secretary of the Treasury Henry H. Fowler, Budget Director Schultze, and Indiana University Professor Robert Turner—had dissented from the Commission's recommendations on participation certificates—the only dissent appearing in the Commission's report. However, Secretary Fowler and Director Schultze recommended to the President that the Commission's basic recommendations on the budget presentation be adopted as a whole, despite their dissent on this point. The President agreed to do so. The net sales of these certificates are currently in the $4 to $5 billion-a-year range.

In announcing the new concepts to be blended into the next budget, Director Schultze pointed out that certain other recommendations of the Commission will require additional study and planning before they can be applied. Chief among these recommendations are those pertaining to the budget presentation of loan subsidies and the use of accrual accounting for both tax revenues and expenditures.

Conversion to accrual accounting requires extensive preparation and major changes in significant portions of the Government's accounting system. "Further study and preparation for accomplishing this objective has begun," Director Schultze said, "but it may take two years before the results can be reflected in the budget. The Commission's important recommendation in regard to budget presentation of loan subsidies will also be carried out at the earliest practical time but it, too, requires further technical study and development before the appropriate changes in the Government's accounting system can be made.

"The 1969 budget will recast the 1967 actual budgetary results, update the 1968 figures, and present the 1969 budget request under the new concept."

The new format will be reflected in all of the summary tables. Since this will be a "transition year" from the old to the new concepts, the 1969 budget will carry the administrative, cash, and national income account totals as supplementary information to provide a point of reference to past budgets. The new format will also give more prominence to the appropriations and other actions requested of the Congress.

PRESIDENT'S COMMISSION ON BUDGET CONCEPTS

David M. Kennedy (Chairman of the Commission), chairman of the board, Continental Illinois National Bank & Trust Company of Chicago.

Senator Carl Hayden, chairman, Senate Appropriations Committee.

Senator Milton Young, ranking minority member Senate Appropriations Committee.

Representative George Mahon, chairman, House Appropriations Committee.

Representative Frank Bow, ranking minority member, House Appropriations Committee.

Robert B. Anderson, partner, Carl M. Loeb, Rhoades & Co., New York City. (Former Secretary of the Treasury, 1957–1960.)

Henry H. Fowler, Secretary of the Treasury.

Winthrop C. Lenz, executive vice president, Merrill Lynch, Pierce, Fenner & Smith, New York City.

Paul W. McCracken, professor of economics, graduate school of business administration, University of Michigan. (Former member, Council of Economic Advisers, 1956–1959.)

Charles L. Schultze, Director, Bureau of the Budget.

Carl Shoup, McVickar professor of political economy, Columbia University.

Leonard Silk, economist and vice chairman of the editorial board, Business Week, New York City.

Elmer B. Staats, Comptroller General of the United States.

Robert Trueblood, senior partner, Touche, Ross, Bailey & Smart, Chicago, Illinois. (President, American Institute of Certified Public Accountants, 1965–1966.)

Robert Turner, professor of business and government, School of Business, Indiana University. (Former Assistant Director, Bureau of the Budget, 1961–1962.)

Dr. Theodore O. Yntema, department of economics, Oakland University. (Former chairman, finance committee, Ford Motor Co.; former chairman, research and policy committee, Committee for Economic Development.)

BLOW TO ECONOMIC DEVELOPMENT IN EASTERN KENTUCKY

Mr. MORTON. Mr. President, several years ago the old Area Redevelopment Administration financed a study which became the basis for one of the most ambitious undertakings in eastern Kentucky's program for economic development.

The ARA proposal, prepared by a consultant with $50,000 in Federal funds, was a virtual blueprint for step-by-step development of a complete wood utilization industry. By projecting complete utilization of timber—producing everything from lumber to kitty litter—the potential profitability of the enterprise was greatly enhanced.

With strong encouragement from Federal and State officials, the civic and business leaders of the Big Sandy Valley organized Kenwood Products, Inc. This area leadership, serving without pay as directors of Kenwood, raised approximately $325,000 from individuals representing nearly 1,100 families. Most investments are less than $250. This is not an easy area in which to raise funds of any kind, much less risk capital, but the people, most of whom had never purchased stock before, dug deep.

The Kenwood project's development cost for land, buildings, and equipment is estimated at $7.3 million, with an initial employment of 600 persons. In addition, the Kenwood tract would contain sufficient space for about 10 to 12 other industrial operations.

Kenwood's early growth was not without its problems, but the company has managed, up until now, to cope with each challenge, some of which emanated from the very Federal and State officials who encouraged the business in the first place.

Kenwood is now on the brink of disaster. Its collapse, which I deeply hope can be avoided, will pull down the money and hopes of hundreds of small investors, destroy a job potential of 600, and wipe out almost $2 million in private and taxpayers' money already invested in developing the 120-acre tract near Paintsville, Ky.

One of these small shareholders recently wrote me:

This program must succeed. If not, no other attempt at development would be possible, and Eastern Kentucky will drop back 20 years. Something must be done. Welfare programs won't do it. People on government payrolls won't do it, but completion of Kenwood will prove to be the first major step in curing our ills.

The early enthusiastic backing of Federal and State agencies that Kenwood would be backed "all the way" has waned to the point where the enterprise is threatened with extinction, even before the first log is cut or the first briquet is made, because the local people cannot raise the final $500,000 of a $7.3 million investment.

Approximately $1.8 million has already been invested in site purchase and development. This phase I work involved a combination of financing provided by Kenwood, the Commonwealth of Kentucky, the Appalachian Regional Commission, the Kentucky Power Co., the city of Paintsville, and the Economic Development Administration. This investment is now in jeopardy.

To finance phase II, involving construction of plant buildings and installation of machinery, Kenwood has obtained a $1.1 million first-mortgage commitment from the Realty Southern Corp. The major funds were to come from a $3.5 million second-mortgage loan from EDA—contingent on Kenwood's providing about $800,000 in equity capital. EDA has discontinued processing Kenwood's loan application until this money is raised.

Kenwood did an extraordinary job in raising $325,000, and I have been advised by the company that the remaining $500,000 presents an almost insurmountable obstacle. I can well understand this because the Big Sandy is not Wall Street.

Mr. President, I have contacted Kentucky's new Governor, Louie Nunn, to urge that every effort be pursued through State agencies to try to save this most important self-help endeavor. The birth of Kenwood received widespread publicity, and I can assure you that its death will be accorded similar treatment.

In connection with Kenwood's predicament, I ask unanimous consent to have printed in the RECORD a news article published recently in the Louisville Courier-Journal and the Paintsville Herald's editorial comments of December 6.

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

[From the Louisville (Ky.) Courier-Journal, Dec. 3, 1967]

PROJECT AT PAINTSVILLE: A DREAM FADING AWAY?

(By William Greider)

WASHINGTON.—On the highway south of Paintsville, Ky., a new 120-acre industrial site is virtually completed, developed largely with government money to serve a unique business venture in the mountains.

But the business itself—the promise of 600 new jobs and healthy ripples through the local economy—may die on the drawing boards.

"We've got a monument built out there," said Robert H. Sloat, of Paintsville. "We've got the drainage, the lighting, the paving and parking lots, the water lines, even the fire hydrants—everything but the plant."

Sloat is a young engineer who came from California to head Kenwood Products, Inc., a locally-organized corporation whose letter head boasts prematurely that it is the "first complete wood utilization center in the nation."

Perhaps it will be yet. But even Sloat concedes that the prospects are gloomy. Unless Kenwood's directors come upon a substantial chunk of risk capital, fairly soon, "it could wipe us out altogether," he said.

ONCE GENERATED BRIGHT FORECASTS

If that happens, it will be a melancholy ending for a proposition that generated a lot of bright forecasts. Four years ago, Kenwood Products was an early rallying point for government planners and private businessmen who believe that, with forced feeding, Eastern Kentucky can grow prosperous.

Much of that early optimism is still alive among the government planners, despite the poor outlook for this particular venture. Some of the businessmen, the lawyers and bankers and merchants who invested cash and personal energy in Kenwood Products, are not so sure.

One wrote to Gov. Edward T. Breathitt, pleading for help. He had persuaded a lot of his friends to buy stock in Kenwood, he said, as an investment in Eastern Kentucky's future. How could he face them again if the enterprise fails?

KENWOOD STORY POSES QUESTIONS

At the least, the story of Kenwood Products tells how very difficult it is for the government to induce substantial, homegrown economic development in the poverty pocket of Appalachia. It also poses questions about how far government agencies can or should go in promoting private risk-taking ventures.

The Kenwood project has enjoyed the help of considerable government investment—but that investment has not been enough to overcome the doubts of private capital.

Kenwood Products is a little different because it was not dreamed up by local entrepreneurs, angling for government subsidies to help them get at personal profits. The idea was formed in government offices, spelled out in detail by a government-financed study, then sold to the private businessmen.

The basic idea—which everyone still defends as feasible—was to create a complex of wood-products manufacturing processes on one site in order to overcome the main shortcoming of Eastern Kentucky's timber resource.

The mountains have an abundance of hardwoods—oaks, poplar, hickory. Most of them are second or third growth, small and scrubby compared with Western timber. It could be profitable, however, if a concern found a way to use all of each tree—instead of cutting lumber and discarding up to 60 percent as waste.

In the early 1960's, state officials persuaded a federal agency, the Area Redevelopment Administration (ARA) to put up $50,000 for a consultants' study. In 1963, the 400-page report, drawn by MacDonald Associates, was presented to business leaders in the river valleys of Eastern Kentucky.

WOULD YIELD MULTIPLE BENEFITS

It was a virtual "how-to-do-it" blue-print for launching a successful business, complete with plant layout and details on sales organization, marketing agreements and financing.

The business would operate a sawmill for lumber with the waste branches, chips, even the sawdust headed for a variety of secondary products—pressed particle board, charcoal briquets, woodworking specialties, pulp sales to paper mills, pallets and fence posts, even kitty litter.

The benefits would be multiple—substantial new jobs for the area, a sales outlet for the mountaineers' low-grade timber, and the blossoming of home-grown capital investment.

Business leaders along the Big Sandy River, which links Pikeville, Prestonburg and Paintsville with Louisa and Ashland on the north, picked up the proposal and raised the funds to organize Kenwood Products, Inc.

But, in Eastern Kentucky, one of the major obstacles to industrial development is the mountain terrain itself. Level, flood-free land is scarce, particularly if an industry needs as much as 120 acres.

That's where government subsidy played its major role.

The Kenwood site on U.S. 23, south of Paintsville, was purchased with private funds and held by the non-profit Big Sandy Industrial Foundation, but state and federal funds paid for most of the development.

ACCESS ROAD BUILT

The state Highway Department built a $60,000 access road so that construction workers could get to the site. The Economic Development Administration (EDA), the successor agency to the ARA, put up $425,000 for all of the grading, paving and other improvements to the land itself. The EDA also gave $284,000 to the city of Paintsville, along with a $70,000 loan, to bring city water lines to the site.

The land is on the Levisa Fork of the Big Sandy. But, since it is on the wrong side of the river from the highway, the state and the Appalachian Regional Commission went 50-50 on a $439,000 bridge, now nearly complete.

The public investment in the site itself is approximately $1.3 million, but Kenwood directors have been counting on even more substantial assistance in the business venture. Kenwood applied to EDA for a $3.4 million low-interest loan and also expected the federal agency to guarantee 90 per cent of another private loan for $1 million in working capital, the money to meet payrolls and so forth until sales returns come in.

LOAN APPLICATION SET ASIDE

EDA hasn't rejected Kenwood's business-loan application, but a recent letter from Ross D. Davis, the agency's director, explained that "we have discontinued processing the application" until further notice.

The problem is that Kenwood itself hasn't been able to raise its share of the stakes.

Under the prospective financing, Kenwood was expected to borrow $1.1 million from a private lender as a first mortgage and raise another $300,000 or so from local investors. After considerable difficulty, the private loan was arranged with a Dayton, Ohio, firm—but the local capital fell far short of the original hopes.

Kenwood's problems became apparent to the local leaders when their stock sales netted only about $325,000—against their goal of $1.5 million.

Sloat and the Kenwood directors now are searching for $500,000 to get the enterprise off the ground. They have enlisted the aid of Gov. Breathitt, who recently promised to do all he could in his remaining days in office.

"We are all grasping at this one last hope," said Sloat.

Trigg Dorton, a Paintsville banker and a Kenwood director, conceded, "This is no time to be looking for risk capital and this is a high risk because it's a new venture."

"It's just one of those speculative new ventures," said Dorton. "It just couldn't sell or wouldn't sell." Sloat concludes that "raising equity capital in this part of the country is practically impossible."

More than 1,000 people did buy stock at $10 a share, but most of it was in small chunks. Nearly all of what was raised has been invested in site improvements.

ABILITY TO PRODUCE DOUBTED

As for outside money, Sloat said, "The doubt that comes to people's minds is the ability of Eastern Kentucky to supply the work force and the raw materials. It just comes down to doubts about the ability of Eastern Kentucky to produce."

At one point, in desperation, Kenwood directors offered controlling interest to several national lumber concerns, including Georgia-Pacific and Weyerhauser, if one of them would put up the $500,000. They looked it over and said "no thanks."

The reluctance of potential investors was based on several concrete factors, according to government and Kenwood officials.

For one thing, other sawmill operators and lumbermen in the region opposed the proposal as a potential competitor for labor and timber, though no one considers this a major difficulty. Others questioned the heavy debt structure of the Kenwood Corporation and wondered if the operation could carry the load. Early this year, the market price on particle board, a key element in the company's prospective sales, fell sharply.

NATIONAL COMPANIES SKEPTICAL

The big national companies were skeptical, Sloat said, because Kenwood does not have its own substantial holdings of timberland. The directors do have supply agreements with landowners covering vast acreage; but that is not as secure as owning the timber itself. To some degree, the concern would have to operate at the mercy of small-lot timber owners.

However, perhaps the most serious flaw in the original government-financed feasibility study was the assumption that local capital would be readily available.

Harrod D. Newland, director of wood-products development in the Kentucky Commerce Department, said the complete-utilization concept behind Kenwood products is still sound and has influenced Kentucky's lumber industry considerably. But the consultant "was from the West Coast," Newland said. "They're able people. But their ideas of selling stock were based on the West Coast and the Eastern Seaboard. It's just not as easy to sell stock in Eastern Kentucky as it is in Chicago or New York or Boston."

If the original prospectus was, in fact, over-optimistic, that poses some sticky questions for the government agencies that originally promoted the idea and sold it to the local businessmen. Does the government bear some responsibility for the outcome. And, beyond the Kenwood episode, how far can the government properly go in wet-nursing a private enterprise into existence?

Sloat, for one, believes the state government, particularly the Commerce Department, should have helped more in promoting the venture, especially during the crucial months of the stock sale.

"Our problem is that our story has not been told loud enough," said Sloat. "If the state Department of Commerce had wanted to, they could have rendered a lot of help. This isn't a promotional scheme where people are going to make a private killing. The directors are willing to do anything to make Kenwood go, even their own removal."

Government officials are divided on the question of how far they should go.

COMMERCE DEPARTMENT PULLED BACK

After providing close technical guidance during the formative months, the state Commerce Department did pull back from the project once the private corporation was formed and functioning.

The department decided, said Newland, "that it's outside the province of a government agency to sell stock for a private company."

A conflicting view comes from John Whisman, an early architect of Eastern Kentucky development programs, who is now the states' representative with the Appalachian Regional Commission.

Whisman believes that Kenwood's experience demonstrates that the government, preferably the state government, must provide continuing technical and managerial expertise.

"I don't know when it will happen or how," Whisman said, "but there's a continuing gap between the government's ability to provide the technical assistance and the ability of private capital to pick it up and go with it. The implications are that we ought to do more—not less."

Of course, the involvement that Whisman proposes would mean additional risks for the government agencies. The more they commit themselves to promoting what is es-

sentially a private business, the more they are open to criticism from competing business—or from the taxpayers if the investment fails.

In the Kenwood case, EDA has protected the public investment in the industrial site. After all, if Kenwood doesn't use it, the land will be available for other industries and the site is a prime asset for the Paintsville-Prestonburg area. Officials at federal and state levels are confident that new plants will be attracted.

[From the Paintsville (Ky.) Herald, Dec. 6, 1967]

STATE AID SOUGHT—KENWOOD: "NOT DEAD YET"

Kenwood Products, Inc., the proposed wood-utilization complex whose site south of Paintsville is now complete and ready for plant construction, is "not dead yet", Robert Sloat said today.

Sloat, president of the company, said that hopes remain high for assistance in obtaining the necessary money to finance the second and largest phase of the project, that of actually building a plant.

A feature article on Kenwood in Sunday's Louisville Courier-Journal, entitled "A Dream Fading Away?" has drawn widespread comment, Sloat said, but the major hopes still lie with aid from the administrations at Frankfort and Washington.

The C-J article noted that Kenwood had taken shape as the result of state encouragement, and that the company had made every effort to raise necessary capital from private sources without success.

"The people who formed Kenwood were advised to try every approach," Sloat said, "and to turn to Frankfort if all else failed. That is where we now stand."

Biggest immediate hurdle in the company's development is a $500,000 investment, only about seven percent of the total projected capitalization but thus far an amount impossible to obtain. The company is scheduled to represent some $7.5 million in total, with more than $1 million already invested in the site, site improvement, a Big Sandy bridge, engineering and in operating costs. Most of that investment has been in state and federal funds, since an effort to sell stock publicly netted only about fifteen percent of the amount of private capital needed.

The Economic Development Administration has a $3.5 million loan ready for the company, but getting that loan requires that other $500,000. So far, neither individuals nor other businesses have been willing to put up the needed balance.

"Kenwood was advised that the equity money could come from any level," Sloat said today, "and it is possible that the Kentucky Industrial Development Financing Authority (KIDFA) can be of assistance. We are relying on aid, despite the fact that one of our problems has been a lack of support from any levels of both state and federal government."

Whether the company lives or dies presumably will be decided within a relatively short time. Should it succeed in obtaining necessary money, it will go into operation with the intention of employing some 400 to 800 people in all phases of wood utilization, from rough lumber to flake board. Should it die, it will leave a major industrial site of some 70 acres practically ready for occupancy with sewer lines installed, roads built, power lines in, and a bridge open.

Presumably the site would be available for another industry, although it is uncertain just how any income from the site could be used to provide a return on private investments.

Sloat, however, who has devoted nearly three years of efforts to bring Kenwood to life, is not ready to concede defeat. Neither, he says, are most of his directors.

"We are most hopeful that our latest efforts to gain help will yield result," he said, "and that Kenwood will become what it was designed to be . . . a major new industry, using Eastern Kentucky's resources and Eastern Kentucky manpower to improve our economy and our future."

The next few days should determine which way Kenwood goes. Breathitt leaves office next Tuesday, and if he is to accomplish anything, it must be done soon. Meanwhile, the company's future apparently will continue to hang from a slender thread.

ADDRESS BY SENATOR BARTLETT TO MARITIME TRADES DEPARTMENT, AFL-CIO

Mr. MAGNUSON. Mr. President, on December 4 of this year, the distinguished Senator from Alaska [Mr. BARTLETT] and I had the privilege of addressing the Maritime Trades Department of the AFL-CIO during their 1967 biennial convention.

Our subject, of course, was the current maritime situation, and there is no doubt that much can be said about this deteriorated industry so vital to our Nation's security.

Senator BARTLETT has long been considered by me as one having great knowledge and expertise in merchant marine matters. That knowledge and expertise is matched by his ability to discuss the vital issues involved in a meaningful and often entertaining way. Senator BARTLETT's speech to the Maritime Trades Department is an excellent example of these qualities.

I ask unanimous consent that his speech be printed in the RECORD.

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

ADDRESS BY SENATOR BARTLETT TO THE 1967 BIENNIAL CONVENTION, WARTIME TRADES DEPARTMENT, AFL-CIO, BAL HARBOUR, FLA.

I have a problem you may be able to help me solve—but let me warn you, I want the problem solved in a particular way.

My problem is how to interpret the relative silence which has greeted what so many of us have sought for so long—the introduction in Congress of a program to revitalize the American merchant marine.

At least some of you in this room know that in the past, discussions of how to accomplish that worthy goal have not been known for silence. To the contrary, "thunderous" might describe the dialogue which bounced around the various segments of the maritime industry.

And now, relative silence. Does this silence mean support for the proposed program? Or is it just the lull before another thunderous storm? Or does it signify nothing more than weariness with the entire question?

In my perplexity, I turned to great thinkers of the past in my quest for an understanding of silence.

I learned that Euripides "was wont to say, 'Silence is an answer to a wise man.'" That interpretation had a certain appeal to my ego, for I joined that wisest of men, the good senior Senator from Washington, in introducing the legislation in question, and was quite prepared to accept wisdom by association.

Then I turned to Robert Louis Stevenson, who warned me that, "The cruelest lies are often told in silence." That observation made me pause to ponder.

Further investigation turned up thoughts on silence ranging from silence is golden to silence is a colossal lie; from silence is bravery to silence is cowardly. Clearly, I was to get no satisfaction from the great thinkers of the past, but as so often happens in life, I found assistance not from a well-known writer, but from a working man, and most fitting in this instance, a seafaring man at that. In reply to a comment from a crew member, he reportedly answered, "All I want out of you is silence, and damn little of that."

Taking a politician's version of a poet's license, I would change that quote to read, "Accepting silence as indicating support, all I want out of *you* is silence, *but* damn little of that."

In short, we want your support, but we are going to need a little thunder and lightning to get this maritime program through Congress, and please do not forget the lightning in the interest of creating thunder, for as Mark Twain observed, "Thunder is good, thunder is impressive; but it is lightning that does the work."

As proof that thunder alone will not do the job, I would refer you to a certain article in a certain Washington newspaper not known for opposing the administration. The words and the tone of the article made it quite clear the thundering of those who believe a strong merchant marine is in the national interest has not convinced enough persons of the validity of that position. This article, under the rather vague heading of "news analysis," indicated that those of us in Congress backing a new maritime program were doing so for purely political reasons. I do not know who this analyst talked to, but he didn't talk to me. He didn't ask me why I, coming from a state with no shipbuilding industry, would consider such a program to be "of overriding political importance." Senator Magnuson's State of Washington has a minimal shipbuilding industry.

As a matter of fact, if he had asked me, he would have learned that I do consider the revitalization of our merchant marine to be of "overriding political importance" in the broad international use of the phrase. I would have told him what I have said so many times before, what needs no repeating to this audience, but which I will state again in hopes that repetition will lead to wider understanding.

A viable merchant marine is vital to the security of this nation, militarily and economically.

This nation needs its own ships to supply our troops in war and to carry our commerce in peace. Maybe a time will come—let us hope so—when man rules out war as a way to secure certain aims, but I do not foresee any chance that man will rule out economic competition as a means to gaining certain ends. If we are to be able to compete on equal terms in the economic struggle, we must be able to carry a significant portion of our commerce. Otherwise, decisions affecting our foreign commerce, our balance of trade problem, would be in the hands of those nations which have the fleets to carry our goods around the world. Even disregarding the fact that the Soviet Union has launched a program designed to give it the world's foremost merchant fleet, it makes no sense to place such decisions in the hands of countries which may or may not have *our* best interests at heart.

It would seem no one would have any problem understanding that message, but many people do, and for at least one good reason. For too long the thunder emanating from the maritime industry has more often than not been directed inward at other segments of the industry. The message that has reached the public is not the message of the relationship between the national security and our merchant marine, but a message of a fragmented industry squabbling among its segments, each segment seeking government aid to protect its own self interest.

The time has come for all segments of the industry to unite and speak with a single clear voice on the importance of the merchant marine to the nation. Only in that way, will the message get across. Only in that way

will you build the necessary support across the nation, in Congress and within the administration to get this new program passed.

You will recall at the outset of this speech I said I had a problem which I wanted you to solve in a particular way. I want you, and all segments of the maritime industry to demonstrate that the relative silence which has greeted this new program represents, as I am sure it does, widespread support throughout the industry for this program. In other words, enough silence for now. Let Senator Magnuson's proposal be the rallying point for the long sought unity needed to advance this most important industry. If you solve my problem in that way, then we can say, "Damn the silence, full speed ahead on educating the public on, first, the need for a viable merchant marine, and second, the need for the Magnuson program."

Neither the need nor the program should be difficult to sell, for the facts are there to support both.

Here, then is our message.

Our U.S.-flag merchant fleet has two functions—to carry our commerce and to supply our military forces. The resupply of more than 500,000 U.S. troops in Vietnam attests well to the latter function. Ninety-eight percent of all Vietnam cargo has been transported by ship.

As military planners have begun to understand more clearly what the need would be if our resupply fleet were subjected to the attrition of submarine and bomber attacks, or if another theater of operations, say the Middle East, were to open up, these planners have become concerned about the limits of our cargo lift capabilities. It is apparent that there could be times when foreign-flag shipping might well be unavailable to serve our military forces. There seems to be more concern today than previously that possession of a strong, efficient national-flag cargo fleet is an important military as well as commercial need.

There also seems to be a growing recognition that our U.S.-flag merchant fleet has reached dangerous levels of qualitative as well as quantitative unreliability. Our dry cargo fleet is on its last legs except for about 150 liner-type dry cargo vessels, operated by the subsidized operators and which have been built in the past decade. Approximately 75 percent of the dry cargo fleet will be 25 years old or older by 1971. It has become apparent that not only is this old fleet costly to maintain and operate, but that many of its vessels are near the end of their lives.

Since the end of World War II, the quantities of military cargo shipped overseas each year by surface vessels have been very substantial. In 1962, it is estimated that about 12 million revenue tons of military cargo were carried by government and private ships. Early this year, the total was estimated at the equivalent of 28 million revenue tons a year.

Clearly, there is cargo to be carried, and a need for that cargo to be carried in U.S.-flag vessels. What is true of that need in time of armed conflict is also true in time of economic warfare.

And if it is true that the security of this nation rests, at least in part, on maintaining an independent and effective merchant marine, it is also true that the nation cannot depend on foreign shipyards to build and repair our ships.

Only by constructing U.S.-flag vessels in American yards can we be assured of having shipbuilding facilities available and fully capable of expanding to meet any emergency. Certainly the construction of naval vessels alone will not make our shipyards an effective weapon of seapower. Vietnam has shown us the disastrous effects of allowing our shipbuilding industry to deteriorate as the result of cutbacks in merchant vessel construction.

In fact, on the ability of these yards to continue in business rests our ability to meet our defense requirements, preserve and create jobs, assist our balance of payments position, and advance the art of shipbuilding. Additionally, it is estimated that for every worker directly employed in shipbuilding, the jobs of three to five workers in outside industries are sustained. So the economic effects of building American are far broader and more inclusive than may appear.

That then is the message.

Here is the program.

On November 9, in introducing S. 2650, Senator Magnuson stated: "During my years in Congress I have introduced many bills which I believe essential and important to the future of this nation. But I cannot recall introducing legislation which was so vitally needed to correct a situation so greatly deteriorated. It is true that there are many issues of grave importance facing the Congress; none, however, is more urgent or more demanding of immediate constructive action than the crisis presented by the present state of our merchant marine."

S. 2650 authorizes construction subsidies for from 35 to 40 ships a year for a five-year period, extension of operating-differential subsidy to dry-bulk carriers, and incorporates a new system for construction-differential subsidy determination. It also authorizes the building of a fleet of nuclear vessels, $25 million for research and development, and $30 million for fiscal year 1969 for reconstruction of the reserve fleet.

The bill also extends a tax deferred capital reserve fund program presently in effect for subsidized merchant vessel operators to operators of fishing vessels as well as to presently nonsubsidized merchant vessel operators. Tax deferred funds may be accumulated under this program, but they can be spent only for the construction of new vessels.

Subsidies would be available for construction of large merchant vessels of modern design in various major categories of liners, tankers, break bulk, LASH, sea barge, container, roll-on roll-off, bulk carriers and tramps. The program will be reviewed by Congress at the end of the first 5-year program. The proposal will not affect the requirement of annual authorization of maritime programs by the new Congress. Prior annual congressional authorization for funds for certain programs of the Maritime Administration is now required pursuant to a law passed during this session of Congress.

The number of ships to be built under construction subsidy funds cannot, of course, be calculated precisely because of such variables as the mix or types of ships. For example, tankers and bulk carriers are much less costly per ton to construct than more complicated types of liner or passenger ships.

In the oceangoing trade, construction subsidy will be made available to tramp operators who express interest and can qualify under existing law. There are, and have been for some time, applications for a number of tramp or bulk types of ships pending before the Maritime Administration.

It is impossible to estimate the appropriations required for operating subsidy for each of the next five years. Obviously, it will be higher than present levels, as presently unsubsidized ships are brought under the program. But as more efficient new ships replace older vessels, there is a potential for significant per capita reduction in operating subsidy costs.

Operating subsidy will be made available to tramp operators in the oceangoing trade. Generally speaking, operating subsidy for tramps would be in lieu of the present so-called "fair and reasonable rates for U.S.-flag commercial vessels" under existing cargo preference laws. Problems here involve determination of standards of parity and the operating subsidy treatment which would be accorded older existing vessels as compared to new modern tramps.

Research and development in areas such as containerization, ship system productivity, nuclear propulsion, etc., should be substantially increased. Research should be both basic and applied, with emphasis on applied research in areas in which results can become operational within the next 5 to 10 years. Research and development programs involving surface effect ships are recognized as important, but should not be allowed to drain resources from areas such as nuclear propulsion which are, at this time, further developed and, therefore, closer to becoming commercially feasible.

A program for the building of nuclear vessels will be instituted promptly. Testimony developed in consideration of the proposed lay-up of the nuclear ship *Savannah* indicates that there are no technological barriers to proceeding with the nuclear ship construction program of vessels to be operated on certain trade routes where high speed and endurance, coupled with containerization and a high degree of mechanization, will make reasonably economic sense.

There is the program.

It is a good program. A program behind which all segments of the maritime industry could, should and, if my interpretation of relative silence is accepted, have united.

Some of you may have noted that thus far I have remained silent on the subject of the Federal Maritime Administration. I will leave it up to you to interpret what my silence on this question means. However, I would like to make a general observation about the future of the Federal Maritime Administration.

I believe its final resting place, and I trust my choice of words is not prophetic, will be determined by the support or the lack of support the administration gives S. 2650, both in seeking enactment and in carrying out its provisions.

If the administration strongly supports this new program, the case will be made that the Federal Maritime Administration will indeed get a fair shake within the Department of Transportation.

If the administration opposes the Magnuson program, a strong case will be made that the Federal Maritime Administration should not be placed in the Department of Transportation.

As you know, there are some members of the maritime industry who feel quite strongly about where the Federal Maritime Administration should be. I would hope that these persons would not allow the question of the Federal Maritime Administration to shatter the industry unity we need so badly. I would hope that what I consider to be a fine program, a program with a future, would not be needlessly sacrificed. In cautioning any one who might be tempted to make an issue of the Federal Maritime Administration at this time. I would refer them to some words of wisdom I did find in seeking to understand silence. It was the English poet Algernon Charles Swinburne who wrote, "For words divide and rend; But silence is most noble till the end."

With those words of wisdom I will end, but let me first remind you again, I only request damn little of your silence.

DISTRICT OF COLUMBIA AIR POLLUTION CONTROL ACT

Mr. TYDINGS. Mr. President, today the Senate is about to take a significant step forward to end the problems of air pollution in the District of Columbia. With the enactment of S. 1941, the District of Columbia will have for the first time broad-ranging governmental au-

thority to regulate all forms of air pollution and a central administrative agency to adopt and enforce regulations.

Joint hearings of two subcommittees of the Senate District of Columbia Committee—one presided over by the distinguished Senator from Oregon [Mr. MORSE] and the other presided over by myself—established beyond any doubt that Washington, D.C., has a serious problem of air pollution, and that unnecessary hazards to health and property throughout the entire Washington metropolitan area result from this pollution. It was also abundantly clear that the present legislative authority which the District of Columbia government has for regulation of air pollution is hopelessly outmoded and restricted essentially to smoke control without any recognition that the most dangerous forms of pollution are invisible, and that, in any event, the authority for air pollution control was spread haphazardly through at least four separate agencies of the District of Columbia government. S. 1941 corrects these serious deficiencies.

I urge the Senate to approve the bill, and I look forward to speedy House action on this vital matter.

HARRIS POLL SHOWS PRESIDENT JOHNSON OUT IN FRONT OF GOP LEADER, RICHARD NIXON

Mr. McINTYRE. Mr. President, the latest Harris poll, released yesterday, should provide even the most partisan Republicans with some serious reflection.

The poll shows Richard Nixon leading all Republican rivals as the choice for the GOP nomination. But it also shows that President Johnson would defeat Mr. Nixon decisively, by a 48- to 41-percent margin.

That is not to say that Mr. Nixon is a weak candidate. For the poll shows the President would defeat Governor Romney by an even greater margin—47 to 38 percent.

There is an obvious conclusion in this poll: No matter whom the Republicans put up against the President, Lyndon Johnson is running easily ahead.

I think all of the talk we have heard in recent months about 1968 being a "Republican year" is a bit premature. The campaign has yet to begin, but already the omens for the Republicans are far from hopeful.

This is hardly surprising. I should think that the Republicans by now would have learned that it is very difficult indeed to unseat a strong and purposeful President who has done his job extremely well.

Such a President is Lyndon B. Johnson. And the Harris poll and other public opinion surveys will reflect, more and more, the obvious fact that the American people do not change Presidents who are proven and effective leaders.

I ask unanimous consent that the latest Harris poll showing President Johnson moving out in front of all his Republican rivals be printed in the RECORD.

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

[From the Washington Post, Dec. 11, 1967]

THE HARRIS SURVEY: NIXON RUNS FIRST IN GOP WHILE TRAILING PRESIDENT

(By Louis Harris)

In pairings among a cross-section of Republican voters, former Vice President Richard Nixon now runs decisively ahead of Govs. Nelson Rockefeller, George Romney and Ronald Reagan as the choice for the GOP presidential nomination.

Yet among the voters of all parties, Nixon has again slipped behind President Johnson—by 47% to 44%. This represents a decided shift from early November when Nixon led Mr. Johnson for the first time by 48% to 41%.

Despite his now clear-cut ability to run well ahead of other contenders within his own party, Nixon continues to suffer from a nagging doubt among a majority of all voters that "he has lost too many elections."

He appears to be in the anomalous position of being able to win Republican primaries, but having difficulty sustaining an advantage among the electorate at large in the volatile changes of fortune between Mr. Johnson and the principal Republican contenders.

There is little doubt now, however, that Nixon is in a much more favorable position than his one announced opponent for the GOP nomination, Gov. Romney. In the latest pairings against President Johnson, Romney runs behind 38% to 47%, a slippage of 10 points since he announced his candidacy.

In addition, when pitted in his own Party against the leading Republican possibilities, the Michigan Governor now runs a poor fourth as the choice of only 8% of GOP voters. Back in February, Romney led the field with a 41% total against all other comers in his party.

Here are the results among Republican voters of the pairings of Nixon against his three leading GOP opponents:

Nixon versus GOP opponents—Total GOP voters

	Percent
Nixon versus Reagan:	
Nixon	65
Reagan	22
Not sure	13
Nixon versus Romney:	
Nixon	63
Romney	24
Not sure	13
Nixon versus Rockefeller:	
Nixon	52
Rockefeller	33
Not sure	15

In the Nixon-Rockefeller pairing, the former Vice President rolls up heavy majorities in the South, among those who voted for Barry Goldwater in 1964, among those over 50 and with rural and small-town voters. Rockefeller carries the Negro vote by a decisive 73% to 8% and gives Nixon a close contest in the East and West and among suburban and more affluent Republicans.

In the Nixon-Johnson standings, the former Vice President has not slipped back to his September showing when he trailed the President by 49% to 42%. But it seems that whenever Mr. Johnson shows even a slight sign of a comeback in popularity, Nixon falls behind.

Nixon continues to be widely respected for his experience in foreign affairs and his reputation for knowing how "to stand up against the Communists." His position in favor of further escalation of the war also is now winning him support.

The former Vice President also appears to have largely lived down old Democratic charges that he is "not a clean campaigner," and a minority of only 31% feels he "says one thing and means another."

But one label that seems to dog Nixon is the feeling that he is a "loser," still held by 56% of all voters. Another thing that might cost Nixon votes is that he invokes the memory of the 1960 election when he was the man running against John F. Kennedy. A substantial 42% of the voters say that when they think of Nixon, they "think of how he nearly defeated JFK in 1960." These voters split almost 2 to 1 in favor of Mr. Johnson, with a number volunteering that "it wouldn't be right to Mr. Kennedy's memory to elect Nixon now."

Voters were asked:

"I want to ask you some things that have been said about Richard Nixon. For each, I wish you would tell me if you tend to agree or disagree."

VIEWS ON NIXON

[In percent]

	Agree	Disagree	Not sure
Positive:			
He is experienced in foreign affairs	65	18	17
He knows how to stand up against the Communists	47	22	31
He is right to want to escalate the Vietnamese war	45	24	31
He is the only man who can unify the GOP	19	57	24
Negative:			
He has lost too many elections	56	32	12
When I think of him becoming President I think of how he nearly defeated J. F. K. in 1960	42	39	19
He says one thing and means another	31	43	26
He is not a clean campaigner	20	50	30

FISHERY RESEARCH IN THE U.S.S.R.

Mr. BARTLETT. Mr. President, the United States and the Soviet Union will conclude—perhaps today—negotiations concerned with the North Pacific fishery. It was my understanding as of late yesterday that probably the arrangement now in effect would be continued for another year. In my opinion this has been disadvantageous to neither country. Each, of course, would desire more concessions from the other, but negotiations do not always end that way.

In the meantime, I should like to invite the attention of Senators and all others interested in what is occurring in Russia, so rapidly coming to the forefront as a principal fish country, in respect to scientific research there. Therefore, I ask unanimous consent that an article entitled "The Main Objectives and Structure of Scientific Fishery Institutions in the U.S.S.R.," written by P. A. Moiseev, VNIRO, of Moscow, be printed in the RECORD.

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

THE MAIN OBJECTIVES AND STRUCTURES OF SCIENTIFIC FISHERY INSTITUTIONS IN THE U.S.S.R.

(By P. A. Moiseev, VNIRO, Moscow)

Many-sided fishing activities of the USSR, viz.: development and improvement of the fisheries, short and long-term (5–20 years) predictions of the sizes of catches of aquatic organisms, planning of the variety of fish products and improvement of their quality as well as attempts to find ways to increase the economic efficiency of the production, are based on the investigations and achievements of the home fishery science which in its turn also analyses and applies to the fishing experience gained abroad.

An extensive net of research fisheries

bodies responsible for investigations in the field of biology and reproduction of commercial resources, elaboration of methods of scouting and fishing operations, mechanization and improvement of the fishing and processing methods and increase in the efficiency of the fisheries, is established.

In regard to the nature of the water-bodies within the borders of which investigations are carried out, the research fisheries organizations are divided into marine institutes (responsible for the research of commercial species in the seas and oceans as well as of saline inland lakes, viz.: the Caspian and Azov Seas), river and lake institutes (engaged in the research of organisms inhabiting the inland natural fresh water lakes and rivers and artificial reservoirs), and pond institutes (responsible for fish culture in ponds).

As is known, the coasts of the Soviet Union extending to many thousands of miles are washed by 14 seas and 3 oceans. A lot of research institutions of marine fisheries are busy with the study of resources of the basins. They are as follows:

1. In the European part of the USSR, on the coasts of the Barents and White Seas:

Polar Research Institute of Marine Fisheries and Oceanography (PINRO) in Murmansk;

Northern Branch of PINRO in Arkhangelsk;

Atlantic Research Institute of Marine Fisheries and Oceanography (AtlantNIRO) in Kaliningrad;

Baltic Research Institute of Fisheries and Oceanography (BaltNIIRH) in Riga;

Marine Ichthyological Laboratory of BaltNIIRH in Tallin.

2. On the Black and Azov Seas:

Azov-Black Sea Research Institute of Marine Fisheries and Oceanography (AzcherNIRO) in Kerch;

Azov Research Fisheries Institute in Rostov-Don (AzNIIRH);

Odessa Whaling and Ichthyological Laboratory (AzcherNIRO) in Odessa;

Georgian Research Fisheries Station of VNIRO (GruzNIRS) in Batumi;

3. On the Caspian Sea:

Caspian Research Institute of Marine Fisheries and Oceanography (CaspNIRO) in Astrakhan with branches in the town of Makhachkala (Dagestan) and Turkmenian Research Laboratory in the town of Krasnovodsk;

Central Research Institute for sturgeon (CNIORH) in Astrakhan with Azerbadjanian Research Laboratory in Baku and Bank Hatchery on the Kura River and Pravy Rasdor Hatchery.

4. On the Aral Sea:

Aral Branch of the Research Fisheries Institute in the town of Aralsk.

5. On the Pacific Coast of the USSR:

Pacific Research Institute of Marine Fisheries and Oceanography (TINRO) in Vladivostok;

Kamchatka Branch of TINRO in Petropavlovsk;

Sakhalin Branch of TINRO in the village of Antonovo;

Amur Branch of TINRO in Khabarowsk;

Okhotsk Ichthyological Laboratory in the town of Okhotsk.

All the fairly extensive system of marine research institutes and laboratories attached to the State Industrial Fisheries Committee of the USSR is methodically guided by the All-Union Research Institute of Marine Fisheries and Oceanography (VNIRO) in Moscow, the Georgian Research Fisheries, Station (Batumi) being directly attached to it, and Odessa Whaling and Ichthyological Laboratory in Odessa.

Thus, more than 21 research establishments with a number of stations, experimental bases and vessels carry out research in the field of marine fisheries. About 4000 persons are engaged at the marine research establishments, out of which 1400 persons are research workers. The studies of the fisheries in lakes, rivers and reservoirs are also carried out by a number of organizations established in the basins and on the banks of commercially important rivers and lakes of the Soviet Union.

It should be mentioned that in the Soviet Union 21 million of hectares of area are occupied by lakes, the rivers extend to over 400,000 kilometers and the area of reservoirs averages one million hectares which is supposed to increase to 4 million hectares. In fact the inland fresh water bodies of the Soviet Union occupy a vast area which provides ample possibilities for development of the fisheries.

A number of research institutions guided methodically by the State Research Institute of Lake and River Fisheries (GosNIORH) in Leningrad are responsible for laying the foundation of the inland fishery in the Soviet Union.

The following research institutions are under the guidance of the Institute:

Belorussian Research Fisheries Institute in Minsk.

Siberian Research Fisheries Institute (SibNIORH) in the town of Tumen;

Pakov Branch of the GosNIORH in the town of Velikye Luki;

Karel Branch of the GosNIORH in Petrozavodsk;

Ostashkovo Branch of the GosNIORH in the town of Ostashkovo;

Tatar Branch of the GosNIORH in Kasan;

Saratov Branch of the GosNIORH in Saratov;

Volgorad Branch of the GosNIORH in Volgograd;

Novosibirsk Branch of the SibNIORH in Novosibirsk;

Ob-Taz Branch of the SibNIORH in the town of Knanty-Mansiysk;

Siberian Branch of the SibNIORH in Krasnoyarsk;

Ural Branch of the SibNIORH in Sverdlvosk;

Yakutsk Branch of the SibNIORH in Yakutsk;

Kazakh Research Fisheries Institute (KazNIORH) in the town of Balkhash and its Altai Branch in the town of Ust-Kamenogorsk and biological hatchery in Alac-Ata.

The following tasks in regard to some particular water body or to all the inland reservoirs are in the scope of the above-mentioned institutes, branches and laboratories:

To develop programmes of rational fishery in the rivers and lakes;

To lay the foundation for development of a fishery in existing and proposed reservoirs;

To lay a biological foundation for biotechnique of the reproduction of the resources in the inland water bodies in order to increase their efficiency (on the account of acclimatization of fishes and food organisms, stocking, etc.);

To develop methods of assessment of the fishing stocks in the island water bodies and to make short-term and long-term predictions on the stock levels and catches;

To find out regularities in the behaviour and distribution of fish;

To elaborate methods of formation of fish concentrations (electric field, electric light, hydroacoustics);

To improve methods of commercial fishing;

To evaluate effect of industrial sewage on fishing stocks and commercially important water and elaborate methods of their cleaning;

To define methods of fishery researches;

To determine the top economic efficiency of the inland fisheries.

A number of research establishments devote their efforts to special problems in fish culture, the most important among them being the following:

All-Russian Research Institute of Pond Fisheries (VNIIPRH) in the Dmitrov district of the Moscow Region; its branch in Krasnodar; experimental base "Goryachy Kluch" in the Krasnodar Region and 7 experimental-production bases;

Ukrainian Research Fisheries Institute (UkrNIIRH) in Kiev; its branch in Lvov with culture stations and experimental hatcheries.

Alongside with the above-mentioned establishments mainly engaged in fisheries research, diverse large-scale investigations are carried out by institutions of the Academy of Sciences of the USSR and Academies of the Republics, higher schools, fish-preserves and laboratories attached to different establishments.

Among them we would like to mention the Zoological Institute, Oceanological Institute, Institute of Animal Morphology, Biological Institute of Reservoirs attached to the academy of Sciences of the USSR and many others.

It is enough to say that besides the above-mentioned institutions, there are 87 establishments more to carry out research in the field of fisheries and relative spheres.

This is the fisheries research net of the Soviet Union which totals about 135 establishments, in the staff of which about 3,000 research workers are employed.

Proceeding from the above, it is quite evident that numerous research fisheries organizations of the Soviet Union carry out a large scope and wide range of complex investigations. If we recollect that, before the Great October Socialist Revolution, there were only three dwarfish ichthyological laboratories in Astrawhan, Baku and Siberia, the staff of which was estimated at some thirty specialists, great efforts exercised in the Soviet Union in the field of development and progress of the fishery science will become quite evident.

The general co-ordination in all the branches of fishery investigations, and in the first place, in the study of regularities in the dynamics of populations, behaviour and distribution of fish, marine mammalia, commercial shellfish and seaweeds with reference to their environment, is implemented by supervising institutes and Ichthyological Commission of the Ministry of fisheries.

Such a co-ordination of efforts from all the research fisheries establishments become more important due to the fact that, as has been stated, a great number of scientific establishments attached to various bodies are engaged in the research. The main objective of such a co-ordinative body is to concentrate efforts of scientists on the solution of most significant problems, to prevent parallelism in investigations and dispersal of scientific efforts and allocated sums, and to secure success in the fullfilment of scientific co-ordinating programmes. Briefly, these are the tasks facing the inland research organizations.

The figures illustrate high rates of the development of the Soviet fisheries. In recent years the catches of adequate items have become five times as great.

However, the present level does not meet the demand of the population in fish and fish products, either by quantity or by variety of fish products, or by their quality. The rapidly expanding population of the Soviet Union necessitates a sharp increase in the fish production. Thus, the most important aim of the USSR fisheries is to support continuously a high rate of growth in catches and improvement in the processing of landings to meet an ever-increasing demand of the population in fish products.

The five-year plan of the development of Soviet national economy provides an increase in catches of aquatic items to 8.7 million tons in 1970.

To secure rapid rates of increase in the consumption of fish and fish products per capita the primary line in the development of the fishing industry should be directed to a further progress in fishing, whaling and sealing over the vast area of the World Ocean.

The main efforts will be directed, first of all, to search and development of new fishing grounds in the high seas.

Proceeding from the primary objective, research programs of marine fisheries institutions of the Soviet Union should be drawn up.

Great attention is paid to biological researches bound with the laying of the scientific foundation for the fishery in the open waters of the World Ocean, particularly in the North and South Atlantic, North-western, North-eastern and Central Pacific and Western Indian Ocean. The investigations are carried out proceeding from the standpoint that a substantial increase in the catch of fish, expansion and improvement of the variety of fish products can be achieved only due to a rapid growth in the fisheries for new commercial items in new and often remotest, but fairly promising oversea fishing areas.

This research seems to be very important and promising thanks to the fact that the fishing fleet has already been added and is being added with new powerful fishing vessels designed for longer trips, thus they are able to operate successfully in the remotest fishing areas.

In this respect, the operation of big stern trawlers in various areas of the World Ocean seems encouraging. The fishing fleet consisted of such vessels allows us to develop an efficient, stable and, at the same time, rational fishing owing to their possibility to make a quick move from one area to another in case the sizes of catches are reduced as a result of sharp fluctuations in the abundance of commercial species, or changes in their behavior, or because they left for inaccessible fishing places.

Much regard is paid to fisheries in the North Atlantic, aiming at studying the areas of heavy concentrations of cod, haddock, sea perch, silver hake, that is of most promising bottom and off-bottom species in the North Atlantic. The scope of research off Atlantic coasts of Africa where heavy aggregations of bottom fish are found, has also increased, North Pacific concentrations of bottom fish are also under intensive research in order to obtain scientific data needed for drawing-up recommendations on the establishment of an effective and, at the same time, rational fishery for the species; and, up to now, such kind of research has been most important among other problems facing the Soviet fishery science.

However, a relatively high intensity in the fishery for bottom species within many areas over the shelf of the World Ocean has confronted the workers with the necessity to investigate pelagic species. Of interest is the biology of herring in the northern parts of the Atlantic and Pacific. The data available seem to support the assumption that the intensity in the herring fishery in the North Atlantic might be increased due to a rational fishery management in the traditional areas (of course, it is necessary to obtain more detailed information on behaviour and distribution of herring) as well as due to establishment of the herring fishery in new areas. Most advantageous items for the establishment of net fisheries are Sardinella off the African coasts, tuna, scomber and horse-mackerel in the Atlantic and Pacific, saury in the North-western Pacific and some other pelagic fishes, the distribution and behaviour of which have not yet been known enough.

The above-mentioned research is implemented through extensive expeditional cruises and scouting and experimental surveys. The elucidation of the behaviour of fish in a broad sense of this word should be emphasized. Among most essential factors under investigation aimed at increasing landings of principal species are vertical migrations of fish response to light and sound, with reference to physiological condition, diurnal movements bound with the distribution of food, light conditions and behaviour of fish when they encounter the fishing gear or moving vessels. The investigations are conducted by means of analyses of indirect data and of direct observations with wide application of a submarine, bathscaf, aquaria, diving devices, TV sets, photoelements and other devices. The fisheries investigations to provide a scientific basis for the development and improvement of the high sea fishing, are carried out chiefly in large-scale complex expeditions where observations on behaviour, distribution and biology of commercial species and governing abiotic factors are made. Many of these expeditions are widely known, viz.: cruises to the Northwestern Pacific, off Western Africa, to Western Indian Ocean and other areas. As a result, some data of scientific and commercial value were obtained.

Another extensive branch of investigations provides the elaboration of a biological pattern of reproduction and rational management of the fisheries for a number of species inhabiting outlying seas and semi-anadromous fishes, the abundance of which has considerably been reduced as a result of fishing or if they are fairly intensively fished at the time being, viz.: salmon, flat fish, crab, *Eleginus navaga* and some other commercial species of the Far East seas; anchovy, pelamid, horse-mackerel, etc., in the Black Sea; cod, flounder, Baltic herring in the Baltic Sea.

The knowledge of levels of these stocks necessitated us to take some steps on an international basis to secure the rational management and thus sustained maximum yield with minimum production expenditures.

The investigations of the commercial populations of the inland seas (Aral, Caspian and Azov and Seas) are carried out in the same line. A number of measures have already been successfully introduced to secure the maximum reproduction of aboriginal fishes. This is of importance because the river outflows are regulated due to the establishment of hydroelectric schemes which have effected considerably the reproduction conditions of valuable species. The present research is expected to bring some additional information in the nearest years alowing us to improve the pattern of reproduction of fishing stocks suggested. In view of an extensive scope of work to be done for successful reproduction of fish resources, much attention is paid to improvement of the fish reproduction facilities especially for anadromous and semi-anadromous species. As is known, the fish cultural biotechnique for majority of commercial species has not by far been worked out completely, but the extent of reproduction of fish in the inland water bodies depends primarily upon the efficiency of artificial reproduction. It is worth mentioning that the successful research in this line has enabled us to solve the urgent problem on conservation of the stocks of sturgeon-like fishes in the Caspian and Azov Seas with reference to new water regimes of the rivers. It may be safely said that owing to artificial reproduction of sturgeon-like fishes their stocks will show no decline but even some increase in them may be expected.

In the investigations and practical facilities for reproduction methods bound with application of radioisotopes are widely used to obtain necessary information on ways of increasing the efficiency of hatcheries. The scale of the investigations on acclimatization and introduction of commercial or food organisms from one water body into another one also increases. For that there are ample possibilities in the Soviet Union since it is contiguous to the basins of the Atlantic and Pacific Oceans, and there is a lot of separate inland water bodies on its territory. The evidence is well supported by successful transplantation of chum mullet and nereis into the Caspian Sea, of sturgeon into the Aral Sea, of pink chum salmon into the Barents Sea, etc. The ichthyologists continue to be at service while observing the stock levels of principle commercial fishes of the Soviet Union. Without such a service it is impossible to predict catches from different water bodies, fluctuations of which are known to range widely because of sharp changes in the abundance of fish under the influence of different factors. Of course, the service includes not only observations on the fishing stocks, but also elaboration of methods of assessment of stocks, effects of fishing and natural causes.

From year to year, the collected data on the biology of commercial species and fishing effect on them serve as a basis for laying the biological foundation for rational utilization of commercial stocks and for introduction of reasonable fishing regulations. It should be admitted that in some cases, due to a lack of knowledge, our regulations do not seem to be based on too solid biological grounds. As a result of investigations conducted, fishing regulations should be reconsidered, considerably improved and then they may serve as a good means for rational exploitation of the resources.

Research also extends to the stocks of whales and seals. Of interest are problems bound with the distribution and level of whale stocks in the Antarctic and North Pacific, as well as with the biology of seals and fur-seals.

Much regard is paid to the investigations of the biology of commercial shellfish (crabs, mollusks, shrimps, etc.) and seaweeds.

In the technical field the investigations are concerned with elaboration of new devices for location of fish concentrations, improvement of fishing methods and gear, better utilization and processing of fish and other aquatic organisms, introduction of mechanized and automatic lines in the fishing industry.

Studies of biochemical, chemical and technical peculiarities of fish and other aquatic organisms are carried out to find more reasonable methods of complete utilization of the raw materials in the processing of foodstuff for population, food for animals, medicinal and technical products.

Of importance is to find out most effective methods of preservation and transportation of fish on board a ship before they come to a processing plant. Among them it is worth mentioning rapid cooling and preservation of fish in the iced sea water and treatment of fish with biological preservative means, that is by antibiotics or radioactive elements during the storage.

The problem of cold pasteurization of fish while processing by means of ionizing radiation on board a ship is studied in view of proposed fishing operations in the high sea.

The studies of changes in the fish tissue under different conditions of cold preservation aiming at finding out the optimum regimes of freezing and refrigeration, are carried out; new designs of fish refrigeration installations are developed; new methods and means preventing the oxidation of fat in the frozen fish (glazing of fish with antioxidated, alginate films) are applied.

Special attention is paid to improvement in the technological treatment of herring (constituting about 30% of the total catch) owing to the development of production of mild-salted hors de'oeuvre and various delicious preserved and canned products.

Smoking processes are improved, thanks to some technical progress in the facilities for rapid electrosmoking and wet curing. New special devices to control and automatize the process are designed and some smoking installations with continuous operation are put into practice.

Among the most important technological problems are the following:

New methods of removing water out of the fish body by means of vacuum drying and infra-red radiation, introduction of new mechanized and automatic lines into produc-

tion; introduction of new processing machinery (for dressing, salting, portioning and so on); designs for complex-mechanized and automatic conveyers for main processing lines (canning, smoking, fish meal and oil production);

Improvement of methods of producing food products from fish of little value and waste; studies of composition and biological value of food products obtained from different fish raw material by different methods; investigations on obtaining protein and fish meal from the flesh of marine mammalia and fish of little value for the consumption of population;

Improvement of cold methods of extracting oil from fish and marine mammalia by means of pressing, centrafuging and mechanical effects;

Possibilities of application of ionizing radiation to the canning of fish and fish products (wide application of atomic energy);

Utilization of aquatic raw material in the production of valuable medicinal products (vitamins, aminoacids, endrocrine preparations, and so on);

Improvement of utilization of shellfish (molluscs, rock lobsters and seaweeds) and recipes for the cooking and canning of various products.

Briefly, this is the framework of technological problems which are under study at our research fisheries establishments.

The economical branch should concentrate their efficiency of investments, provisions for rational distribution of the establishments of the fishing industry and increase in the economic efficiency of the production, decrease in the prime cost of products, development of the kolkhoz fisheries and other problems.

The geographical distribution of the Soviet research fisheries establishments, and problems they tackle, support an evidence of close association of the scientific establishments and the fishing industry of the main basins and of great practical assistance rendered to the fishery through the research conducted.

In fact, the whole net of applied research fisheries establishments is confronted with the task of encouraging in every possible way the development of the fishing industry of the USSR on a scientific rational basis. As an example, let us dwell on the duties imposed upon the All-Union Research Institute of Marine Fisheries and Oceonography (VNIRO) which supervises the similar researches of other fisheries research institutes.

The principal tasks imposed upon the VNIRO are as follows:

To draw up draft long-term and annual programmes of research, perspectives of the development of the fishing industry of the USSR and most important economical problems;

Scientific methodological supervision of basin research fisheries institutes, their branches and laboratories, to render assistance in their work and to co-ordinate their activities in the research of some general problems;

To work out complex problems and recommendations on the development of the Soviet fisheries in new oceanic areas and main inland fisheries basins;

To make predictions on stocks and proposed yield of fish, shellfish, marine mammalia, seaweeds, etc., by most important marine and oceanic areas as well as recommendations on regulation of fisheries in the international waters and main inland basins;

To work out complex problems and to carry out research which are important for a number of basins, for example, to obtain theoretical and biotechnical knowledge of reproduction of fishing stocks, acclimatization of fish and food invertebrates, rational management of fisheries in marine water bodies, designing new hydroacoustic fish location devices, diving equipment and fishing technique;

To conduct complex oceanic fisheries investigations and expeditions, together with other basin research institutes of marine fisheries and some other establishments;

To consider and agree annual and long-term research programmes of all the fisheries establishments aiming at co-ordination of most important fisheries researches;

To convene meetings and conferences on principle scientific items;

To set up scientific-technical information on achievement of home and foreign science in the field of biological, technical and economical research, publication of transactions, fisheries handbooks and manuals with participation of some special institutions and basin research institutes (branches or laboratories) when necessary;

To prepare materials and take part in various international organizations, committees, commissions, councils for fisheries, whaling and sealing. To compile material and to carry out research on fishing in international waters to secure rational fisheries;

To take part in the tests of experimental models of machinery and equipment and observe new technological processes; to render consultations to establishments, plants, laboratories, and other offices engaged in the designing of new technique for fishing vessels and processing plants;

To prepare scientific personnel for main branches of the fishing industry on the account of post-graduate studies.

There are 18 laboratories and offices at the VNIRO to carry out investigations in the corresponding branches of the fishery science. They are as follows:

1. Laboratory of oceanic fisheries.
2. Laboratory of stocks and regulation of the fishery.
3. Laboratory of reproduction of fishing stocks.
4. Laboratory of introduction of water organisms.
5. Laboratory of fisheries oceanography.
6. Laboratory of food resources and commercial invertebrates.
7. Laboratory of physiology and investigation of fish with application of radioactive isotopes.
8. Laboratory of hydroacoustical devices.
9. Laboratory of underwater research.
10. Laboratory of computing.
11. Laboratory of fishing methods and technique.
12. Laboratory of oil, industrial food products and technology of maritime mammalia.
13. Laboratory of fish technology.
14. Laboratory of technology of marine shellfish and seaweeds.
15. Laboratory on application of atomic energy in technology.
16. Laboratory of control for technochemical production.
17. Laboratory of standards.
18. Laboratory of mechanization and automation.
19. Laboratory for technique safety.
20. Laboratory of economical research with branches of prices and cost production, of funds and capital investments, of Foreign Fisheries Economics, of Long-term planning.
21. Laboratory of Scientific organization of Labour.
22. International fisheries office.
23. Scientific-technical information office.
24. Laboratory of scientific films.
25. Patent group.

And how to select the most important urgent problems to be elaborated or solved within the current year or long-term period by fishery science, and particularly by the VNIRO? In other words, how are research programmes of fisheries institutes and laboratories completed?

As was mentioned above, proceeding from a ratio of most reasonable rates of food consumption and size of population as well from the needs of industry and agriculture appropriate state planning bodies put forward a general task defining the quantity and variety of food and industrial products, including fish products for all the regions of the Soviet Union for a short and long-term periods. In this way, the catch size of aquatic organisms to be achieved to meet the demand of the population, industry and agriculture, can be established.

In compliance with the general tasks, the fishery science is to elaborate and provide effective ways for rational fulfilment of the task on a scientific basis. Thus, it is necessary to try to find necessary resources, most effective methods of fish location, fishing storage and transportation, to design new technological lines to make diverse food and industrial products and to define economic ways of establishment of fishing, processing and marketing.

In line with the tasks which, of course, are quite peculiar for each central or basin institute, an annual or long-term (a period of 5, 7 or 20 years) research programme is compiled. It is evident that the shorter period of investigations, the more detailed programme is drawn up, and, vice-versa, the longer period the more schematic programme indicating only main aspects of research is compiled.

However, prior to drawing up the programme, all the wishes, requests and surmises on the items of the programme which come from specialists, research workers employed at different laboratories, institutes and organizations supervising the work, are collected and analyzed. Then a draft research programme is compiled to be widely discussed by the laboratory symposia, Research Board of the institutes and at last by the State Industrial Fisheries Committee of the U.S.S.R., with participation of representatives of the bodies concerned. All the programmes of the basin Research Fisheries Institutes are discussed at the VNIRO by representatives from all the Institutes two or three months before the beginning of the programme year. All the researches should be co-ordinated and approved in order to avoid any parallel research, to separate the sphere of activities of the institutes in adjacent areas and basins and to direct all the efforts of scientific personnel to the studies of most important problems.

Such co-ordination meetings are usually followed by reports on the essential achievements in the research and on the tasks facing the fishing industry and science. When all the programmes are co-ordinated and approved, they come into effect.

As was mentioned above, perspective long-term research programmes compiled for all the scientific aspects, including the fishing industry, are very important for the planning of the development of the fishery science, and particularly for drawing up annual programmes.

The main lines of the development of the fishery science and, in the first place, biological backgrounds for rational utilization and reproduction of fish, shellfish and aquatic plants in the marine and fresh water bodies, were elaborated by the scientists of the Ichthyological Commission attached to the State Industrial Fisheries Committee (formerly to the Academy of Sciences of the U.S.S.R.). They had in view investigations of regularities in the distribution, abundance, behaviour and reproduction of fish and other commercial aquatic organisms, as well as biological foundations for the rational management of fisheries for different groups of species and in different water bodies. These tasks were fixed with regard to possibilities available at 133 research bodies attached to different ministries, which are responsible partly or completely for the fisheries resources of the Soviet Union.

To illustrate the recommendations, let us take an example of the research carried out in the high seas. The following problems are under investigation:

1. Elucidation of regularities in the distribution and movements of most important commercial fishes, with reference to biological factors and influence of the environmental changes; drawing of the fish-location charts; studies of migrations and adaptive peculiarities of species; studies of regularities in the formation of commercial fish concentrations, their movement and dispersal; methods of long- and short-term predictions of the distribution of fish and their commercial concentrations. The best solutions of the problems will provide a theoretical foundation for scouting operations. The studies of the problems should be based on progress and development of the up-to-date fish location technique (hydro-acoustics, application of aeroplanes for scouting operations), and new designs for fish location devices and gear.

2. Assessment of the commercial stocks of fish and other aquatic organisms and elucidation of regularities in their fluctuations; studies of causes affecting the abundance of year-classes, that is when a rich or poor year-class may be expected to come; studies of the fishing effect on the stocks; assessment of the natural and fishing mortalities; elaboration of methods of long-term prediction of fluctuations in the abundance of fish. The data obtained should lay theoretical foundation for compiling plans of the fishery, proper exploitation of the available resources as well as for conservation and increase in the stocks of commercial fishes.

3. Studies of regularities in the behaviour of different commercial species both under natural and experimental conditions; adaptive role of the behaviour, pecularities in the school behaviour. The solution of the problems should lay a theoretical foundation for improvement of fishing methods and techniques, as well as facilitate the scouting operations.

4. Provision of biological backgrounds for the establishment of a new fishery in the high seas; studies of peculiarities of new commercial areas and species in the Atlantic, Pacific, Antarctic and Indian Oceans.

As for the developed areas of the sea are concerned, the work is carried out on the following lines:

1. Analyses of the levels of stocks of main commercial species and fishing rate in different areas of the World Ocean.

2. Biological backgrounds for exploitation of certain stocks in the World Ocean, and issue of recommendations for international conventions.

3. Issue of different material facilitating the fisheries, viz.: chart, atlas, sailing direction and theoretical generalization of distribution and migrations of fish.

4. Short and long-term predictions of the stock levels.

5. Recommendations on the improvement of fishing gear based on the study of fish behaviour.

The following researches should be carried out in the areas to be scouted:

1. Studies of regularities in the distribution of pelagic and bottom fishes in certain areas of the World Ocean.

2. Studies of regularities in the distribution and dynamics of populations of most important abundant species, which represent a basis for the development of a fishery.

3. Recommendations on the establishment of a fishery in the areas studied and preliminary instructions.

All the scope of the research in question should be closely bound with other investigations devoted to the elucidation of the physical and chemical characteristics of the water body, its feeding conditions and peculiarities of food resources and other biotechnical relationships of the commercial species. The broad scope of research should also cover regular observations on the regime of the water body, food resources and their ways of life. Alongside with that, the progress in general ichthyology requires more thorough investigations in the fields of morphology, embryology, systematics, zoogeography, physiology, general problems of ecology of fish and invertebrates.

Proceeding from such methodological recommendations on main lines in the investigations and from practical tasks, research fisheries programmes are compiled for a current year or forthcoming 5, 7 and 20 years. Such programmes are drawn up in detail indicating the scope of investigation, place, time, character and institutes responsible for their fulfilment, as well as the results to be obtained.

It is evident that such long-term documents should be corrected from time to time, but they always facilitate the planning, both of current and future investigations.

While speaking on the planning of investigations, it is worth mentioning two sections of the institutional programmes which are very important for checking up the results of the research conducted from a practical point of view and their application to fishing practice, that is, programmes of application and grounding results in practice. Such programmes of application and grounding results in practice. Such programmes are included into the general programme of research bodies. In most cases, they provide for a collaboration of science and industry since all the proposals of science should be checked up by the industry, and the industry should implement the scientific recommendations which have already been checked up in practice. Such programmes should be agreed upon with appropriate industrial enterprises (in most cases, with those which took part in the investigations conducted), which hope to achieve better practical results in future, provide proper conditions needed for checking up and grounding the proposals of the institutes in practice, though such kind of measures seem to often disturb the roll of production and even bring about some economical impact.

The fiscal provisions are secured mainly on the account of budget allocations amounting to 50–70% of the total budget of a research body and through contracts providing for such kinds of investigations. Contracts are concluded between industrial enterprises and research bodies.

The above-mentioned procedure of planning, originated from the tasks of development of the national economy of the U.S.S.R., makes provisions in the first place for such researches which are most significant for the development of the fishing industry of the Soviet Union.

This is brief information on the structure, tasks and planning in the fishery science of the U.S.S.R.

PRESIDENT CHALLENGES COUNTRY TO FULFILL AMERICAN DREAM OF EDUCATION

Mr. YARBOROUGH. Mr. President, President Johnson took the occasion of the dedication of Central Texas College, in Killeen, on December 12, 1967, to speak of the promise of America's future.

President Johnson challenged the people to secure a new opportunity as challenging as the Western frontier our forefathers won—the opportunity of self-fulfillment for every American.

As the President noted, there are in this generation, just as in generations past, "many who are afraid to take the journey."

But President Johnson and the Democratic Party have proven to be unafraid to face the future. We know that the problems of illiteracy, disease, and hopelessness can—and must—be solved by this generation of Americans.

Our Nation is rich enough and our democracy vibrant enough to fulfill the hopes of all of its citizens. During the last 4 years President Johnson's Great Society programs have shown that we can meet these problems head-on, and meet them successfully.

Having worked for financial support for this newly created junior college in Texas, which opened for the first time this year with a first year enrollment of 2,000 students when only 300 had been expected, I am glad to see its dedication by the President of the United States. I only regret that I could not be there at the dedication. I predict a continued growth for this newest Junior College, which begins with such an auspicious dedication.

I ask unanimous consent to have printed in the RECORD the text of the President's remarks at Central State College.

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

REMARKS OF THE PRESIDENT AT THE DEDICATION OF CENTRAL TEXAS COLLEGE, KILLEEN, TEX., DECEMBER 12, 1967

Dr. Morton, General Mather, Mrs. Hobby, Mr. Bingham, Mr. Stewart, Ladies and Gentlemen, boys and girls:

I am glad to be able to join you here today, not only to make the founding of a new college, not only to cheer the progress of this city and this great State, but to join with you in helping to celebrate the expansion that is taking place in America.

In 1900 we had eight junior colleges in the United States. In 1964 we had 684.

As I speak here this morning we have 925. That is an increase of 231 in three years.

While others have been complaining and agonizing, worrying, being frustrated and criticizing, we have been building 231 educational institutions that will take care of our boys and girls.

In 1948 when I visited Killeen and Temple, we talked, worked and planned for the day when all of our youngsters could get all the education they could take.

I am happy to say that although it took us from 1948 to 1964, in 1968 we have one million more boys and girls in colleges and universities of this land because of the Federal programs that we have put in between 1948 and 1968, most of which have been in the last three or four years.

This dedication means growth and it means progress for all of America. It tells us something important about the real purpose of democracy.

That purpose of democracy is fulfillment for every individual. It illustrates what makes America different from other lands. What does make America different from other lands? Opportunity, abundance of opportunity.

It also reveals some things about where America has been, and where America is going.

In 1884 Killeen was a two-year old village which boasted two dress factories, one cotton gin and a population of a little less than Johnson City—a population of 350.

As we meet here this morning, Killeen can claim more than 500 thriving businesses; one of the world's most powerful major defense installations, and more than 30,000 people.

The city has more than tripled its growth in 20 years. That growth reflects our whole Nation's restlessness; our whole Nation's hope; our whole Nation's progress.

A little more than a century ago this was

great frontier country. Families came here in the buckboards and covered wagons from Virginia, Georgia and Kentucky to settle this land.

My grandfather drove his longhorns across this prairie on the way to Abilene, Kansas.

We came to found towns, write laws, and establish schools and churches.

I am so happy to observe that my father, decades ago, sat with Oveta's father in writing some of the early legislation for what was then almost just a frontier.

What they began has not yet ended. Those Americans gave a really new meaning to the word "frontier".

In other countries, that word had meant a barrier. "Frontier" meant a stopping place. But to America it meant, and still means, a place to be discovered, a place to be tamed, a place to be settled—a place, if you please, of American opportunity.

Today there is no Louisiana to be purchased. There is no new wilderness for us to conquer. There is no new land left for us to settle. But still America moves on.

America expands—not outward but upward.

I can see some of the men here in front of me this morning—Mr. Smith, Mr. Mather and others—who have been moving America forward, who have moved it upward.

Today we have set our eyes on new territory—the territory of human promise, for all of Central Texas, for all of the Nation—the territory of bettering peoples' lives in all of our areas, bettering humanity.

That is the thing we all ought to work toward. That is the purpose and objective we all ought to have.

Every person should ask himself and herself today: What am I doing to better humanity?

In the time allotted me, what will I have done to better humanity?

When a Teacher Corps volunteer brings help and learning to a mountain child, we will say in Tennessee or North Carolina, we add something to that new land.

When a Head Start teacher in California offers hope and help to a migrant child, this Nation grows.

Speaking of help, our program has been health, education, conservation and moving forward.

I am happy to say that the death rate of newborn children, infants, declined more than five percent this last year.

Can there be anything better than saving a little child's life?

Can there be any more worthy purpose?

When a new college—a junior college in a Texas city arises—the whole Nation expands.

When a new national effort is launched to teach men skills or to cure men's sickness, America grows.

Something is happening which is as exciting—even more exciting—as the winning of the West.

Three years ago there was no Medicare in the United States. This morning 20 million older citizens have hospital insurance. 18 million have help with their medical bills under Medical Care.

That is what we have been doing.

Three years ago there was a deadlock on Federal Aid to Education. Federal aid was an ugly word. We broke that deadlock in 1965 with the Elementary and Secondary Education Act.

We passed a bill in the Senate yesterday—and sent it to conference—giving us a new lease on life. Last year that bill helped 9 million poor children get a better start in school.

What is there that you can do, even the doubters and the complainers, that could give any of us more satisfaction than helping 9 million poor children get a better start in school?

Ask yourself what have you done in these fields and what are you going to do.

When the roll is called up yonder, where are you going to be?

In the past three years we have helped to build facilities for more than 1.5 million college and university students. What is there that you can do that is better than putting a roof, an educational roof, over the heads of the boys and girls who want to go to college in this country?

From the time a child discovers America, that doting mother looks into the little one's eyes and says to herself, "If I can only get him a college education."

Together, we in Killeen and we in the United States—notwithstanding the complainers, the critics and the doubters—are getting the schools built. We are getting the teachers for elementary, and from Head Start to adult education.

We have them in Head Start at four and five, and we have them in adult education at 74 and 75.

Yet still there are those who want to divert us, who want to criticize us, who want to oppose this kind of growth.

Just as there were a century ago, there are many who are afraid to take the journey.

There are some who tell us in the board room resolutions that it is too expensive. There are some who say that it is too dangerous, that the effort cannot succeed.

That reminds me of the old fellow at Fredericksburg when they started the train up there. He preached against it. He wouldn't subscribe to it. But when the train finally came and they had the queen and she cut the ribbon, the steam started coming out, the train started in to the Hill Country and San Antonio.

He was still in the back yakking that they would never get the train started.

When the steam was drowning him out, he said, "They will never get her stopped."

I imagine Killeen has some like that today. I know that Texas has some like that today. I hear voices from all over the Nation like that today.

I believe—I can't prove it but we may have to do that—those complainers, those doubters, those who are afraid to take the journey in the frontier country are still in the minority.

So I ask you to join us. Come and let us reason with those Americans, those of us who believe in progress. Let us try to convince the doubters.

I think the time is here to make it clear that we must make this journey. If we are rich enough, then we must care enough. We must be ready to make the sacrifices it requires.

In 1933 our Gross National Product was less than $100 billion. It wavered to less than half of that for a period.

Today and tomorrow that Gross National Product is hitting $800 billion, and it may go up to $850 billion.

So we are rich enough.

Now the big question is: With your stomachs full, has it pushed your out of position where you no longer care? If you do care, then let us do something about it.

Are there those who think this journey toward human fulfillment, this journey toward bettering humanity, is too expensive?

These men who wear the uniform don't think it is too expensive. They love liberty and freedom enough that they are ready to die to preserve it.

These boys at A & M don't think that it ought to go unnoticed. It has gone unnoticed but I heard on a local radio broadcast that they had voted to give blood donations to support their brothers who are preserving liberty and who have carried Old Glory to all corners of the earth and brought it back without a stain on it.

Let us show by our actions that progress and movement forward in America is not too expensive. What is expensive is sickness, bigotry, ignorance, discrimination and crime. That is what costs too much.

As that great leader Adlai Stevenson once said, "We Americans must resist temptation to be 'penny-wise and people foolish'."

It is not action but it is inaction that costs too much.

Are there those who really believe that this journey cannot succeed?

Let them consider just one effort—our campaign to give every young person in America—that is the first goal of the Great Society—give every boy and girl, whether born of rich or poor parents, all the education that he or she seeks or can take.

In the past six years the number of young people going to college from poor homes has risen—Thank God—by more than 12 percent.

In those years, the number of high school dropouts—Thank God—between 16 and 24, has dropped from 25 to only 18 percent.

Colleges like this one being established and built here are being built throughout this Nation at the rate of one every week.

You don't like that? You are against that? You would rather fight it than teach it up and learn it?

Two years ago we were helping 500,000 young people go to college. Next year that number rises not to 500,000 but to 1,200,000.

Those are facts. They are not just numbers and not slogans. They are not snow or brainwash or anything else. They are facts. And more than facts they are victories for bettering humanity. They are victories for every American home and for all the American people.

Two years ago we established a program called Upward Bound. Upward Bound was a program that would rescue dropouts and would boost them toward college.

It was almost patterned after an experience I had in 1924 when I went to California after I dropped out, to seek my fortune. The most beautiful sight these eyes ever beheld was the sight of my old mother's quilt, that grandmother made for us, when I got back home.

My father, I felt when I left, was too inattentive and not very wise in the ways of the world. I was really amazed at how much he learned while I was gone.

Two years ago that program of Upward Bound was an experiment. Today that program is a success.

This year, 23,000 poor boys and girls took summer classes on college campuses. 6,000 of them—83 percent of those who graduated—have gone on to higher education.

One boy from Missouri told this story: "Before I went out there to Upward Bound I was a corner boy . . . I was with the wrong bunch all the time. We stayed out late doing all sorts of no-good things . . . But I think I am too much now to hang around on the corner . . . I know my life is worth more than how they taught me to lead it."

I think he is right. And I think we are all right to help that kid.

A young boy in Kentucky, the son of a disabled father, was one of eight children, with a family income of less than $3,000 a year. He made failing grades in high school before Upward Bound gave him hope. In his senior year he raised his grades drastically—and now he is a fulltime college student.

Multiply these stories by the thousands, and then you will know why I am optimistic about America: Why I cannot share the gloom of those who believe that our problems are too big to solve and our pocket book is too small to help them.

I reject that notion—not because I am unaware of our problems, but because I know our power in America to hold to a good purpose. I know the power we have to reach a high goal.

History does not long remember the men who voted down the bond issues to build schools or to help little children.

The War on Poverty is going to succeed—if we just stay the course.

Our quest for educational excellence will succeed—if we only stay the course.

Our pursuit of 1,000 essential goals will succeed—if we only stay the course.

I believe that our children are going to remember that just as our country lived through a great age of exploration in the last century, we have entered in this century another age. It will be known and it will be remembered—I hope you are remembered with it—as the age of advancement, as the era of education.

This college is proof of that. The headlines may seldom tell the story—but history is going to tell it. It is not going to deal at length or too generously with those of little faith.

These years, like that earlier age of growth, are noisy today with the sound of controversy. But that must never discourage us—any more than it daunted our daddies who settled here yesterday and built a new world, a Killeen, out of this wilderness.

So we come here today to dedicate this college—to dedicate it forever to the service of the people, and to the progress of America.

We have now just begun to fight. We have just begun to build. We are not going to build as fast as some would like, but we are not going to retreat.

With God's help and with your support, America is going to move forward to educate, to bring peace to the world, to keep aggression from enslaving us, to educate our children, to make our bodies healthier, to give us clean air to breathe, pure water to drink, wholesome meat to eat, and all of those things that make for greatness—a great people in a great society, in a great world.

Thank you.

DEFERMENT OF POLICE OFFICERS UNDER SELECTIVE SERVICE ACT

Mr. TOWER. Mr. President, on January 30 of this year I introduced S. 718, a measure which would amend the Universal Military Training and Service Act in order to give a deferment to police officers. With the continually rising rate of crime in the Nation, I believe that this measure becomes more important with each passing day. It simply does not make sense to deprive our city police forces of their trained men.

Recently, the National League of Cities filed a petition with the Interagency Advisory Committee on Essential Activities and Critical Occupations supporting my position in this matter. I recommend this petition very highly to my colleagues and hope that they will have time to read it. It makes excellent reading and points out the urgency of the matter.

I ask unanimous consent that a letter that I received from Mr. Allen E. Pritchard, Jr., the assistant executive director of the National League of Cities, be printed in the RECORD. It states briefly the policy of the league and recommends their petition. I hope that full consideration of this matter may be achieved at the earliest possible time.

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

NATIONAL LEAGUE OF CITIES,
Washington, D.C., November 6, 1967.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TOWER: The National League of Cities is increasingly concerned about the difficulties our police departments face in hiring and retaining sufficient manpower to meet their growing responsibilities.

Our National Municipal Policy calls for draft deferments to be granted to police officers. We, of course, support S. 718 which you have introduced seeking such a deferment.

To achieve a more immediate remedy, we have filed a petition requesting draft deferment for police officers with the Interagency Advisory Committee on Essential Activities and Critical Occupations. Because of your interest in this matter, we are enclosing a copy of our petition.

Sincerely,

ALLEN E. PRITCHARD, Jr.,
Assistant Executive Director.

JURY BILL LAUDED

Mr. TYDINGS. Mr. President, I wish to take this opportunity, now that the Federal jury bill has passed the Senate, to thank the many people who have helped to make the bill the excellent solution to the problem of Federal jury selection that I believe it is. I particularly wish to thank the distinguished Senator from North Carolina [Mr. ERVIN] and the distinguished Senator from Nebraska [Mr. HRUSKA], who have devoted many long hours of thoughtful consideration to the bill and have made suggestions that everyone must agree improve both the administrability and the substance of the bill.

Of course, my deep appreciation must also go to Judge Irving Kaufman who, as Chairman of the Committee on the Operation of the Jury System of the Judicial Conference of the United States, directed the initial preparation of an excellent bill and exercised a continuous assistance as we attempted to hone the bill even finer in the subcommittee. Judge Kaufman's Committee was created by the Judicial Conference of the United States, which recognized that there was a need for reform in the jury selection system. The Judicial Conference eventually approved, after full consideration, the work of the Kaufman Committee.

I also wish to thank the many members of the judiciary and of the bar who contributed invaluable thoughts and suggestions for improvement of the bill. The American Bar Association considered the bill and debated it at length before approving it. The subcommittee was in constant communication with the entire Federal judiciary, and we received innumerable letters containing comments and suggestions regarding the bill. Each suggestion was thoroughly considered, and many of the suggestions were incorporated in the final version of the bill. The result is, I believe, a measure of which the Senate may justly be proud.

The purpose of S. 989 is to establish basic machinery for the selection of grand and petit jurors in order to assure to all litigants that potential jurors will be selected at random from a cross section of the community. It also assures all qualified citizens of the opportunity to be considered for jury service.

A jury chosen from a representative community sample is a fundamental of our system of justice. Yet, ironically, little attention had been given to the methods of jury selection actually used in our Federal courts. Instead, this Nation had stated and restated its commitment to the goal of representative juries without making any significant efforts to insure that this goal was attained. Congress had laid down certain qualifications for Federal jurors, but it had never specified the sources from which the names of prospective jurors should be obtained, the methods by which these names should be selected, or the bases upon which otherwise qualified jurors should be eliminated from jury service.

In the absence of statutory guidelines it is hardly surprising that the selection methods used in Federal courts today lack any semblance of uniformity. The defect in existing practices, however, is not simply that they vary from district to district. Nor is it even that lines of administrative responsibility are often unclear. The defect calling for congressional action is that the representational goal of jury selection is impaired when the methods used are haphazard or less than adequate to ensure fair selection from a fair sample. The evidence which we accumulated that current selection procedures fail to meet expectations was unmistakable. Repeated testimony at the subcommittee's hearings pointed to practices that undermine the representative quality of juries and that are contrary to the fundamental idea of justice meted out by a jury representing the community. Although in most instances the failure to achieve representative juries may be unintentional, the rectification of this shortcoming is nonetheless extremely important.

The bill that the Senate has enacted embodies two important general principles that will overcome the fundamental problems in existing practices: First, random selection of juror names from voting lists of the district or division in which court is held; and, second, determination of juror qualifications, excuses, exemptions, and exclusions on the basis of objective criteria only. Selection according to these principles is the best method of obtaining jury lists that represent a cross-section of the relevant community and of establishing an effective bulwark against impermissible forms of discrimination and arbitrariness.

The establishment of a jury selection system based on these principles is not new or untried. Methods of selection of Federal juries that do not differ significantly from those required by the bill have long been in use in a number of Federal district courts. For instance, the District of Michigan, encompassing Detroit, has used a system based on these principles for 10 to 15 years without substantial complaint that juries do not perform at high levels. Some 27 other districts have used or have recently adopted voluntarily systems that are also based on these principles.

The bill requires each district to formulate a plan for jury selection. Separate plans may be adopted for each division or combination of divisions in the judicial district. The basic requirements for the plan are established by the bill. However, with an eye to efficient judicial administration, the bill allows for reasonable local variations. Thus, for instance, districts have the choice of using either lists of actual voters or voter registration lists as the basic source from which juror names are to be drawn. Districts have a choice as to whether the plan shall be administered by a clerk or by a jury

commission. The bill leaves considerable leeway as to the number of names to be inserted into the master jury wheel. Local flexibility is also the theme in those provisions of the bill that allow each district to identify occupational or other groups of persons whose members may request excuse from service. In short, in a great variety of ways the bill allows districts and divisions room for local flexibility, once they meet the basic standards of the act.

Another feature of the bill of importance is that it clearly places responsibility for the operation of the jury system on a district judge in each district. While the selection is managed on a day-to-day basis by the clerk or a jury commission, the ultimate responsibility will lie with the district judge. In this respect, the bill is a great improvement over existing law and practice, where the seat of ultimate responsibility is not clear, with resultant confusion and mismanagement.

One of the most important aspects of the bill is the determination of disqualifications, excuses, exemptions, and exclusions on the basis of objective criteria only. This principle will prohibit the widespread current practice of imposing qualifications above and beyond those specified by Congress. Many Federal district courts and officials administering jury selection treat the present statutory qualification requirements—citizenship, age, residence, literacy, health, and lawful behavior—as minimum standards to which may be added subjective notions of good character, approved integrity, sound judgment and fair education. In at least some instances, even though the selection officials were well intentioned, these additional qualification requirements have produced discriminatory results. It was the conclusion of the Committee on the Judiciary that these additional qualifications are not necessary to obtain jurors with intelligence and good judgment sufficient to understand the case and render an appropriate verdict. Accordingly, the bill prohibits such additional, subjective qualifications. It should be noted, however, that the bill does not change the method of challenging jurors at voir dire. In particular, the bill leaves undisturbed the right of a litigant to exercise his peremptory challenges to eliminate jurors for purely subjective reasons.

It was the belief of the committee that the quality of Federal juries would not be impaired by reliance upon purely objective criteria. The bill contains numerous safeguards to protect the quality of juries and to eliminate jurors who are unable to render satisfactory jury service. The bill eliminates the illiterate, the feebleminded, the insane, the decrepid, the infirm, and the accused. If further gives judges powers to eliminate those unable to render impartial jury service, those whose service would disrupt the proceedings, those whose service would be likely to threaten the secrecy of the proceedings, and those whose service would adversely affect the integrity of jury deliberations. The provisions for exclusion under these statutory criteria differ in important ways from a system of pretrial subjective screening. These provisions would authorize the exclusion of persons only in the unusual instance and therefore, in contrast with the pretrial subjective screening of every potential juror, they do not seriously threaten the representational goal of the selection process. These statutory safeguards against incompetence constitute one reason for your committee's decision not to include a provision for subjective screening in the bill. But in addition, there is persuasive evidence that subjective interviews are neither useful nor required to secure competent juries. The case against subjective screening rests on three grounds: First, any feasible system of interviews would be inadequate in determining whether a potential juror has such qualities as "probity" and "commonsense"; second, the cost of interviews would be high and the risk serious, and both would be excessive in relation to any possible benefits; and third, existing empirical evidence demonstrates no need for such screening.

The bill also attempts to improve the quality of jurors by generally restricting the availability of excuses from jury service. Testimony before my subcommittee revealed that, with alarming frequency, many of the most intelligent and knowledgeable people in the community are not serving on juries because they are able to obtain excuses. By making the availability of excuses appreciably more narrow, your committee anticipates that these people will more often be required to render jury service.

In an attempt to reduce the dilatory potential of challenges, the bill requires that challenges to compliance with the statute in the selection process be promptly made, and it establishes the challenge procedures of the act as the exclusive means for raising challenges to compliance with the act. It is the hope of the drafters of this bill that the procedures relating to challenges will eliminate dilatory challenges and facilitate the ability of courts to dispose rapidly of challenges that on their face are frivolous.

The bill also attempts to make jury service more feasible for citizens by raising the fees to be paid to jurors. Testimony was unanimous that current fees are unreasonably low, and that this contributes markedly to the desire of people to obtain excuses from jury service. The committee has raised fees to $20 per day during the first 30 days of jury service and to $25 for each day in excess of 30 days in those rare cases where service beyond 30 days is required.

S. 989 was over 1 year in preparation. It represents the best thinking of numerous individuals and legal groups. The Committee of the Judicial Conference, presided over by Judge Kaufman, worked extremely diligently to present to Congress a good bill. As I have already recounted, the Judicial Conference itself gave thorough consideration to the measure and approved it, as did the American Bar Association. Subsequent to the introduction of the bill in Congress, my subcommittee studied it and held hearings at which everyone who wished to speak on the bill was allowed to do so. From more witnesses that I can mention by name, we received invaluable suggestions for improving a bill that was already in good form. Again I wish to emphasize that from Senators HRUSKA and ERVIN we received great assistance in the preparation of the bill. The help of practically the entire Federal judiciary also was forthcoming. To all of these people I express once again my appreciation for their assistance in reaching what I believe is an extremely workable and fair Federal jury selection bill. It is my hope, Mr. President, that the House will act promptly upon this important measure.

UNCONSCIONABLE DELAY ON RATIFICATION OF HUMAN RIGHTS CONVENTION ON POLITICAL RIGHTS OF WOMEN

Mr. PROXMIRE. Mr. President, the United Nations General Assembly, in December 1952, adopted the Human Rights Convention on the Political Rights of Women.

Records reveal that the convention was opened for signature 3 months later. This is almost 15 years ago. Since that time, the Senate has voted approval of only one human rights convention, the Supplementary Convention on Slavery, and ignored the Convention on Political Rights of Women and the other human rights conventions dealing with forced labor, genocide, and freedom of association.

President Kennedy sent the Convention on Political Rights of Women to the Senate on July 22, 1963, more than 4 years ago. There remains a rather embarrassing record of inaction on this treaty.

I cannot understand the reason for our letting this convention lie idle. The 19th amendment to our Constitution offers the protection of the political rights of women in our Nation. The convention establishes and guarantees the rights of women to vote, to be candidates for office and to hold public office.

I cannot see any conflict with our Constitution nor with State laws; yet ratification is denied.

It is my view that any nation which fails to give full political equality to women deprives itself of the benefit of a full one-half of its human resources. It took the United States nearly a century and a half to realize this fact.

The National Federation of Business and Professional Women's Clubs of America, composed of 53 State federations representing 3,800 local clubs, supports Senate ratification of this measure.

The federation, in testimony before a subcommittee of the Committee on Foreign Relations, declared that Senate approval would be a contribution toward the narrowing of the gulf between the political and civil opportunities of men and women in many other parts of the world. It declared that this Nation has been a leader in the establishment of political rights for two centuries and that many of the rights enjoyed by citizens of other nations had their birthplace in this country. Yet, the federation pointed out, our leadership has generally been by way of example, emphasizing that

the United States now has an opportunity to lead actively and purposefully by means of participation.

I certainly agree with that viewpoint and urge that the Senate give its advice and consent to the Convention on the Political Rights of Women before another year is reached.

WHY PRESIDENT'S SURTAX PROPOSAL IS ESSENTIAL TO PRESERVE A SOUND AND STABLE ECONOMY

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Why the President Wants the Surtax," written by Charles Stafford and published in the Tampa Sunday Tribune of November 5, 1967.

The article deserves the prompt attention of every Member of Congress. It explains lucidly and persuasively the facts surrounding the need for a surtax and what will eventuate if we do not have one.

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

[From the Tampa Tribune-Times, Nov. 5, 1967]

WHY THE PRESIDENT WANTS THE SURTAX

(By Charles Stafford)

WASHINGTON.—Don't knock a tax increase. The experts say it will save you money.

President Johnson has asked Congress for the increase for just this reason.

This is the situation:

Federal income is lower and expenditures higher than the President anticipated last January, so the government needs more revenue. But times are good. Nearly everyone has a job. Wages are going up. People are spending money.

Unless the fire is lowered a bit beneath the bubbling economy, it will boil over into a messy period of inflation.

Here is one expert's prediction: If the tax increase is approved, a family of four with an income of $10,000 will pay an additional $111 or 1.1 per cent of income. If there is no increase, the higher prices that will result will cost this same family $285 or 2.9 per cent of income. The family would save $174 with the tax increase.

The President requested a 10 per cent surcharge on taxes, not a 10-percent increase in the tax rate. If you pay Federal income taxes amounting to $1,000 a year, your increase would be $100 or about $1.92 more withheld from your weekly paycheck.

Congress doesn't like the tax increase idea. Ignoring testimony of the experts that it is necessary, Congressmen have shouted: "No. We will not increase taxes. The President must cut spending."

That's a nice thought, but virtually impossible.

Out of a $135 billion budget, there are only $21 billion that can possibly be cut away at will. To accomplish what he wishes to accomplish with the tax increase, he would have to cut at least $8.3 billion out of that $21 billion.

Congressmen, it should be noted, have insisted the President cut spending. Meanwhile, they have voted more money than he has requested for several programs.

The President, and his economic advisers, insist a tax increase is necessary. But why believe the President?

Here is one reason:

It is plain bad politics in the year before he must stand for reelection for a President to urge an increase in taxes. If Johnson has pushed for an increase at this time, you can be sure he fears the political consequences of not having a tax increase ever so much more. Treasury Secretary Henry H. Fowler—in an apparent reference to the President—has said: "One who is importantly involved in this issue remarked recently that old age was very unwelcome, but the alternative is worse."

Here is another:

Florida's two Congressional experts on tax matters are Rep. A. Sydney Herlong Jr., a member of the House Ways and Means Committee which considers tax bills, and Sen. George A. Smathers, ranking majority member of the Senate Finance Committee. Both are in excellent position to make an objective judgment of the need for an increase, because neither plans to seek reelection next year. Both say the increase is necessary.

There is an alternative to an increase.

"One alternative is clearly to do nothing," said Charles J. Zwick, assistant director of the Budget Bureau. "We can let high interest rates and credit shortages bring the rebound in the housing industry to a drastic halt. We can let inflation bring undue burdens on families with fixed incomes.

"As President Johnson pointed out," he said, "there will be a tax. The only question is whether it comes through deliberate tax action or through inflation. A temporary surcharge can be repealed, but the inequities resulting from inflation and tight money cannot."

Wading through the economic indicators—those mysterious things that form the lexicon of the economist and tax expert, things like "gross national product," and "personal income," and "national income accounts, Federal sector"—the experts have found a picture that is rosy, too rosy.

Full employment means business is looking for workers. This means there is competition for employees. This means wages are going up. This means the cost of production is going up.

It also means workers have money; personal income has been increased since May at a 9 per cent annual rate. This means workers want to buy things. This means things are in demand.

You combine increasing production costs with increasing demand for the things produced and you have an inevitable chemical reaction; higher prices.

"Inflationary pressures are bound to be strong with wage costs rising 5 to 6 per cent this year and with business firms seeking to escape narrower profit margins by raising prices." Dr. James J. O'Leary of Lionel D. Edie and Co. said.

The Federal Government has to pay those higher prices, too.

Last winter, President Johnson sat down with his financial experts to figure out the budget for the fiscal year 1968—July 1, 1967, to June 30, 1968. He figured the government needed to spend $135 billion. He figured the government's income would be $127 billion, if he could persuade Congress to approve a 6 per cent income tax surcharge effective on the first day of the fiscal year. He figured the government could borrow enough from the money lenders to cover the $8 billion deficit without too much danger to the nation's well-being.

Last summer, he took another look at things.

Congress had not approved the tax increase and tax revenue was running below expectations. The war in Vietnam was costing more than expected. When he finished his arithmetic, he found the government was facing a deficit in fiscal '68 that would probably exceed $28 billion, or $20 billion more than he had foreseen back in January.

On Aug. 3, the President revised his request for a tax increase. He asked for a 10 per cent tax surcharge—instead of 6—pledging at the same time the Administration would cut spending wherever possible at least as much as $2 billion.

He said the tax program would lower the budget deficit to somewhere in the neighborhood of $14 to $18 billion, and he felt the government could borrow this amount without adversely affecting the economy.

Most taxpayers hearing casual reference to a 10 per cent income tax surcharge take a running broad jump to the assumption that it is 10 per cent of taxable income.

Treasury Secretary Henry H. Fowler, aware of this, said in a recent speech: "If I don't register any other point, let us be clear that this proposed tax would not be 10 per cent of your income, but 10 per cent of your tax—a tax on a tax—equal to about 1 per cent of every dollar of your income."

The surcharge means a taxpayer—or a corporation—after figuring out how much he owes the government in income taxes, would then increase that amount by 10 per cent.

Some examples:

A family of four with an income of $10,000, now ordinarily paying a tax of about $1,100, would pay $1,210, or an added tax of $9.25 a month.

Three out of four American families would pay less than $9.25 a month because three out of four American families have incomes below $10,000.

The 16 million taxpayers in the two lowest income brackets would not have to pay the surcharge.

The situation wouldn't be even that bad when you began next April figuring out your income tax for 1967.

For individual taxpayers, the increase requested by the President would be retroactive only to Oct. 1. For corporations, it would date back to July 1.

Instead of paying a 10 per cent surcharge on his 1967 tax bill, an individual taxpayer would pay only 2.5 per cent since the surcharge was effective for only one-fourth the year. If his tax bill figured out at $1,000 for calendar 1967, his surcharge would be only $25 for a total tax payment of $1,025.

Presidential advisers estimate the surcharge would increase government income for fiscal 1968 by $6.3 billion. In combination with a $2 billion cut in spending, a continuation of automobile and telephone excise taxes that were scheduled to lapse, and a speed-up in collection of corporation taxes, the increase would presumably be enough to reduce the deficit to what the experts call "a manageable level."

Congressmen, their ears more attuned to the moans and groans of the people who elected them than to the nation's needs, have ignored the evidence offered them by economic experts. They persist in arguing that it is possible to cut spending enough to avoid a tax increase and that, if nothing else, the cuts must be made before they will decide whether a tax increase is necessary.

Meanwhile, such was the dedication of members of Congress to the cause of economy that house members voted a Federal employees pay raise exceeding the President's recommendation by $63 million, and a Senate committee increased the number of new public works projects from the nine requested by the President to more than 50.

The President's budget estimated expenditures for national defense at $75.5 billion. In view of the war in Vietnam, and the ever increasing cost of it this figure is virtually untouchable.

This leaves $61 billion for non-defense purposes.

But $30.2 billion of this is for programs for which payments must be made to comply with law: Interest on the public debt, public assistance (welfare) aid, veterans compensation and pensions, and the government's matching share of medicare payments.

Then there are payments to be made on contracts signed in previous years.

When all is said and done, budget officials have at most $21 billion where cuts can be made.

But just because these programs are cuttable doesn't mean they are any less desirable.

Programs falling within this $21 billion include veterans medical care, operation of the Federal airways, research on cancer and heart disease, Coast Guard operations, agricultural research, weather services, law enforcement, regulatory agencies, education, anti-poverty and health programs.

Some critics cry, "cut the anti-poverty program."

But if you wiped it out entirely, you would save only $2 billion. Consider the effect of such drastic action on Hillsborough County. Some $7.8 million in Federal aid to fight poverty would be cut out of the county's economy. Some 435 persons would be thrown out of jobs. Approximately 1,058 young people in the Neighborhood Youth Corps would no longer have parttime jobs enabling them to continue their schooling, but would be out pounding the pavements looking for work.

The cuts insisted on by Ways and Means, or a 5 per cent across the board cut, would have similar effects: The Tampa FBI contingent would be reduced by one or two agents, perhaps, a Coast Guard search plane out of St. Petersburg might be grounded, the Weather Bureau would perhaps have to curtail its frost warning service that tells citrus growers when to fire the groves, research on spreading decline would probably be cut at the Lake Wales Citrus Research Station.

And the spectre of inflation lies in wait, ready to pounce on the nation's economy unless there is a tax increase to scare it away.

The experts agree on that.

Prices are already rising. Economists say they will rise whether there is a tax increase or not. With a tax increase, they predict a rise during the next year of 2.5 per cent. But without it, they warn of an increase of 5 to 6 per cent.

The price of borrowing money will also go up, and this perhaps is more dangerous than other price increases.

There is available for lending in this nation an estimated $70 billion a year. If the Federal Government must suddenly go into that market to borrow $28 or $29 billion, the amount of money available to individuals and corporations will be substantially lowered. And it would be a sellers' market.

"It may be predicted that the Federal Government's credit needs would be met, one way or another, as would also the credit needs of larger business firms," said Frederick L. Deming, Under Secretary of the Treasury for Monetary Affairs "Funds for installment purchases, and other short-term credit, would probably be available, but money for home mortgages would quite likely be a major victim."

"I think the most serious problem," said Gardner Ackley, chairman of the President's Council of Economic Advisers "is the fact that you would have a great deal of trouble finding a mortgage at all."

Construction of houses would stop. The home building business would go into a recession. Carpenters and bricklayers would be laid off.

The seeds of a recession would be sown.

That, then, is the argument—the very persuasive argument—for a tax increase.

But Congress might already have delayed too long.

RIOT AND DISASTER INSURANCE

Mr. LONG of Louisiana. Mr. President, we are all familiar with the terrible riots of this summer which took place in Detroit, Mich., and Newark, N.J., bringing with them catastrophic losses as a consequence of property damage. The repercussions of these riots were felt on both the national and international scale. The President established a National Advisory Committee on Civil Disorders to look into the origin, consequences, and possible solution of these calamities.

Throughout the hearings one of the key points which was made time and again was the insurance losses borne by the companies and by the insured. To further analyze this particular problem of insurance, a select committee was formed. From the testimony presented before this select committee, it is clear that prevailing property-casualty insurance contracts, which ordinarily provide for fire and extended coverage, never contemplated outbreaks like those in Watts, Newark, and Detroit. In this connection, it is known that State laws seldom require insurance companies to make provisions in their reserves for prospective losses, such as those from catastrophes, or insolvencies of other insurance companies.

The lack of State laws requiring catastrophe reserves is not a product of indifference on the part of State officials. State insurance commissioners, especially those in States embracing hurricane coasts and tornado-beset areas, have explored the possibility of catastrophe reserves for several years. The results of their study indicate that under the present Federal tax structure, a requirement of catastrophe reserves would be a heavy and unreasonable burden.

Prior to the income tax, property-casualty companies looked to their surplus accounts for the funds necessary to meet catastrophes and carefully marshaled surplus funds in proportion to the increased risks assumed. The impact of income taxes was minimal for many years. Surplus accumulations from earnings were able to meet the increases in assumed hazards.

When the Federal Government increased taxes of property-casualty companies to roughly 50 percent of income, companies and State regulators found inadequate amounts were reaching surplus to guard against catastrophes. Thus the Federal Government directly set the pattern to which the business conformed and which State legislatures could not reasonably reshape to adequately cover catastrophes. Funds needed for catastrophes have gone to the Federal Treasury in normal years, leaving inadequate sums to meet catastrophes in disaster years.

Present statutes require maintenance of reserves for incurred and reported but unpaid losses, incurred but unreported losses, unearned policy premiums and other business accounts payable. However, many States do not require a reserve for prospective losses such as those resulting from catastrophes. The State legislators recognize the drain on accumulated surplus by the Federal tax, new insurance demands, and inflation's effect in covering present loss claims. They have realized that to require a reserve for catastrophes is not feasible because it would necessitate exorbitant rates on the one hand, or confiscatory rates on the other.

Because the American property-casualty companies cannot provide adequate catastrophe reserves at reasonable premium rates, they have turned to foreign reinsurance. The Federal tax laws have in major part been responsible for this flight to foreign reinsurance. The deduction for premium payments for reinsurance, and the adequate catastrophe protection which can be provided feasibly by foreign insurance have caused our property-casualty companies to look aboard. As a result of the flow of reinsurance premiums to foreign countries contributes to the deficit in international balance of payments and inhibits the development of an adequate reinsurance market in the United States.

To meet this immediate and critical need—that is, to provide for a fund from which insurance companies can pay unexpected catastrophe losses and which will provide reinsurance at reasonable rates it is necessary to develop a system whereby funds can be accumulated without the normal tax incident. In the hearing before the select committee several witnesses suggested a tax deferral plan whereby funds would be placed in a catastrophe loss account to be used only to meet the specific losses, that the tax on such accumulation would be deferred until the day when the funds were withdrawn for a purpose other than paying catastrophe losses.

The National Association of Insurance Commissioners made specific recommendations along these lines. These recommendations appear to offer a solution to this pressing problem that is worth exploring. This approach would permit the accumulation of reserves in a catastrophe loss account through a tax deferral arrangement on contributions to such account. This proposed arrangement is not novel but is similar to that already in effect in the code and utilized in granting relief in somewhat similar and analogous casualty risk problems.

The reserve fund which this approach envisions would be made operable primarily by State laws and regulations which would define the term "catastrophe" so that it will meet the needs of the local communities. For example, the definition of catastrophe in a sea coast State would necessarily include hurricane losses whereas a landlocked State would have no need for such coverage. The State laws and regulations would also fix the amount which may be accumulated in the fund.

However, for the purpose of uniformity a bill under consideration by my office envisions a ceiling which would always be limited to 10 percent on premiums earned in the preceding 12 months on policies which embrace or encompass the specific hazard for which the fund was created, or the percentage established by State law or regulation, whichever is the lesser percentage. The fixing of a ceiling of this type acts as a self-regulating feature so that no company may place or maintain in the fund at any one time any more than the 10 percent allowed. In this way the catastrophe reserve fund may not be used or abused as a tax shelter.

In view of the various proposals which have been considered for the purpose of

granting Federal subsidies to casualty insurance companies which become or are faced with insolvency, it is hoped that this amendment would eliminate the necessity for such Federal intrusion which would involve large administrative expenses and backdoor Federal financing.

Further, the proposed amendment leaves to the State the establishment, management and control of a fund to deal with unique local problems thereby avoiding the necessity for possible Government subsidies which have been suggested in other proposals. I am appending to these remarks a copy of a bill which reflects the type of legislation needed to solve the unique and important problems posed by this situation, together with an explanation of its features. It is recognized that this prototype must be subjected to further analysis with a view to possible refinements. My staff is presently engaged in achieving this goal. It is my intention to introduce such a bill early in the next session of Congress.

I ask unanimous consent to have printed in the RECORD the text of the bill and an analysis of the amendment relating to tax treatment.

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

TEXT OF PROPOSED BILL TO ALLOW A TAX DEDUCTION FOR ADDITIONS TO CATASTROPHE RESERVES OF FIRE AND CASUALTY INSURANCE COMPANIES

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

SEC. 832(b)(4) be amended to read as follows:

"(4) PREMIUMS EARNED.—The term 'premiums earned on insurance contracts during the taxable years' means an amount computed as follows:

"(A) From the amount of gross premiums written on insurance contracts during the taxable year, deduct return premiums, premiums paid for reinsurance, and accumulations as may be required by State law to catastrophe reserves.

"(b) To the result so obtained, add withdrawals from, or reductions in catastrophe reserves for any nonconforming use, and unearned premiums on outstanding business at the end of the preceding taxable year and deduct unearned premiums on outstanding business at the end of the taxable year.

"For the purposes of this subsection, unearned premiums shall include (1) life insurance reserves, as defined in section 806, pertaining to the life, burial, or funeral insurance, or annuity business of an insurance company subject to the tax imposed by section 831 and not qualifying as a life insurance company under section 801, and (2) accumulations to catastrophe reserves required by law for losses resulting from catastrophes and insolvencies of other companies.

"The term 'catastrophes' includes but is not limited to riots, windstorms, floods, explosions, earthquakes, and insolvencies of other insurance companies. Nothing in this definition shall be considered to relate to mortgage guaranty insurance companies. The total accumulation in the reserve fund shall be liimted to 10 per centum of the premiums earned during the preceding 12-month period on policies which embrace or encompass the specific hazard for which the reserve is created, or the amount provided by State law or regulation, whichever is lesser: *Provided however,* That the catastrophe reserve required by law for each specific insurance hazard is not excessive in proportion to the total hazard in force, and that there is an orderly dimunition of such reserve in proportion to the dimunition of hazard. For purposes of this subsection, unearned premiums of mutual fire or flood insurance companies described in section 831(a)(3)(B) means (with respect to the policies described in section 831(a)(3)(B)) the amount of unabsorbed premium deposits which the company would be obligated to return to its policyholders at the close of the taxable year if all of its policies were terminated at such time; and the determination of such amount shall be based on the schedule of unabsorbed premium deposit returns for each such company then in effect. Premiums paid by the subscriber of a mutual flood insurance company referred to in paragraph (3) of section 831(a) shall be treated, for purposes of computing the taxable income of such subscriber, in the same manner as premiums paid by a policyholder to a mutual fire insurance company referred to in such paragraph (3)."

ANALYSIS OF AMENDMENT RELATING TO TAX TREATMENT CATASTROPHE RESERVES OF FIRE AND CASUALTY INSURANCE COMPANIES

Section 832(b)(4) has been amended to include language which would permit the creation of reserve funds to meet the extraordinary losses resulting from catastrophes. The proposed amendment permits accumulations to the reserve fund from earned premiums which will not be included as part of the taxable income. The amendment contains its own limitations as to amount of the fund, the duration of the fund, and the mechanics of operation of the fund.

The proposed amendment is geared to assist mutual and stock insurance companies in meeting the tremendous burdens imposed upon them by losses incurred by unexpected catastrophes. Specifically, the amount is intended to assist companies in meeting losses incurred from riot and public disorder which are totally unexpected, and for which there is no loss experience. As was witnessed in the riots in Detroit, Newark and Watts, insurance companies were subjected to large and unexpected claims of losses. Under these circumstances, if future insurance is to be made available in such areas, the premiums for such insurance become very high. The establishment of the reserve fund proposed would permit reinsurance at reasonable rates.

The definition of "catastrophe" in the bill is left fluid so that it can be defined on a local basis by State Laws and Regulations. Certainly no fixed definition can be arrived at which would encompass all possible catastrophes. Further, the States would be permitted to fix the maximum amount which could be placed in the reserve fund, subject to the limitation established by the proposed amendment. The proposed amendment in this regard establishes ceiling. This ceiling assures that no company could, at any one time, place in the fund any more than 10% of the premiums earned during the preceding 12-month period on policies which embrace or encompass the specific catastrophe for which the reserve fund was established. In addition, this formula would permit the steady accumulation of assets in catastrophe loss account. Careful limitations on withdrawals from the fund are set forth in Section 832(b)(4).

The proposed amendment will apply equally to stock and mutual insurance companies. At the present time Section 824 of the Internal Revenue Code permits mutual stock companies on a voluntary basis to build up reserve funds to cover most of the catastrophe losses as defined in this section, with the exception of losses from riots or public disorders. It might appear that there is a conflict between Section 824 and the proposed amendment. However, by inserting the phrase, "accumulations as may be required by State Law to catastrophe reserves", mutual companies are still permitted to establish funds on a voluntary basis. Further, only when required by State Law will reserve funds be required for riot losses. In that situation, both mutual and stock companies will have to follow the formula established in the amendment.

The amendments to the above section should be implemented by State and Federal Regulations.

(1) Each State Law must provide for the orderly and conservative increase and diminution of said accumulation to reserves proportionate to the increase and diminution of hazards to which the company is exposed.

(2) The accumulation to reserve shall be made solely out of premium income received for those contingencies for which reserve accumulations are required by State Law.

(3) Such reserve account shall be utilized only for the express purpose of providing funds to meet catastrophic losses, economic losses and losses from the insolvency of another fire and casualty company.

(4) Such reserve account must be maintained by each insurance company, separate and district from its other reserve liabilities, and the assets of said reserve account must be invested only in those legal investments in which the company may by State law invest its reserve funds.

(5) The accumulation to reserve must not be subject to sharing in any other type loss experienced by the company or utilized for any purpose other than set forth in this act.

Any nonconforming use of or withdrawal of funds from said reserve by a company for any reason unrelated to the express purpose of this act would constitute the receipt of taxable income on behalf of such company and would result in the immediate taxation on such amounts so withdrawn or utilized.

(1) Profits or losses from investments of funds in said reserve account shall not be excluded from gross income and will continue to be taxed and recognized under applicable sections of the Code.

ORDER OF BUSINESS

Mr. ERVIN. Mr. President, since I was not able to attend all of the meetings of the conferees on the subversive activities control bill. I should like to ask that the Senator from Illinois [Mr. DIRKSEN] present the conference report for the consideration of the Senate.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. DIRKSEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of December 13, 1967, pp. 36395–36397, CONGRESSIONAL RECORD.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DIRKSEN. Mr. President, the conference report now before the Senate has adopted significant aspects of the House bill, which are as follows:

First. Amendment to definition of Communist front.

Second. The amendment to section 10 adding requirement for disclosure of Communist organizations using the mail or any facility of interstate commerce to solicit money or property.

Third. Provisions against mooting of proceedings upon dissolution of Communist-action or front organizations subsequent to filing of Attorney General's petition.

Fourth. Compulsory testimony and production of evidence over fifth amendment claims on grant of immunity.

Fifth. Authority of Board to initiate contempt proceedings in district court for misbehavior in presence of Board.

Sixth. Denial of jurisdiction to Federal courts to entertain collateral proceedings.

Seventh. Inclusion of two or more individuals in one petition.

As this body is aware, a resent decision of the U.S. Supreme Court, entitled United States against Eugene Frank Robel, struck down a subsection of the Subversive Activities Control Act of 1950. This section is numbered section 5(a)(1)(D) and it consists of only a few lines of the act. The decision of the Supreme Court was rendered after this section was approved by both Houses of Congress. It would have been inappropriate under the rules for the conferees to address themselves to this point which was not committed to them by either House. The parent measure contains the usual separability clause, which reads as follows:

SEC. 116. If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this title, or the application of such provision to other persons or circumstances, shall not be affected thereby. Nothing contained in this title shall be construed to suspend or to authorize the suspension of the privilege of the writ of habeas corpus.

I submit under these circumstances any concern over the inclusion of language stricken down by the Robel case is unwarranted. The work of the Subversive Activities Control Board figured prominently on Monday of this week in the decision of the U.S. Supreme Court entitled DuBois Clubs of America et al. against Clark et al. The appellants in that case filed a complaint in the U.S. district court and alleged that the Communist-front registration provisions of the act were unconstitutional.

This action followed a petition by the Attorney General to the Subversive Activities Control Board for an order requiring the DuBois Clubs of America to register with the Attorney General as a Communist-front organization.

The appellants further requested the Court to enjoin the Attorney General and the Subversive Activities Control Board from enforcing the Communist-front registration provisions of the act against them.

A three-judge district court, convened on appellants' motion, dismissed the complaint because appellants had failed to exhaust their administrative remedies and the Supreme Court affirmed the judgment and stated in its opinion:

Before there may be proceedings to punish appellants for failure to register with the Attorney General, the SACB must first find that the DuBois Clubs is a Communist-front organization and issue an order to that effect.

The Act provides for a full evidentiary hearing which is to be held in public. Appellants may be represented by counsel, offer oral or documentary evidence, submit rebuttal evidence, and conduct cross-examination. The SACB must make a written report and state its finding of fact. If appellants are aggrieved by the Board's order, they may obtain review in the United States Court of Appeals for the District of Columbia Circuit which may set aside the order if it is not "supported by the preponderance of the evidence." Upon motion of a party, the Court of Appeals may order the Board to take additional evidence. Of course, if the Board and the Court of Appeals find that the Act does cover appellants, they may challenge its constitutionality either as applied or on its face. Judgments of the Court of Appeals are reviewable by this Court on certiorari.

It further quoted the opinion of the court below, as follows:

Congress has made careful provision that no tangible sanction can come into play until the facts have been explored in open hearing [before the Board] and the courts have scrutinized what they show, both in their adequacy to support a registration order and in their constitutional impact upon the statute itself.

The Senate bill included provisions which would terminate the Subversive Activities Control Board on June 30, 1969, unless proceedings have been instituted before the Board and hearings conducted by it during the period beginning on the date of enactment of the legislation and ending on December 31, 1968. The Attorney General was made the sole judge as to whether proceedings had been instituted and hearings conducted. No similar provision was contained in the House amendment.

The substitute agreed to in conference contains a modified version of the Senate provisions. The conference substitute provides that the Board shall cease to exist on June 30, 1969, unless a proceeding has been instituted before the Board and a hearing shall have been conducted during the period beginning on the date of enactment of this legislation and ending on December 31, 1968. In addition, the Attorney General is required to report to the Congress, on or before June 30, 1968, the proceedings he has instituted, and the Board is required to report to the Congress, on or before June 30, 1968, on the progress it has made in conducting hearings during such period. If no proceedings have been instituted, the Attorney General is required to report the reasons therefor and, if no hearings have been conducted, the Board is required to report the reasons therefor. Similar reports are required to be filed by the Attorney General and by the Board on or before January 10 of each year, beginning in 1969, to cover the immediately preceding calendar year.

Mr. President, there were 7 or 8 points of difference between the House and the Senate. Most of them were of minor significance, such as the definition of a Communist front, and an amendment to section 10 adding a requirement for disclosure of Communist organizations using the mail or any facility of interstate commerce to solicit money or property. Still another is a provision against mooting of proceedings upon dissolution of Communist-action or front organizations subsequent to filing of the Attorney General's petition. Still another dealt with compulsory testimony and the production of evidence over fifth amendment claims on grant of immunity.

Actually, Mr. President, the one significant item is the one that is commonly known as the Proxmire-Mansfield-Dirksen amendment with respect to the existence of the Board. We preserved that, in substance, and we modified it slightly in this respect: As it was originally submitted in the Senate, it did not call for a report until at the end of a year. We thought that both the Attorney General and the Board should submit reports at the end of 6 months to show, in the case of the Attorney General, whether a provision or a procedure was filed, and, in the case of the Board, whether any hearings or other proceedings had been held, and then to assign the reasons why, if such were not the case; then to require at the end of a full calendar year, on December 31, 1969, a similar report. In effect, that will keep Congress fully informed, and Congress can exercise its supervisory control both with respect to the Attorney General and with respect to the Subversive Activities Control Board.

Now, there was one item of which we might have taken cognizance had we been in a position to do so. That was the recent case—in fact, a case handed down in the High Court this week—dealing with the employment of a Communist in a defense plant. The simple fact of the matter is that that item was not before the conference, since it did not appear within the four corners of the House bill or of the Senate bill. Therefore, the conferees obviously could not deal with it.

However, I have sought to deal with it already by taking the report that was made by the special Commission set up in the Eisenhower administration, of which the distinguished Senator from New Hampshire [Mr. COTTON] and the distinguished Senator from Mississippi [Mr. STENNIS] were both members. It was modified a little, and I submitted it together with a statement last night. But it would deal with matters of that kind and would do it, I believe, more inclusively and more effectively.

Mr. President, the managers for the Senate defended as vigorously as could be done the Senate version of section 12 of the act, commonly referred to as the Mansfield - Proxmire - Dirksen amendment. I doubt whether there is anything more that I need say about the conference report, except to urge its adoption.

Mr. PROXMIRE. Mr. President, with reference to the conference report on S. 2171, popularly known as the Subversive Activities Control Board bill:

Yesterday, the House accepted this conference report by a vote of 276 to 114. Much of the debate on this matter in the House yesterday centered on the so-called Mansfield-Dirksen-Proxmire amendment and the modification of this provision by the conference committee.

I opposed the original proposal, S. 2171, for a number of reasons, which I stated

in detail during the floor debate on the bill.

S. 2171 was introduced on July 27 of this year by the distinguished minority leader [Mr. DIRKSEN], 6 days after I introduced S. 2146 to abolish the SACB and 6 days after Gerry Landauer's outstanding article in the Wall Street Journal revealed that the Subversive Activities Control Board had not conducted a single hearing in well over a year.

S. 2171 was reported favorably from the Judiciary Committee less than 3 weeks later, on August 15, after no hearings, no executive reports, and not a single sentence from the Attorney General, who has the exclusive responsibility for initiating all proceedings under the bill.

After more than a full week of debate in the Senate, S. 2171 was passed on October 23, but only after adopting the Mansfield-Dirksen-Proxmire amendment by the overwhelming vote of 74 to 2.

The amendment provided what many Senators expected would be the ultimate death warrant for the Board, which had cost the American taxpayers over $5 million over the past 17 years and had failed to register a single Communist in its vapid history.

In the Mansfield-Dirksen-Proxmire amendment, it is provided:

> The Board shall cease to exist on June 30, 1969, unless in the period beginning on the date of enactment of this subsection and ending on December 31, 1968, proceedings under this Act shall have been instituted before the Board and hearings under this Act shall have been conducted by the Board. On January 1, 1969, the Attorney General shall determine whether such proceedings have been so instituted and such hearings have been so conducted within that period. The determination so made by the Attorney General shall be published in the Federal Register on or before January 10, 1969.

That was the amendment as it passed the Senate.

I was delighted to cosponsor this amendment with my distinguished and able majority leader [Mr. MANSFIELD], and the distinguished minority leader, because of my firm belief that the outstanding Attorney General of the United States, the Honorable Ramsey Clark, would not be a party to any sham proceedings before the SACB, and that in January of 1969 his determination would result in the abolition of this do-nothing, mischievious Board.

The House-passed version of S. 2171 contained no provision comparable to the Mansfield-Dirksen-Proxmire amendment, and to consider this and other differences between the two bills, the Senate asked for a conference with the House.

What came out of the conference and is now before the Senate in a different Mansfield-Dirksen-Proxmire amendment.

The Mansfield - Dirksen - Proxmire amendment insisted upon "proceedings" and "hearings"—both plural—because, as the majority leader said so incisively on October 19 in explaining why he had changed the language of the amendment from "one or more proceedings" and "one or more hearings" to "proceedings" and "hearings":

> Those words were struck out because I, at least, felt that if it were a matter of a single hearing or a single proceeding, that would be insufficient and therefore those terms in their plural context should be used.
>
> I wanted to explain that to indicate that we are trying to make this as tight and as reasonable as possible.

This was the amendment which was subsequently adopted by the overwhelming vote of 74 to 2.

Unfortunately, the Mansfield-Dirksen-Proxmire amendment did not survive the conference intact. The plural "proceedings" and "hearings," which the majority leader emphasized when he introduced the amendment, have been changed to "a proceeding" and "a hearing."

In addition, the Attorney General will not have the authority to make the final determination at the end of next year as to whether the Board shall be abolished. Instead, if a single proceeding is instituted and a single hearing is held, the Board will be rewarded with that most elusive of human conditions, perpetual life. This prospect is not one which inspires great personal comfort.

But before the Senate acts on this conference report, I want to point out to my colleagues two relevant decisions of the Supreme Court, handed down just this week.

Section 5(a)(1)(D) provides:

> When there is in effect a final order of the Board determining any organization to be a Communist-action organization or a Communist-front organization, it shall be unlawful for any member of such organization with the knowledge or notice of such final order of the Board, if such organization is a Communist-action organization, to engage in any employment in any defense facility.

Mr. President, this past Monday, just 3 days ago, the Supreme Court, by a 6-to-2 vote, in Robel against United States, invalidated this entire provision of the act. I do not believe that in my 10 years in the Senate, I have ever witnessed such legislative folly: The Senate is about to give its seal of approval to a bill, an integral section of which was declared unconstitutional. Every Senator should know, must know what he is voting on today. He is voting for an unconstitutional proposal when he votes for the conference report on S. 2171.

The second Court decision, also handed down Monday, remanded the matter of the W. E. DuBois case back to the Subversive Activities Control Board.

Therefore, technically the Board, when it bestirs itself from its 2-year lethargy and reopens proceedings on the DuBois Club, will fulfill, at least technically, the requirement for "a hearing" as provided in the conference report. But I want to point out that the proceeding in the DuBois Club matter was instituted in 1966 by the then-Attorney General Nicholas Katzenbach. Therefore, while the DuBois Club case may meet the requirement for "a hearing," it will fail totally to meet the requirement for the instituting of a proceeding since it was instituted in 1966, and the bill, as agreed upon by the House and the Senate, requires a proceeding in 1968.

By the provisions of the conference report and by the interpretation of the counsel for the House Un-American Activities Committee, a new and separate proceeding must be instituted by the Attorney General before the Board some time between now and December 31, 1968, or the Board will go out of business.

For the sake of the American taxpayers and for all the American people I hope the Subversive Activities Control Board will go out of business on June 30, 1969.

I yield the floor.

Mr. DIRKSEN. Mr. President, with reference to the observation by my distinguished friend from Wisconsin relating to the DuBois case, the fact is that that case involved thousands of pages of testimony, and the very fact that the Supreme Court sustained the district court and said they had not exhausted their administrative remedies means that is definitely before the board, and that is a proceeding that can run on and on. Secondly, I know of no reason why you have to have two or more, or at least two proceedings, or two petitions. One is sufficient because it may be all-encompassing, and that is plenty.

With reference to the power of the Attorney General, the House made what I thought was a very valid point. They said, in effect, "What you are doing is giving to an executive officer the life-and-death power over an executive or administrative board," and that is just bad law.

Mr. President, I rather concurred in that view and that is the reason we made this modification. So the board is in business. I think I can assure the Senate and the country now that we will ride herd, not only on the board but on the Attorney General likewise, with respect to this entire matter because I look upon communism as a constant and eminent threat to the well-being of this country.

Mr. PROXMIRE. Mr. President, it is very important in interpreting the conference report that we have a clear understanding of what "instituting a proceeding" means.

The interpretation of the distinguished minority leader, as I understood him, was that if the board simply continues to act on the W. E. DuBois matter this will constitute not only a hearing, which it would, but a "proceeding" in the sense of the conference report. It is clear, however, that this is not the case. Such action would not, I repeat not, constitute the institution of a proceeding.

I read from the conference report which states:

> The substitute agreed to in conference contains a modified version of the Senate provisions. The conference substitute provides that the Board shall cease to exist on June 30, 1969, unless a proceeding has been instituted before the Board and a hearing shall have been conducted during the period beginning on the date of enactment of this legislation and ending on December 31, 1968.

Mr. President, as I have said there is apparently a dispute between the distinguished Senator from Illinois [Mr. DIRKSEN] and me, but I call attention to the opinion of the counsel for the House Un-American Activities Committee. I realize this is the opinion of the counsel for the House Un-American Activities Committee, but he has done a great deal of staff work on the matter. I recognize that he has no legislative force but we can recog-

nize his competence in the area and his interpretation as counsel for the House Un-American Activities Committee.

It is the opinion of the counsel for the House Un-American Activities Committee that a new and separate proceeding must be instituted by the Attorney General before the Board sometime between now and December 31, 1968, and the fact that they will be hearing simply additional material on the W. E. DuBois case does not constitute the institution of a proceeding in the meaning of the conference report.

The PRESIDING OFFICER (Mr. GORE in the chair). The question is on agreeing to the conference report. [Putting the question.]

The "ayes" appear to have it.

The Chair is in doubt. Those in favor please stand. Senators who have been counted will be seated.

Those opposed, please stand.

The conference report is agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Calendar No. 920.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will proceed to state the items on the calendar, beginning with Calendar No. 920.

STUDY OF REFUGEES AND ESCAPEES

The resolution (S. Res. 193) to provide additional funds to study any and all matters relating to the problems created by the flow of refugees and escapees was considered and agreed to as follows:

S. RES. 193

Resolved, That S. Res. 38, Ninetieth Congress, agreed to February 17, 1967 (authorizing the Committee on the Judiciary to study any and all matters relating to the problems created by the flow of refugees and escapees), is hereby amended on page 2, line 19, by striking out "$90,000" and inserting in lieu thereof "$105,400".

RIOTS, CIVIL AND CRIMINAL DISORDERS

The resolution (S. Res. 195) authorizing the printing for the use of the Committee on Government Operations of additional copies of its hearings entitled "Riots, Civil and Criminal Disorders," was considered and agreed to as follows:

S. RES. 195

Resolved, That there be printed for the use of the Committee on Government Operations one thousand additional copies of part I of the hearings before its Permanent Subcommittee on Investigations during the Ninetieth Congress, first session, entitled "Riots, Civil and Criminal Disorders".

LIMIT OF EXPENDITURES FOR HEARINGS BEFORE THE COMMITTEE ON ARMED SERVICES

The resolution (S. Res. 196) increasing the limit of expenditures for hearings before the Committee on Armed Services was considered and agreed to as follows:

Resolved, That the Committee on Armed Services hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

AMENDMENT OF THE MARINE RESOURCES AND ENGINEERING DEVELOPMENT ACT

The bill (H.R. 13273) to amend the Marine Resources and Engineering Development Act of 1966, as amended, to extend the period of time within which the Commission on Marine Science, Engineering, and Resources is to submit its final report and to provide for a fixed expiration date for the National Council on Marine Resources and Engineering Development was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF THE PRESIDENTIAL INAUGURAL CEREMONIES ACT

The Senate proceeded to consider the bill (H.R. 827) to amend the Presidential Inaugural Ceremonies Act which had been reported from the Committee on the District of Columbia, with an amendment, strike out all after the enacting clause and insert:

That section 2 of the Presidential Inaugural Ceremonies Act (70 Stat. 1049; D.C. Code, sec. 1-1202), is amended to read as follows:

"SEC. 2. (a) For each inaugural period the District of Columbia Council is authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during such period; and to grant, under such conditions as it may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to charge such fees for such privilege, as it may deem proper.

"(b) The Commissioner of the District of Columbia is authorized to issue, for both duly registered motor vehicles and unregistered motor vehicles made available for the use of the Inaugural Committee, special registration tags, valid for a period not exceeding ninety days, designed to celebrate the occasion of the inauguration of the President and Vice President."

SEC. 2. Section 3 of the Presidential Inaugural Ceremonies Act (D.C. Code, sec. 1-1203) is amended (a) by striking "travel expenses of enforcement personnel from other jurisdictions" and inserting in lieu thereof "travel expenses of enforcement personnel, including sanitarians, from other jurisdictions"; (b) by striking "policemen and firemen" and inserting in lieu thereof "policemen, firemen, and other municipal employees"; and (c) by striking the period at the end of such section and inserting in lieu thereof the following: "; and such sums as may be necessary, payable in like manner as other appropriations for the expenses of the Department of the Interior, to enable the Secretary of the Interior to provide meals for the members of the United States Park Police during the inaugural period.".

SEC. 3. Section 8 of the Presidential Inaugural Ceremonies Act is amended by deleting the term "Commissioners" and inserting in lieu thereof "District of Columbia Council".

SEC. 4. The Presidential Inaugural Ceremonies Act is amended by adding at the end thereof the following new section:

"SEC. 10. Wherever the term 'Commissioners' is used in this Act, such term shall be deemed to refer to the Commissioner of the District of Columbia."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DISTRICT OF COLUMBIA AIR POLLUTION CONTROL ACT OF 1967

The Senate proceeded to consider the bill (S. 1941) to prevent, abate, and control air pollution in the District of Columbia, and for other purposes which had been reported from the Committee on the District of Columbia, with an amendment, strike out all after the enacting clause and insert:

That this Act may be cited as the "District of Columbia Air Pollution Control Act of 1967".

STATEMENT OF POLICY

SEC. 2. It is declared to be the policy of Congress to maintain that degree of purity of the air resources of the District of Columbia which will protect public health, general welfare, and property.

DEFINITIONS

SEC. 3. For purposes of this Act:

(1) The term "air pollution" shall mean the presence in the outdoor atmosphere of substances in quantities, having characteristics and being of a duration which, from any single source or in combination with other sources, are, or may be predicted with reasonable certainty, to be injurious to human, plant, or animal life or property, or which unreasonably interfere with the proper enjoyment of the property of others by reason of the emission of odors, solids, vapors, liquids, or gases;

(2) The term "Commissioner" shall mean the Commissioner of the District of Columbia appointed pursuant to Part III of Reorganization Plan Numbered 3 of 1967;

(3) The term "Board" shall mean the Air Pollution Control Board of the District of Columbia;

(4) The term "Advisory Council" shall mean the Air Pollution Control Advisory Council of the District of Columbia;

(5) The term "person" shall mean any individual, group of individuals, firm, partnership, voluntary association or private, public, or municipal corporation, responsible for the use of property; and

(6) The term "emergency" shall mean a sudden condition of such public gravity and exigency as to require immediate action, or a condition which is predicted with reasonable certainty to require immediate action, to carry out the purposes of this Act.

AIR POLLUTION CONTROL BOARD

SEC. 4. There is hereby created an Air Pollution Control Board of the District of Columbia. The Board shall consist of three persons, appointed by the Commissioner of the District of Columbia. Of the three persons first appointed as members of the Board, one shall be appointed for two years, one for three years, and one for four years, and thereafter all appointments shall be for the term of four years. Two of the members in office shall constitute a quorum for the transaction of the business of the Board. Vacancies caused by death, resignation, or otherwise

shall be filled by the Commissioner only for the unexpired terms. Members shall be eligible for reappointment. The Commissioner shall designate one of the members of the Board to be Chairman thereof. The positions of members of the Board shall be classified and the compensation fixed in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The Board is authorized to appoint such personnel as, in its judgment, shall be required to carry out its functions. Such appointments shall be in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The Board shall be the official air pollution control agency for the District of Columbia for purposes of the Clean Air Act.

AIR POLLUTION CONTROL ADVISORY COUNCIL

SEC. 5. (a) There is hereby created an Air Pollution Control Advisory Council of the District of Columbia. The Advisory Council shall consist of seven members, who shall be appointed by the Commissioner of the District of Columbia for a term of four years, except that with respect to the first appointments made after this Act becomes effective, two members shall be appointed for two-year terms, two members shall be appointed for three-year terms, and three members shall be appointed for four-year terms. Four of the members in office shall constitute a quorum for the transaction of the business of the Advisory Council. Vacancies caused by death, resignation, or otherwise shall be filled by the Commissioner only for the unexpired terms. Members shall be eligible for reappointment. The Commissioner shall designate one of the members of the Advisory Council to be Chairman thereof. Members shall be chosen to reflect a range of experience in matters of air pollution control, including such fields as engineering, health, and manufacturing and commercial activities.

(b) Members of the Advisory Council, including those who may be officers or employees of the Federal or District of Columbia governments, shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(c) The Advisory Council shall consider rules, regulations, standards, and emission control requirements as provided in section 13 of this Act, and any other matters related to the purposes of this Act. The Advisory Council may make recommendations on its own initiative to the Board concerning the administration of this Act.

POWERS OF THE POLLUTION CONTROL BOARD

SEC. 6. The Air Pollution Control Board shall have power to:

(1) Establish and enforce ambient air quality standards for the District of Columbia, and emission control requirements such as, in its judgment, may be necessary to prevent, abate, or control air pollution.

(2) Issue such orders as may be necessary to effectuate the purposes of this Act.

(3) Adopt, amend, and rescind rules and regulations implementing this Act.

(4) Hold hearings relating to any aspect of or matter in the administration of this Act, and in connection therewith, compel the attendance of witnesses and the production of evidence.

(5) Require access to records relating to emissions which may cause or contribute to air contamination.

(6) Encourage and conduct studies, investigations, and research relating to air contamination and air pollution and their causes, effects, prevention, abatement, and control.

(7) Secure necessary scientific, technical, administrative, and operational services, including laboratory facilities, by contract or otherwise.

(8) Consult, upon request, with any person proposing to construct, install, or otherwise acquire an air contaminant source or device or system for the control thereof, concerning the efficacy of such device or system, or the air pollution problem which may be related to the source, device, or system. Nothing in any such consultation shall be construed to relieve any person from compliance with this Act, or any other provision of law.

(9) Advise, consult, contract, and cooperate with other agencies of the District government, other local governmental units, States, industries, interstate, or interlocal agencies, the Federal Government, and with interested persons or groups.

(10) Accept, receive, and administer grants or other funds or gifts from public or private agencies, including the Federal Government, for the purposes of carrying out this Act.

CLASSIFICATION AND REPORTING

SEC. 7. (a) The Air Pollution Control Board, by rule or regulation, may classify air contaminant sources, which in its judgment may cause or contribute to air pollution, according to levels and types of emissions and other characteristics which relate to air pollution, and may require reporting for any such class or classes. Classifications shall be made with special reference to effects on health, economic, and social factors, and physical effects on property.

(b) Any person operating or responsible for the operation of air contaminant sources of any class for which the rules and regulations of the Board require reporting shall make reports containing information as may be required by the Board concerning location, size, and height of contaminant outlets, processes employed, fuels used, and the nature and time periods or duration of emissions, and such other information as is relevant to air pollution and available or reasonably capable of being assembled.

ADDITIONAL CONTAMINANT CONTROL MEASURES

SEC. 8. (a) The Air Pollution Control Board may require that notice be given to it prior to the undertaking of the construction, installation, or establishment of particular types or classes of new air contaminant sources specified in its rules and regulations. Within fifteen days of its receipt of such notice, the Board may require, as a condition precedent to the construction, installation, or establishment of the air contaminant source or sources covered thereby, the submission of plans, specifications, and such other information as it deems necessary in order to determine whether the proposed construction, installation, or establishment will be in accord with applicable rules and regulations in force pursuant to this Act. If within thirty days of the receipt of plans, specifications, or other information required pursuant to this section the Board determines that the proposed construction, installation, or establishment will not be in accord with the requirements of this Act or applicable rules and regulations, it shall issue an order prohibiting the construction, installation, or establishment of the air contaminant source or sources. Failure of such an order to issue within the time prescribed herein shall be deemed a determination that the construction, installation, or establishment may proceed: *Provided*, That it is in accordance with the plans, specifications, or other information, if any, required to be submitted.

(b) In addition to any other remedies available on account of the issuance of an order prohibiting construction, installation, or establishment, and prior to invoking any such remedies, the person or persons aggrieved thereby shall, upon request in accordance with rules of the Board, be entitled to a hearing on the order. Following such hearing, the order may be affirmed, modified, or withdrawn.

(c) For the purposes of this Act, addition to or enlargement or replacement of an air contaminant source, or any major alteration therein, shall be construed as construction, installation, or establishment of a new air contaminant source.

(d) Any features, machines, and devices constituting parts of or called for by plans, specifications, or other information submitted pursuant to subsection (a) hereof shall be maintained in good working order.

(e) Nothing in this section shall be construed to authorize the Board to require the use of machinery, devices, or equipment from a particular supplier or produced by a particular manufacturer, if the required performance standards may be met by machinery, devices, or equipment otherwise available.

(f) The absence or failure to issue a rule, regulation, or order pursuant to this section shall not relieve any person from compliance with any emission control requirements or with any other provision of law.

(g) The Board by rule or regulation may prescribe and provide for the payment and collection of reasonable fees for the review of plans and specifications required to be submitted pursuant to this section. All fees shall be paid into the general revenue fund of the District of Columbia.

VARIANCES

SEC. 9. (a) Any person who owns or is in control of any plant, building, structure, process, or equipment may apply to the Board for a variance from rules, regulations, standards, or emission control requirements. The Board may grant such variance if it finds that—

(1) the emissions occurring or proposed to occur do not endanger or tend to endanger human health or safety; and

(2) compliance with the rules, regulations, standards, or emission control requirements from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(b) No variance shall be granted pursuant to this section except after public hearing on due notice and until the Board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(c) Any variance or renewal thereof shall be granted within the requirements of subsection (a) and for time periods and under conditions consistent with the reasons therefor, and within the following limitations:

(1) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement, or control of the air pollution involved, it shall be only until the necessary means for prevention, abatement, or control become known and available, and subject to the taking of any substitute or alternate measures that the Board may prescribe.

(2) If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the Board, is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditional on adherence to such timetable.

(3) If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in items 1 and 2 of this subparagraph, it shall be for not more than one year.

(d) Any variance granted pursuant to this section may be renewed on terms and condi-

tions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the Board on account of the variance, no renewal thereof shall be granted, unless following public hearing on the complaint on due notice, the Board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal the Board shall give public notice of such application in accordance with rules and regulations of the Board.

(e) Any person adversely affected by a variance or renewal granted by the Board may obtain judicial review thereof by a proceeding in the District of Columbia Court of Appeals, as provided for by subsection (c) of section 12 of this Act.

(f) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of section 12 of this Act to any person or his property.

INSPECTIONS

SEC. 10. If any duly authorized employee of the government of the District of Columbia shall have cause to suspect that an air contaminant source is located or is being constructed, installed, or established in or on any property, premise, or place, he may make application, under oath, to any judge of the District of Columbia Court of General Sessions, and shall thereupon be entitled to a warrant to enter such property, premise, or place at such time as the judge deems reasonable under the circumstances for the purpose of ascertaining the state of compliance with this Act and rules and regulations in force pursuant thereto. If requested, the owner or operator of the premises shall receive a report setting forth all facts found which relate to compliance status.

ENFORCEMENT

SEC. 11. (a) Whenever the Air Pollution Control Board has reason to believe that a violation of any provision of this Act or rule or regulation pursuant thereto has occurred, it may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this Act or rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. Any such order shall become final unless, no later than ten days after the date the notice and order are served, the person or persons named therein request in writing a hearing before the Board. Upon such request, the order complained of shall be stayed pending the Air Pollution Control Board's final determination thereon, and the Board shall grant the request for a hearing and set a time and place therefor. In lieu of an order, the Board may require that the alleged violator or violators appear before the Board for a hearing at a time and place specified in the notice and answer the charges complained of.

(b) If, after a hearing held pursuant to subsection (a) of this section, the Board finds that a violation or violations have occurred, it shall affirm or modify its order previously issued, or issue an appropriate order or orders for the prevention, abatement, or control of the emissions involved or for the taking of such other corrective action as may be appropriate. If, after hearing on an order contained in a notice, the Board finds that no violation has occurred or is occurring, it shall rescind the order. Any order issued as part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating, or controlling the emissions.

(c) Nothing in this Act shall prevent the Board from making efforts to obtain voluntary compliance through warning, conference, or any other appropriate means.

(d) In connection with any hearing held pursuant to this section, the Board shall have power and upon application by any party it shall have the duty to compel the attendance of witnesses and the production of evidence on behalf of all parties.

EMERGENCY PROCEDURE

SEC. 12. (a) Notwithstanding any other provision of law, if the Air Pollution Control Board finds that a generalized condition of air pollution exists and that it creates an emergency requiring immediate action to protect human health or safety, the Board, with the concurrence of the Commissioner of the District of Columbia, may order persons causing or contributing to the air pollution to reduce or discontinue immediately the emission of air contaminants.

(b) In the absence of a generalized condition of air pollution of the type referred to in subsection (a), but if the Board finds that emissions from the operation of one or more air contaminant sources is causing imminent danger to human health or safety, it may order the person or persons responsible for the operation or operations in question to reduce or discontinue emissions immediately, without regard to the provisions of section 11 of this Act.

(c) If such person or persons, notwithstanding an order issued pursuant to subsection (a) or (b) of this section, continue the discharge of such contaminants into the atmosphere, the Board is authorized to apply through the Corporation Counsel of the District of Columbia or any of his assistants to the United States District Court for the District of Columbia for a temporary restraining order, preliminary injunction, or permanent injunction. Such action in the district court shall be given precedence over all other matters pending in the court. The institution of such proceedings by the Board shall confer upon such court exclusive jurisdiction to determine finally the subject matter of the proceeding.

(d) Whenever any person or persons are adversely affected by an order issued pursuant to subsection (a) or (b) of this section, such person or persons may apply to the United States District Court for the District of Columbia for a temporary restraining order, preliminary injunction, or permanent injunction. Such action in the district court shall be given precedence over all other matters pending in the court. The institution of such proceedings shall confer upon the court exclusive jurisdiction to determine finally the subject matter of the proceeding.

HEARING AND JUDICIAL REVIEW

SEC. 13. (a) No rule, regulation, standard, or emission control requirement and no amendment or rescinding thereof shall take effect except after public hearing on due notice, and the Advisory Council has been afforded not less than thirty days, prior to publication of the proposed text, to comment thereon.

(b) Nothing in this section shall be construed to require a hearing prior to the issuance of an emergency order pursuant to section 12 of this Act.

(c) Section 11–742(a) of the District of Columbia Code is amended—

(1) by striking out the word "and" immediately following the semicolon in clause (9);

(2) by striking from the end of clause (10) the period and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new clause:

"(11) orders of the Air Pollution Control Board under the provisions of the District of Columbia Air Pollution Control Act of 1967.".

(d) All testimony taken at hearings before the Air Pollution Control Board, whether for the purpose of establishing rules and regulations or setting standards or emission control requirements, determining violations of this Act, or for any other purpose, shall be under oath or affirmation. A full and complete record of all proceedings and testimony presented at any such hearing shall be taken and filed. The Board shall furnish, upon payment of any fees prescribed by the Board, a certified transcript of the whole or any part of the record to any party in such hearing requesting such transcript.

CONFIDENTIALITY OF RECORDS

SEC. 14. Any records or other information furnished to or obtained by the Air Pollution Control Board concerning one or more air contaminant sources, which records or information, as certified by the owner or operator, relate to production or sales figures or to processes or production unique to the owner or operator or which would tend to affect adversely the competitive position of such owner or operator, shall be only for the confidential use of the Board in the administration of this Act, unless such owner or operator shall expressly agree to their publication or availability to the general public. Nothing herein shall be construed to prevent the use of such records or information by the Board in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere; except that such analyses or summaries do not identify any owner or operator or reveal any information otherwise confidential under this section.

MOTOR VEHICLE POLLUTION

SEC. 15. (a) As the state of knowledge and technology relating to the control of emissions from motor vehicles may permit or make appropriate, and in furtherance of the purposes of this Act, the Air Pollution Control Board may provide by rules and regulations for the control of emissions from motor vehicles. Such rules and regulations may prescribe requirements for the installation and use of equipment designed to reduce or eliminate emissions and for the proper maintenance of such equipment and of vehicles: Provided, That any rules or regulations pursuant to this section shall be applicable to emissions from new motor vehicles or new motor vehicle engines, as such terms are defined in title II of the Clean Air Act, only insofar as such application is not prohibited by Federal law: And provided further, That if such application is not prohibited, such rules and regulations shall be identical to rules and regulations applicable to emissions from new motor vehicles and new motor vehicle engines promulgated pursuant to any law of the United States not applicable exclusively to the District of Columbia.

(b) No person shall fail to maintain in good working order or remove, dismantle, or otherwise cause to be inoperative any equipment or feature constituting an operational element of the air pollution control system or mechanism of a motor vehicle and required by rules or regulations of the Board or required under title II of the Clean Air Act to be maintained in or on the vehicle. Any such failure to maintain in good working order or removal, dismantling, or causing of inoperability shall subject the owner or operator to suspension or cancellation of the registration for the vehicle by the District of Columbia Department of Motor Vehicles. The vehicle shall not thereafter be eligible for registration until all parts and equipment constituting operational elements of the motor vehicle have been restored, replaced, or repaired and are in good working order.

(c) The Board shall consult with the District of Columbia Department of Motor Vehicles and furnish it with technical information, incuding testing techniques, standards,

and instructions for emission control features and equipment.

(d) When the Board has issued rules and regulations requiring the maintenance of features or equipment in or on motor vehicles for the purpose of controlling emissions therefrom, no motor vehicle shall be issued an inspection sticker as required pursuant to the Act of February 18, 1938 (52 Stat. 78), as amended (D.C. Code, secs. 40–201—207), unless all such required features or equipment have been inspected in accordance with the standards, testing techniques, and instructions furnished by the Board pursuant to subsection (b) hereof and has been found to meet those standards.

(e) The remedies and penalties provided in this section shall apply to violations hereof, and no provision of section 16 of this Act shall thereto.

(f) As used in this section "motor vehicle" shall have the same meaning as in section 1(a) of the Act of August 17, 1937 (50 Stat. 679; D.C. Code, sec. 40–101(a)).

PENALTIES

SEC. 16. (a) Any person who violates any provision of this Act, or any rule or regulation in force pursuant thereto, other than sections 14 and 15, shall, upon conviction thereof, be punished by a fine of not more than $1,000 per day for each day he fails to comply with any such provision, rule, or regulation.

(b) Any person who willfully violates section 14 of this Act shall be guilty of an offense and subject on account thereof to a fine of not to exceed $1,000.

(c) Action pursuant to subsection (a) or (b) of this section shall not be a bar to enforcement of this Act, rules and regulations in force pursuant thereto, and orders made pursuant to this Act by injunction or other appropriate remedy. Upon request of the Board, the Corporation Counsel of the District of Columbia or any of his assistants shall institute and maintain in the name of the District of Columbia any and all such enforcement proceedings. An appeal of any final order or determination of the Board shall not prohibit the Board through the Corporation Counsel from seeking a temporary restraining order, preliminary injunction, or a permanent injunction during the pendency of any such appeal.

(d) Nothing in this Act shall be construed to abridge, limit, impair, create, enlarge, or otherwise affect substantively or procedurally the right of any person to damages or other relief on account of injury to persons or property and to maintain any action or other appropriate proceeding therefor.

REPORTS

SEC. 17. On or before January 31 of each year, the Air Pollution Control Board and the Air Pollution Control Advisory Council shall each file a written report with the Congress on the effectiveness of the provisions of this Act in carrying out the legislative intent as declared in section 2 of this Act. Such reports shall include any recommendations which such Board or Council may have with respect to additional legislation that may be necessary or desirable with respect to the prevention, abatement, or control of air pollution in the District of Columbia.

REPEALER

SEC. 18. The Act of August 15, 1935 (49 Stat. 653), as amended (D.C. Code secs. 6–801—804), is hereby repealed as of the effective date of this Act.

EFFECTIVE DATE

SEC. 19. This Act shall become effective ninety days after the date of its enactment.

Mr. DOMINICK. Mr. President, I speak today in support of S. 1941, the District of Columbia Air Pollution Control Act of 1967.

Dirty air, odorous substances of a nuisance nature, and air contaminants which present a real risk to health are on the increase in our Federal City. Dangerous concentrations of pollutants are not far away.

The local power-generating industry discharges over 26 tons of ash and 143,000 tons of flue gas with a variety of pollutants into the air we breathe daily.

Some 30 to 35 tons of material is deposited in the air each day from jets departing from National Airport.

Kenilworth dump, that monument to Dark Ages waste disposal, contributes about 20 tons of pollutants to the atmosphere every day. Fortunately, it is destined to be closed January 1, 1968, and be converted to a sanitary landfill operation.

The stinking mess added to our air by motor vehicles, particularly buses, is a source of continuing frustration. With some 4,000 automobiles per square mile, the Nation's Capital has the highest density of cars of any city in the United States. Clearly, motor vehicle pollution in Washington, D.C., is not a problem with which we can deal lightly.

From whatever source, air pollution must be recognized for the serious problem that it is in the District of Columbia.

We now have a smoke control law, one that was designed to meet the needs of the city in 1935.

The committee bill would repeal the smoke control law and replace it with an effective and up-to-date system for attacking air pollution.

We have not attempted to establish quality standards for air. It is far better that we set up an Air Pollution Control Board and an Air Pollution Control Advisory Council with definitive powers, duties, and procedures to enter this arena with some degree of expertise for the purpose of establishing and enforcing air quality standards and emission control requirements.

The bill we have reported to the Senate has been altered substantially from the form in which it was introduced. It has been dissected and evaluated section by section, sentence by sentence. It has received exceptional consideration due in part to the fact that more amendments were suggested to S. 1941 than for any other bill reaching executive markup by the subcommittee this session.

The end product is, I believe, a necessary piece of legislation which I support.

I wish, however, to make some brief legislative history as to four of the amendments which I proposed and which are embodied in the reported bill.

The emergency procedure of the original bill troubled me greatly and proved to be a most difficult subject. Under the bill as introduced, the Board, with the concurrence of the Commissioner, could shut down an alleged polluter for up to 24 hours without a hearing. Actually an innocent, but alleged, polluter might bear the brunt of such an order for up to 48 hours since the Board was not required to rule on the results of its hearing until the expiration of another 24 hours.

I want to make it clear that I am convinced an effective emergency procedure is essential. The original language of the bill, however, circumvented long-standing court procedures which contain safeguards for hearings and offer speedy injunctive relief.

My amendment dropped the 24 to 48 hour procedure and authorizes the Board, through the Corporation Counsel, to go immediately into U.S. district court for a temporary restraining order or other injunctives relief. Similarly, any defendant adversely affected by a Board order is authorized to seek immediate injunctive relief in court. This has the advantage of giving both parties a swift remedy through tested and well known procedures under judicial supervision.

S. 1941, as introduced, did not require public hearings on air pollution control standards and emission control requirements prior to their adoption. Such a requirement is of prime importance and my amendment requiring public hearings was adopted and is contained in the reported bill.

Along the same vein, I felt hearings before the Board should be recorded. Specific provision is now made in the bill requiring a full and complete record of all proceedings and testimony at hearings.

The fourth amendment which I would like to call to the attention of the Senate is that requiring annual written reports to the Congress from the Air Pollution Control Board and the Air Pollution Control Advisory Council. Such reports should be of assistance to us in evaluating on a current basis the effectiveness of the new Air Pollution Act.

Mr. President, the bill reported by the committee is a workable piece of legislation.

I am confident that, if enacted in this form, it will enable the District to move forward in implementing the Clean Air Act of 1967, and I am hopeful it will get prompt approval by the House early next year.

The amendment was agreed to.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SOCIAL SECURITY AMENDMENTS OF 1967—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children and for other purposes.

Mr. TYDINGS. Mr. President, a number of the provisions of the social secu-

rity bill which is now before us are, in my judgment, most unwise. I want today to discuss several of these provisions which, I believe, must be changed. Let me discuss, first of all, the provision regarding mandatory work requirements for mothers, even though they are caring on a fulltime basis for their children. The provision was adopted ostensibly as a way to save welfare funds. But, in the long run, I believe this provision will cost us much more—in financial and human terms—then it can possibly save. The reason this will occur is because the children of mothers forced to work must be cared for in some manner. The present legislation envisions that this care will take place in federally supported day-care centers.

While I firmly support the principle that day-care centers should be established, so that low-income mothers can go to work confident that their children are properly cared for. I believe that it is inappropriate to force children into these day-care centers.

The provision regarding mandatory placement of children in day-care centers while their mothers work or obtain job training would be admirable if it were done on a voluntary basis. But as a mandatory program, it is both unnecessarily punitive and wholly impractical.

The provision is impractical because we cannot wave a magic wand and produce the quantity of buildings or equipment or trained personnel to establish acceptable day-care centers to handle anywhere near all of the children now receiving welfare payments. The provision is unwise and unnecessarily punitive because, by requiring States to establish day-care centers for all welfare children we will almost inevitably prompt creation of places where children are stored rather than cared for. We will punish the parent by depriving the children of adequate care, and in the end all society will be the losers.

According to statistics compiled by the National Committee for Day Care of Children, there are presently accommodations for about 400,000 children in day-care centers throughout the United States. This figure refers only to facilities licensed by States generally certifying conformance with minimum health standards, and does not necessarily mean that the staff of such centers is trained to handle children or that the center has adequate facilities for play or training. There are presently more than 1¼ million children under school attendance age now receiving public welfare. Thus simply to accommodate these children, existing day-care facilities must be increased threefold.

I believe that an increase in the number of and improvement in the quality of day-care facilities in this country is long overdue. But we must not fool ourselves into believing that establishment of adequate centers is an inexpensive proposition—a cheap way to save welfare funds. The National Committee for Day Care of Children—experts in this matter—estimate that minimum annual cost of adequate day care is $1,200 to $1,500 per child. This is the range of annual cost per child in the children's development centers run by the OEO Headstart program. Using the lowest figure, of $1,200 per child, we are talking about $1.5 billion each year for the 1¼ million pre-school-age children now on welfare.

These cost estimates are not exaggerated or extravagant. Children—particularly preschool children—need considerable attention, guidance, and affectionate relations with adults. This means that trained staff is needed, not to mention facilities, equipment, food for the children, and so forth. We cannot take children from their mothers and place them—with 30, 40, or 50 other children—into bare prison-like rooms where they are warehoused, like so many cardboard boxes, all day while their mothers work in order to remain on the welfare rolls.

If we do this to children in their crucial formative years, we must expect them to grow with serious and irreversible antisocial personality blights. We must expect the gravest kind of social delinquency to result as these children grow to adults. This will happen if we store children in "bargain basement" warehouses deceptively labeled as "day-care centers."

H.R. 12080 offers no assurance that this will not happen and, because this is a mandatory program, I think the bill virtually assures that in many States this will happen. The bill sets no standards of care—no teacher-child ratio, no minimum qualifications for those caring for the children, no minimum expenditures for play equipment or teaching materials—which must be met in these day-care centers.

The bill simply requires States to establish something called day-care centers. In fact, many States do not now even require licensing and inspection of day-care centers, and many of those which do prescribe only minimal sanitation standards not care or staff qualification standards. How many States will be willing to spend even the 15 to 25 percent matching funds required for establishing anything but "bargain basements" to warehouse children while their mothers work.

Imagine the cruel dilemma this situation would create for a mother on welfare. Should she abandon her children for 8 to 10 hours each day to a cheerless child warehouse, where incalculable harm will almost certainly be done to their growth, or should she give up the welfare payments which are essential for her to feed and clothe her children? We may save some welfare funds by forcing a mother to leave her children in a "warehouse" and work during the day. But in a few short years, society will pay a vastly greater price when the results of this deprivation—in antisocial and criminal conduct—come home to roost.

I believe this dilemma can be avoided, and our system of public welfare immeasurably strengthened by changing this program from mandatory to voluntary, so that mothers can choose whether they will work outside their homes during the day and leave their children at day-care centers. In addition, we must specify minimum standards of facility quality and child care which State day-care centers must meet to be eligible for Federal assistance.

If we adopted this noncoercive approach I think a surprisingly large number of mothers on welfare would voluntarily participate. At present we have too few adequate day-care centers to test my supposition. And the present rule which deducts 100 percent of earnings from welfare payments is a strong incentive against work. But, with great wisdom, H.R. 12080 abandons this 100-percent tax on earnings. And if the bill would also make possible the funding of new child day-care centers, for voluntary use, I believe that a large number of women will go into gainful employment, confident that their children are being well cared for while they work. But in many other cases, a mother's most important place is in the home attending to the needs of her children. This too is work which is vitally important to the health of our society, and this basic fact is overlooked by any mandatory requirement that a mother leave home and work during the day.

Just this summer, with Mayor McKeldin, I took a number of walking tours in the center city of Baltimore, trying to learn of the complaints and listen to the problems of the least affluent of my constituency. I learned that mothers wanted day-care centers where they could leave their children.

I am satisfied that when the facilities for decent day-care centers are provided and made available, they will be utilized to 100 percent of their capacity. But the thing that concerns me about the provisions in the conference report on the social security bill is that we run too great a risk of not obtaining, under this bill, decent and adequate day-care facilities. We are going to have too many States willing to provide any type of barn, basement, or shack, and call them day-care facilities in order to receive additional Federal funds. That is what concerns me.

How many times have we heard Members of the Congress stand up and criticize the fact that the home today in America is not the bulwark of our society which it used to be? How many times have we heard Members of this body and the other House complain that we need more mothers staying home to take care of their children, so they can know what is happening to their children, and give them supervision and guidance? Yet this legislation is designed to force mothers away from children who desperately need supervision and guidance.

I would like to make an additional point. It is vitally important that we delete the provision in the conference version which freezes the number of children eligible for relief payments based on the January 1968 relief rolls. I believe this arbitrary cut-off is wholly unjustified, and will place an unjustifed burden on State and local taxes. In the city of Baltimore alone, I am informed that in the next year and one-half this provision of the social security bill will cost local taxpayers almost $4 million.

What is the city of Baltimore or the State of Maryland going to do with our

dependent children if there are no funds to feed or clothe them? I sympathize with the goal that we must reduce welfare costs, but we cannot do it by ignoring the human costs of our actions, or by drawing an arbitrary line to deny benefits to some while others similarly situated receive funds.

I want at this time to note for the RECORD the leading citizens and groups in my State which oppose provisions in this conference report. They include the Governor of my State, and I shall read his telegram into the RECORD. He said:

> Tremendous hardships would be pressed upon Maryland should the proposed AFDC case load freeze stand. I urge your opposition to it and its ultimate deletion.
>
> SPIRO T. AGNEW.

The mayor of our largest city said:

> I urge you to work for Senate and House disapproval of that provision in the pending social security bill which would freeze Federal contributions to the AFDC welfare program. This provision, at the present rate of increase of our AFDC rolls, would cost the State of Maryland and the city of Baltimore, approximately 4 million dollars during the first year alone. This would work a great hardship and impose an unjust financial burden which we cannot afford to bear.
>
> THOMAS K. D'ALESANDRO III,
> *Mayor.*

I received similar telegrams and messages from—

Arthur S. Flemming, president, National Council of Churches.

John H. Mathis, chairman, committee on public affairs, Community Service Society of New York.

Cedric W. Tilberg, secretary, board of social ministry, Lutheran Church in America.

Manny M. Malman, president, board of directors of Levindale, Baltimore City.

Dr. Hyman S. Rubinstein, president, Maryland chapter, American Jewish Congress.

Mrs. Mae R. Gellman, president, Maryland Women's Division, American Jewish Congress.

Charles I. Schottland, president, National Association of Social Workers.

Ernest M. Kahn, chairman, public welfare committee, Maryland chapter, National Association of Social Workers.

Approximately 100 members of faculty and student body of University of Maryland School of Social Work.

Sidney Hollander, Baltimore, Md.

Tony T. Dechant, president, National Farmers Union.

Dr. Claude D. Hill, chairman, health and welfare committee of Baltimore City's mayor's task force for equal rights.

Richard Bateman, director, housing court clinic, Baltimore.

Mazie F. Rappaport, director, department of medical social work, Baltimore city hospitals.

The Reverend Henry J. Offer, director; Charles G. Tilden, chairman; Baltimore Archdiocesan Urban Commission.

Roy Wilkins, chairman, executive committee, Leadership Conference on Civil Rights.

Joseph H. Reid, executive director, Child Welfare League of America.

Robert I. Hiller, executive director, Associated Jewish Charities, Baltimore.

Dr. Eugene Byrd, national chairman, American Veterans Committee.

The Right Reverend Harry Lee Doll, Episcopal bishop of Maryland.

The Reverend Reinhart B. Gutmann, executive secretary, division of community service executive council, Episcopal Church—national.

Ernest H. Smith, Family and Childrens Society, Baltimore.

Jack L. Levin, past president, American Jewish Congress, Maryland chapter.

Harold E. Edelston, executive director, Health and Welfare Council, Baltimore area.

Walter P. Reuther, president, Industrial Union Department, AFL–CIO.

Donald C. Lee, president, Maryland Conference of Social Welfare.

George Meany, president, AFL–CIO.

Calmon J. Zamoiski, Jr., president, Jewish Welfare Fund of Baltimore.

Very Rev. Msgr. Lawrence J. Corcoran, secretary, National Conference of Catholic Charities.

Arthur M. Stevenson, Jr., president, National Presbyterian Health and Welfare Association.

I ask unanimous consent that certain telegrams and messages that I have received may be included in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. TYDINGS. Mr. President, I am also tremendously distressed that the action of the conferees is completely contradictory. On the one hand they say that we are not going to provide any Federal assistance for welfare for additional children who go on the rolls after July 1, 1968. The assumption of this provision appears to be that somehow or other, it is going to persuade welfare mothers from having children. But it will not have that effect. And unfortunately, it is the children who are going to go hungry under this provision.

Yet at the same time the conference report greatly reduces the funds which the Senate had earmarked for voluntary family planning services which would be available to poor mothers, so that they could voluntarily plan not to have more children which would force them onto the welfare rolls. I ask if that is not completely contradictory action by this conference committee.

The Committee on Finance, guided by its chairman, the Senator from Louisiana [Mr. LONG], approved three amendments to the social security bill which I offered. Those amendments dealt with family planning services.

The first amendment made it absolutely certain that family planning services provided with any Federal assistance would be wholly voluntary in nature, and that participation in family planning services could not be made a prerequisite for receipt of other services or assistance.

The second amendment, adopted by the Finance Committee, provided that for fiscal year 1969, in the budget of the Children's Bureau of the Department of Health, Education, and Welfare, $15 million would be earmarked for family planning services. The need for such earmarking was clearly established because of the past history of family planning programs in HEW, where funds were promised again and again but never allocated.

The third amendment increased the funds available and earmarked for family planning services after initial expenditures of $15 million in fiscal year 1969, to $46.5 million in fiscal 1970. In fiscal 1971, the sum would rise to $72 million, in fiscal 1972, to $77 million, and in fiscal 1973, to $82 million.

Under the conference version of the bill, the strong statutory assurances that family planning programs will be voluntary are retained, and money is earmarked in the Children's Bureau budget which can only be spent on family planning services. But the amount of money, Mr. President, has been hopelessly reduced. The conference version provides an initial expenditure of $15 million in fiscal 1969, but instead of rising to $82 million by fiscal 1973, expenditures, under the conference bill, would rise only to about $21 million.

This was a tragic error, Mr. President, that may have even more drastic repercussions, in the long run, than a decision to freeze welfare payments to children after July 1 of this year.

According to the estimates which we have made in subcommittee hearings, endorsed by the Department of Health, Education, and Welfare, there are presently 5 million women of child-bearing age who want but cannot afford family planning services. Senators know what areas those women live in. They live in the very poor poverty-stricken rural areas of our agricultural counties, and in the ghettos in the hearts of our great cities. These are the women, Mr. President, who want to be able to plan their families, to be responsible parents, who want voluntarily to enter into family planning programs, but who cannot afford family planning services.

To provide a woman with family planning services, Mr. President, costs approximately $20 a year, both for the provision of information, and for medical supervision and supplies. Thus, if we were really attacking the problem as we should, we would be allocating $100 million a year for this vital program.

With contributions from State and local governments and from private sources, and with the money earmarked by the Senate in the original program, we would have been able, in a relatively brief period of time, I believe, to reach a substantial portion of these women in need, who want to be responsible parents and plan their families. But, because of the reduction of the funds for family planning adopted by the conference, the job just will not be done. And time is running out, Mr. President. I believe that the conference action was a tragic mistake, and that it is vitally important that we launch, not merely a token program, but a program designed to meet the whole need.

It is now indisputably clear that a major factor among the costs of poverty is family size beyond that which the family desires or can afford. The importance of this factor was recognized by both the Senate and the House in establishing a family planning program as one of the special national emphasis programs con-

ducted by OEO. That measure was only yesterday signed into law by the President. The problem is beginning to be recognized; but we must provide the funds to meet the problem, and unfortunately, the conference report fails to do so.

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

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

Mr. BYRD of West Virginia. Mr. President, I wish to congratulate the Senator from Maryland on the position that he has taken in regard to the need for family planning funds.

The Senator from Maryland has sought to provide leadership for this field in Congress, and while I intend to vote for the conference report, and I do not know what the considerations were that guided the conferees in cutting back on this item—I do not attempt to be critical of them—I do wish to express my support of the Senator from Maryland in his efforts to emphasize and promote and properly fund family planning programs.

Here in the District of Columbia, Mr. President, over 8,000 of the 19,000 children in the ADC category are illegitimate children. This constitutes 42 percent of the children on the ADC caseload.

I was looking over the statistics a few days ago, and I found there a record of six women who have 60 illegitimate children, all on welfare—a half dozen women who have among them five dozen illegitimate children, all on welfare.

There was another group of 14 women with 126 illegitimate children, all on welfare.

Another group of 20 women have 160 illegitimate children, all on welfare.

Another group of 46 women have 322 illegitimate children, all on welfare.

Another group of 172 women have 860 illegitimate children, all on welfare.

Mr. President, the average family unit in the ADC category in Washington, D.C., has increased, over the past 8 or 10 years, from 3.2 children in each unit to 3.8 children in each unit. In some of the families, there are as many as seven different fathers. I cite these statistics concerning the District of Columbia to show the need for family planning among welfare recipients in the Nation's Capital.

Mr. President, the Senator from Maryland is talking about something that constitutes one of the most challenging and pressing as well as one of the most dangerous problems confronting the country, and I think the country is going to have to face up to it. This item has been swept under the rug too long, and the American people are not fully aware of this cancer that is eating at the vitals of our country.

As I watched television during the riots, I wondered how many of those hoodlums who were backing pickup trucks against store windows and carrying away cases of whisky and television sets, or sniping at policemen in the streets, or throwing bricks and bottles at firemen, or overturning automobiles and dragging the drivers from the automobiles, beating them, and burning their automobiles, came out of homes in which the child did not know the identity of its father and the mother could not have cared less.

We cannot blame the illegitimate children. They are not to blame. However, the society of this country is going to have to grapple with the problem and do something about it.

The Senator from Maryland is trying to do just that, and I support him in the matter.

Mr. TYDINGS. Mr. President, I should point out that perhaps the most illuminating study of the riots in Detroit which has been produced to date involved interviews of some 400 of those arrested during that riot. The report concluded that a substantial portion of those arrestees—as I recall, substantially more than 50 percent of the arrestees—were unwanted or illegitimate children.

I think that this tragic statistic will be revealed time and time again in the next decade or two until we provide the same opportunity to plan a family to those who are less fortunate in our rural and city areas as those people have who are more affluent in our society.

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

Mr. TYDINGS. I yield.

Mr. BYRD of West Virginia. Mr. President, as chairman of the Appropriations Subcommittee on the District of Columbia, I have sought to provide some leadership in that direction. And I have provided, through the subcommittee—and I believe the Senator from Maryland was an ex officio member at the time we were doing this—directions to the Health Department of the city to utilize available funds to establish several full-time birth control clinic teams and to provide information and devices for individuals in the District of Columbia who are so greatly in need of guidance in family planning.

We are trying to press this matter in the District of Columbia. In the testimony given before my subcommittee this year, the Health Department provided statistics as to the number of women who have taken advantage of these clinics.

The statistics reveal that the program is working and producing good results.

The Senator from Maryland may fail in this instance, but I hope that he will continue to fight for the provision of family planning aid. The country needs his leadership, and I hope that the Senator will continue to provide it.

I, for one, will continue to follow in his footsteps.

Mr. TYDINGS. Mr. President, I think my colleagues in the Senate will be interested in the conclusions reached by an excellent study done by Dr. Harold Sheppard, a consultant for the Subcommittee on Employment, Manpower, and Poverty of the Senate Labor and Public Welfare Committee. This study which was made public in September of this year was entitled "The Effects of Family Planning on Poverty in the United States."

Mr. President, I ask unanimous consent to have pages 729 through 740 of the report printed in the RECORD at this point.

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

V. COSTS AND BENEFITS

The benefits of an effective family planning program are clear. Poor families with fewer children, limited to the size they themselves prefer, will have a greater chance to move out of poverty, even in the short run. In the long run, children born into a poor family with a limited number of brothers and sisters have a far greater chance to be out of poverty during adulthood than children born into a poor family with four, five, or more brothers and sisters.

There is another category of benefits that should be of equal interest to the public and to the Congress, pertaining to the reduced costs of public programs in such areas as health, education, welfare, and housing. Experts, including those in Government (in OEO and HEW), have calculated cost-benefit ratios of family planning programs that probably exceed the ratios of nearly every other type of public program. The following discussion is based on a number of unpublished documents dealing with this aspect of family planning.

Even with the use of conservative assumptions, such as the participation only of low-income women who already have three children, the rate of infant mortality would be reduced. The *rate* of mental retardation would also be reduced—not merely the *numbers* of infant deaths and retarded children. Both infant mortality and mental retardation are higher than average among children with mothers who already have three children. Under the assumption that about 80 percent of women would participate (based on past and current experience in pilot projects) and that births after the third child would be reduced by 75 percent, one estimate is that infant mortality rates among nonwhites, for example, would be reduced by about one-fourth. Similar results could be gained in the reduction of maternal deaths and disabilities as a consequence of fewer nontherapeutic abortions flowing from a program of birth control.

Based on these and other types of analyses, Planned Parenthood has calculated that a program consisting of only 500,000 women at an annual cost of $20 per case (including administrative costs), that is, a $10 million program would produce savings of about $250 million (in terms of reduced expenditures on maternal health care, child health care, care of mental retardates, aid to dependent children, and so forth). In addition, there is the possibility (as suggested earlier in this report) that longer spacing between pregnancies provides greater opportunity for higher family income since parents could improve their education and wives could obtain employment. Over the life of a family, a conservative estimate of an additional income of $10,000 per family[1] for the 45,000 families not on welfare and affected by the $10 million program would amount to $450 million in higher income benefits. This $450 million figure of private individual benefits added to the previous $250 million in reduced costs

[1] Based on a study by Ronald Freedman and Lolagene Coombs, "Childspacing and Family Economic Position," *American Sociological Review*, October 1966, pp. 631–648. In this article, the authors state on the basis of their data that ". . . if children are born very soon after marriage, the need for immediate income and security puts more constraint on the husband in his choice of occupation or on his ability to complete sufficient education to qualify him for higher status jobs with greater income. Rapid family growth may also mean expenses out of proportion to income, with the result that the margin needed to accumulate economic assets must be spent for immediate purchases * * * a couple's economic position is substantially better the longer the interval to the first birth or the last birth."

of public programs amounts to $700 million, producing a cost-benefit ratio of 70 to 1. As already stated, there are few, if any, greater ratios calculated for other types of public program expenditures, at least in programs related to combating poverty.

As of 1964, there were 9.3 million poor children in families with four or more children. If the number of births after the third child had been reduced in their families in the past by only 50 percent, there would have been in that year at least 4.6 million fewer poor persons in the United States—13 percent fewer than the 34 million poor in 1964. This calculation, moreover, does not take into account the possibility that the reduction of family size would have removed a number of families above the poverty line which is partly based on family size in relation to income.

This is a highly conservative approach, moreover. If the family size of the poor were identical to that for the nonpoor there would actually be about 6.5 million fewer children living in poor families.

There are several clear-cut conclusions that we should be aware of in weighing the feasibility of a major expansion of family planning programs in an attack on poverty.[2] One of these is that the vast majority of Americans now approve of the idea of family planning.

The second is that regardless of income level, the maximum number of children wanted by most families is four. Third, the critical point in the lives of families comes upon the birth of the fourth child, in terms of an increased awareness of the value of smaller families. Fourth, economic reasons are the major ones cited by parents for limiting family size. Fifth, large families obviously aggravate the problems of the already poor: a small income means that per-family-member funds are reduced further. But beyond this, it also means that parents, often poorly prepared, must dilute their child-care time per child; the children themselves suffer from a variety of pressures to an extent greater than those in smaller families (including other poor, but smaller families)—"and a new generation of children grow up with a tendency to be trapped in poverty and failure."[3]

Sixth, the obstacles to effective family planning among the poor relate to ignorance or unawareness of the concept, lack of money even when aware; unavailability of, or isolation from, agencies that can provide services; unwillingness to go through the steps in the use of contraceptives; attitudes such as fatalism, and so forth.

Seventh, nevertheless, when programs are made available at little or no cost to poor families they make use of the services and materials provided. This is especially true in the case of the use of more recently developed methods of contraception, such as the "pill," and the "loop," and when family planning clinics are run on a person-to-person basis, rather than through a mass media campaign of a general educational nature.

Eight, a comprehensive family planning program must include attention to the problems of young persons (teenagers, especially) from poor families who need sex information and education prior to marriage and/or during the early phase of marriage. Recent studies suggest that lack of family planning (or birth control) for this group results in early births of unwanted children and other burdens preventing the parents (or unmarried mothers) from moving out of poverty. For poor persons, the birth of children soon after marriage (or among young unmarried mothers) tends to decrease the ability of poor parents to advance themselves, or provide for their offspring. This is one of the major conclusions of the Freedman-Coombs study referred to above.

VI. ADEQUACY OF CURRENT FAMILY PLANNING PROGRAMS

The previous sections of this report have attempted to show that:

(1) Poverty in the United States is attributable *in part* to large family size, as evidenced, for example, by the comprehensive analysis of census data showing that children born into *small* lower income families have a greater change of becoming nonpoor when adults than those born in *large* lower income families;

(2) Progress in reducing poverty in recent years is greatest among small-sized families, and is retarded to the extent that poor families continue to have high fertility rates.[4]

(3) Due to such factors as unawareness of effective methods, income, unavailability of family planning methods, low-income women have more children than they want.

(4) The few programs that have been made available have shown that the poor do respond effectively to family planning services.

(5) The benefits of a comprehensive family planning program are significant in their impact on the reduction of poverty and on costs to the community.

Thus, reduced family size is necessary, desired, and possible for and by the poor—and others who prefer to remain above poverty.

But despite the fact that family planning as a method of reducing or preventing poverty may be deemed necessary, desired, and possible, local, State, and Federal Government response has been slow, cautious, and by no means commensurate with the need. Despite the fact that analysts in Government and other organizations have calculated that family planning measures are probably the single most cost-effective program in any war against poverty, the amount of funds devoted to such measures (apart from research on the subject by scientists) is virtually minuscule. Even if we were to include nongovernmental programs financed by nongovernmental funds, it is doubtful whether more than 15 percent of low-income families currently have the benefits of a voluntary participation program of family planning in the United States. As a conservative estimate, there are at least 5 million low-income women who could benefit from such a program, but at most, only 750,000 now receiving assistance. Since the poor become pregnant sooner than the nonpoor and continue to bear children longer (due to earlier marriages and less effective use of contraceptives), one could use a maximum figure of 6 million. In 1966 there were that many poor females between the ages of 16 and 54. If this were the basis of estimates, then there would be a smaller proportion of the target population reached than 15 percent.

Despite the fact that the President enunciated a Government policy favoring family planning in his March 1966, message on domestic health and education—when he said that, "It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience"—it must be said in candor that the greatest progress "has been in the area of new policies rather than in the implementation of programs."[5]

The agency which has been indulging in the most enunciations—the Department of Health, Education, and Welfare—has apparently done the least to carry out programs. Current family planning activities on the part of HEW "are off to an exceedingly slow start."[6] At best, the Department seems to have taken the position that the emphasis should be on "comprehensive health services," of which family planning *may* be a part. But family planning apparently will not be given any special attention or priority—despite the Department's own estimates concerning the higher cost effectiveness of family planning in the area of health, apart from its potentials for the reduction and prevention of poverty.

In fiscal years 1966 and 1967 it has been estimated that $3 million and $9 million, respectively, have been used for family planning through HEW-related programs, apart from research and training projects. The projected figure for 1968 may be as high as $13 million. The difficulty in obtaining definitive estimates lies in the fact that family planning services, if provided at all, are not recorded as a specific diagnostic category in reports originating from HEW-financed sources. At present, there are no plans for a program specifically designated as "family planning" under HEW auspices. None of these funds, it should be noted, were provided through any specific program designated for family planning as such but rather as part of the activities designed for improving health services for mothers and children, Title XIX, and so forth.

Science, the magazine of the American Association for the Advancement of Science, has described the efforts of the Department in the field of family planning as "leaderless and leisurely." But concentrating on the doctrine of "comprehensiveness" in its health programs, the Department in *practice* does not mean comprehensive, but rather whatever State and local health departments care to provide. If these departments indicate a preference for family planning services as part of their total offerings, HEW will not object. But apparently HEW will do little to initiate. The desire not to earmark any funds for family planning means in reality that by the time congressional authorizations and appropriations reduce requested funds for all health programs, very little remains for new programs over and above traditional and previous obligations at the local level. For example, to quote *Science:*

"Instead of the approximately $270.5 million authorization it [the Department] had requested for the program [under Title XIX of the Social Security Act]—a sum that was approved by the Senate—the authorization for fiscal 1968, after cuts by the House and the House-Senate conference, was only $125 million. Of that, about $110 million was needed to support ongoing commitments, leaving only around $15 million free to meet a variety of demands—of which family planning would be only one."

It is not completely accurate to say that local and State levels of health programs have little interest in family planning, but as

[2] For a summary of the studies forming the basis of these conclusions, see Catherine S. Chilman, "Poverty and Family Planning in the United States," *Welfare in Review*, April 1967.

[3] Ibid.

[4] In 1960, the number of children ever born per 1,000 women 45 years old and over was about 3,000 in families where husbands earned less than $3,000, and was correspondingly lower in families with higher incomes of husbands—down to less than 2,000 for women whose husbands had incomes of $7,000 and over. From 1950–52 to 1960, the percent increase in the fertility rates among women 15–44 years old was highest for women whose husbands' incomes were under $5,000. In 1950, the lowest income group's fertility rate (number of children born per 1,000 women) was only 14 percent above that of the highest income group, but by 1960, it was more than 20 percent above that of the highest income group. Table 55, *Statistical Abstracts of the United States*, 1965, p. 52.

[5] "Current Status of Family Planning Programs in the United States," by Gordon W. Perkin, M.D., and David Radel, Population Program, Ford Foundation. Mimeographed, no date.

[6] *Science*, May 12, 1967, "Birth Control: U.S. Programs Off to Slow Start," by Elinor Langer, pp. 765–767.

stated earlier, previous commitments cannot be reduced in order to provide for increased family planning efforts. According to the testimony on H.R. 6418 (to extend the authority of Public Law 89–749), by the Association of State and Territorial Health Officers before the House Committee on Interstate and Foreign Commerce, on May 3, 1967, and represented by Dr. John H. Venable, director of the Georgia Department of Public Health, there is widespread recognition among the States of the high priority that should be given to family planning. Unfortunately, the discrepancy between the amounts needed and the amounts available is substantial. Dr. Venable provided the example of his own State of Georgia:

"For family planning programs, we have a potential caseload presently of approximately 210,000. Family planning services could be provided for 21,000 people with the expenditure of $196,000. We have State and local funding at the level of $146,000. We, therefore, would need $50,000 additional Federal support for this activity. In 5 years' time, when the caseload has increased to approximately 223,000, we can reach 70 percent of the objective or 156,000 with the expenditure of $1,380,000. It can easily be seen that there needs to be a great increase in the level of support from the Federal Government for this very necessary activity."

Within the Office of Economic Opportunity, the picture has been more promising. Once again, the mere presence of local community action agencies has resulted in the surfacing of individual and social needs that, for one reason or another, were not being met by previously existing programs, whether public or private, local, State, or Federal—with family planning being one of these needs.

This does not mean, of course, that local communities and organizations of the poor had easy sailing in their efforts to receive OEO approval of family planning projects. At first, there was a general reluctance apparently because of unfounded fears about public objections. Then there were restrictive guidelines as to eligibility, such as services only for married women—without recognition of the disproportionate number of births among young impoverished girls without husbands.[7] This restriction was later removed by Congress. Confusion continued to reign among regional OEO offices as to Washington's commitment or interest in family planning.

By fiscal 1966, about $2.4 million in OEO funds had been spent on family planning projects, at the request of local community action agencies. It is expected that about $4.6 million will have been spent in the fiscal year ending June 30, 1967. These funds are estimated to serve only 100,000 women. Original plans called for expenditures of $4 million.[8] 1968 plans include $10 million for family planning.

But in March of that fiscal year, because of the cutback in congressional appropriations, approximately one-half of the nearly 60 projects then in operation were faced with curtailment or termination, and another 20 proposed projects were not fundable at all. This was despite OEO's own calculations that family planning was perhaps the single most cost-effective approach to the problem of poverty. As a result of strong protests on the part of such organizations as Planned Parenthood-World Population, however, OEO recommitted from "emergency funds" nearly $600,000 and none of the programs were terminated. Additional supplementary funds were provided to start new projects.

OEO has had to issue at least two directives to its regional offices during the past year to remind them that the agency was favorably inclined toward family-planning projects proposed by local agencies. If there is to be a continued emphasis on local initiative and local priority setting in OEO's community action program, it should be accompanied at least by greater and more effective communication to local groups by OEO and its regional staffs concerning what types of projects are possible and with attention given to the variations in cost-effectiveness of one type of project as over against another. Local communities should be made more aware of the comparative impact on poverty of family planning as compared to, say, more and improved "museum visits."

Finally, it should be noted that OEO, until the first few months of calendar 1967, lacked any special staff in the field of family planning. As of the present, there is one such specialist, a highly qualified physician employed in CAP's health services staff.

The concrete, measurable commitment of OEO to family planning has grown significantly over the past 2 years, in comparison with HEW. At the present time, OEO makes possible the most direct delivery of family services for the poor. This fact alone militates against the otherwise plausible argument of "spinning off" OEO functions to old-line agencies. The problem remains whether its desire to meet an expected increased local demand for support of family planning programs will be matched by appropriate funds and other forms of assistance. In fairness to OEO, it must be pointed out that the solution to this problem lies essentially with Congress which must decide whether to "earmark" for family planning *within* a static level of authorization for the war against poverty—thus creating a cutback on other programs—or *add* to the present level of authorization and commitments a sum necessary for an effective application of family planning services to the problem of poverty in America today and in the future.

"It is apparent that today in the United States," stated Dr. Alan Guttmacher, president of Planned Parenthood-World Federation, in his testimony of June 8, 1967, before the Senate Subcommittee on Employment, Manpower, and Poverty, "family planning is accepted as an important and necessary component of community health services. The question that faces us today *is not* whether or not family planning services are needed; it *is not* a question of beneficial results; it *is not* even a question of individual or societal acceptance—rather it is a question of the degree of priority we are willing to place on family planning services for the medically impoverished and how far we are willing to go to implement that priority."

Mr. TYDINGS. Mr. President, as this report indicates, the need for family planning services is crystal clear and the benefits are equally clear. The benefits are absolutely vital in any war against poverty. The social security bill as passed by the Senate would have met that need. But, regretfully, the conference bill fails to meet the need.

Dr. Sheppard's report notes the inadequacy of existing governmental family planning programs. In the past I have been critical of the Department of Health, Education, and Welfare and of the Secretary of that Department for failing to give this program the priority which it requires. Just a little over a month ago, a report by an HEW consultant, Dr. Oscar Harkavy, of the Ford Foundation, was made public. Dr. Harkavy's report concluded that HEW had failed to give clear or strong leadership to the family planning program, and that the program suffered from lack of funds and personnel. It indicated that we had a long, long way to go before the Federal Government even began to approach an adequate family planning program, and I believe the report offers eloquent testimony to the reasons why the conferees should have accepted the Senate version of the family planning amendments.

I want to cite a summary of recommendations made by the Harkavy report, to indicate how far we have to go, and why the Senate amendments regarding family planning should have been adopted.

I am now going to read into the RECORD some of the principal points made in the summary of recommendations of the Harkavy report.

Mr. President, I read from the summary of recommendations:

Beginning with Secretary Gardner's January 24, 1966 policy statement, DHEW has made some progress in support of family planning services and of research and training related to population problems. Yet it is clear that none of the DHEW Regional Offices or operating agencies presently places high priority on family planning, or is certain what precise functions it is expected to carry out in this field. If the DHEW effort is to be commensurate with the need and with the Secretary's expressed intent it must greatly increase the funds and professional staff manpower devoted to this field. To this end the following recommendations are made:

Mr. President, I ask that the recommendations from page 2 through page 8 be printed in their entirety at this point in the RECORD.

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

1. A clear signal from the Secretary that vigorous support of this field is an integral part of DHEW business seems necessary. The recent designation of family planning as one of six priority areas, without extraordinary action such as the reprograming of funds and assignment of existing personnel, is not regarded by the staff as a mandate.

2. A new policy statement is needed to set forth much more explicitly the Department's objectives in family planning and how it proposes to achieve them. This could be coupled with additional actions by the Secretary as outlined below, and with issuance of specific policy statements by each of the principal agencies involved—Children's Bureau, Public Health Service, Medical Services Administration, Assistance Payments Administration, and Office of Education—detailing clearly their functions in family planning and the staff and budgetary resources they will commit to this field. This will help to clarify both for the Department and for Congress the complementary nature of the several programs.

A suggested division of function among the operating agencies designed to activate a variety of local programs is set forth in Table I and II.

(a) DHEW should set its principal goal as doing what is necessary to close the gap between approximately 5 million women needing publicly assisted family planning medical services and about 700,000 now receiving

[7] As an indirect reflection of this problem, in 1965 one-third of female-headed poor families had four or more children, and these families constituted 80 per cent of all female-headed families, with these many children; i.e., out of 600,000 female-headed families with four or more children, 80 percent were living below the SSA poverty line. In 1955 the number of poor children in families with female heads was 4.4 million.

[8] OEO claims that approximately $1.75 million of 1967 allocation for neighborhood health centers has also been spent for family planning services.

such aid. It should be the Department's policy that no program of comprehensive health services, or program that merely provides or pays for medical care, can be considered complete without including arrangement for voluntary family planning. DHEW must act positively and rapidly to achieve this goal and to guide state and local agencies to effective action. Within the next six months it should complete work on a national plan which locates the population to be served and identifies the variety of agencies to provide the services.

(b) DHEW must identify, train, and assign a professional staff devoted full time to family planning and supporting activities at the executive level and in each of the operating agencies. DHEW presently cannot point to as many as 10 professionals on its entire staff who devote themselves full time to this field. DHEW staffing for family planning now represents an unfortunate example of "what is everybody's business is nobody's business." The Secretary should reprogram funds and reassign personnel to begin this staffing effort immediately.

(c) Radically improved contraceptive techniques must be developed if unwanted fertility in developing countries and among all segments of our own population is to be brought under control. To speed this development DHEW should greatly expand its program of research in fundamental and applied reproductive biology.

3. The Deputy Assistant Secretary for Population and Family Planning should have an adequate staff to assist in policy formulation, program planning and evaluation, relations with professional groups, stimulation and coordination of family planning activities within DHEW, and liaison with other Government agencies and private family planning organizations. The Office of the Deputy Assistant Secretary should provide centralized direction to the total DHEW effort and serve as a single "window" for DHEW to assist applicants for Federal support of family planning.

4. Each relevant DHEW agency—Public Health Service, Children's Bureau, Medical Services Administration, Assistance Payments Administration, and Office of Education—should have an adequate cadre of full-time operating specialists in the Regional Offices, as well as in Washington, to stimulate, and provide technical assistance to state and local officials, voluntary agencies, hospitals, medical groups and other agencies or associations engaged in family planning and related programs.

5. To advise the Secretary on policy, long-range planning and related issues in the field of population and family planning the Secretary should appoint an Advisory Committee on Family Planning and Population, including experts in the relevant specialized fields as well as members of the public. In addition a Regional Family Planning Advisory Committee of relevant professionals and prominent citizens should be appointed for each DHEW region. Some members of each Regional Committee should serve on the Secretary's Advisory Committee.

6. Immediate steps should be taken to offer short-term courses and long-term training at population study centers, and other appropriate facilities, to top DHEW officials in Washington and Regional Offices and professionals assigned to family planning staff positions. Assuming that sharply increased funds for family planning services will become available in July, 1968, there is no time to lose in orienting top administrative staff and in training an adequate staff.

7. Federal funds should be used to provide adequate incentives to the States for appointment of appropriate specialists in health, education, and welfare departments.

8. The Department should require adequate family planning components in every state comprehensive health plan under PL 89–749; every state Maternal and Child Health plan and Maternal and Infant Care project under Title V of the Social Security Act; every plan for Medical Assistance under Title XIX of the Social Security Act; and every Public Assistance plan under Title IV of the Social Security Act. Wherever possible, relevant educational aspects should be included in state and local programs submitted for OE funding. The Department policy of freedom of choice and absolutely no coercion must be adhered to scrupulously.

9. DHEW should immediately commission a feasibility study looking toward establishment of an adequate data processing system for family planning services. At present the Department has little reliable information on which to base a strategy for expansion of services; nor does it have any firm idea as to the cost or effectiveness of such service.

10. There must be a manifold expansion of funds for family planning if DHEW is to make a real impact on unmet needs. It is estimated that some $100 million a year ($20 a year for 5 million women) is necessary to provide family planning service to women in the poor and near poor categories. This goal should be achieved in five years. While it is encouraging that OEO may be authorized to spend as much as $20 million for family planning in 1968, basic responsibility for coordination, development, and long-term support of family planning service remains with DHEW.

The additional $15 million expected to become available for family planning in FY 1969 under H.R. 12080 must be appropriated in full and jealously reserved for financing expansion of family planning medical services, since the principal obstacle to expansion of the field has been the lack of funds for these services. In the next several months, DHEW should develop for submission to Congress in 1968 a request for substantial additional authorizations and appropriations in subsequent years to permit expansion of services to meet the indicated need and to make possible efficient forward planning by Federal, state, and local agencies.

11. In addition to the funds needed to deliver services the Secretary should reserve in FY 1968 at least $10 million a year from such sources as PL 89–749 project funds and SRS research and demonstration funds to constitute a Family Planning Research and Demonstration Fund. A number of excellent projects that can show the way for improvement of family planning services have been developed but remain unfunded.

12. The Office of Education should make a positive effort to stimulate use of funds available under the several Education Acts for family life and sex education programs in the schools and in adult education for special schooling for pregnant teenagers, and for other relevant activities. At least $5 million in OE funds should be specifically reserved for these programs.

13. The Department should take responsibility for developing and supporting the inclusion of family planning curricula in professional schools for physicians, nurses, health workers, social workers and teachers. Family planning and related activities should become an integral part of the training and practice of the serving professions as rapidly as possible.

14. To assist in development of radically improved contraceptive techniques an enlarged, high level scientific staff in the National Institutes of Health must positively encourage expansion of work in reproductive biology; applied work in contraceptive development should be supported through contracts and grants, and NIH's own intramural program should be rapidly expanded.

Laboratory space for work in this field should be provided by designating reproductive biology as a "program of national importance" in order to offer 75 per cent matching provisions in NIH construction grants.

It has been estimated that an optimum world-wide research program in reproductive biology would require the expenditure of $150 million a year by all supporting agencies (Government, foundations, and pharmaceutical firms). This is a five-fold increase over present expenditures in the area. The contribution by NIH to this field should increase in accommodation to this requirement.

15. DHEW should continue and expand support of social research and training in population problems at university population study centers and other appropriate facilities, including studies of the causes and consequences of population growth, illegitimacy, illegal abortion, family stability and breakdown, and related problems.

16. The international aspects of family planning programs are of profound importance, and every effort must be made to support both service and research programs abroad. This applies particularly to the use of PL 480 funds which clearly have not been adequately utilized for these purposes.

Mr. TYDINGS. Mr. President, I stress that, on page 3 of those recommendations, Mr. Harkavy's report says:

DHEW should set its principal goal as doing what is necessary to close the gap between approximately 5 million women needing publicly assisted family planning medical services and about 700,000 now receiving such aid. It should be the Department's policy that no program of comprehensive health services, or program that merely provides or pays for medical care, can be considered complete without including arrangement for voluntary family planning. DHEW must act positively and rapidly to achieve this goal and to guide state and local agencies to effective action. Within the next six months it should complete work on a national plan which locates the population to be served and identifies the variety of agencies to provide the services.

The recommendations go on to say that the Department of Health, Education, and Welfare, presently cannot point to as many as 10 professionals on its entire staff who devote themselves to full-time family planning.

I continue to read from the recommendations:

DHEW staffing for family planning now represents an unfortunate example of "what is everybody's business is nobody's business." The Secretary should reprogram funds and reassign personnel to begin this staffing effort immediately.

Mr. President, it was because of the problem revealed in the Harkavy report and because of the failure of the Department of Health, Education, and Welfare to realize the gravity of the population explosion in our country that I offered the amendments to specifically earmark funds in the social security bill for family planning services.

I was reluctant to depend on the Department of Health, Education, and Welfare, because they have not done the job to date. That is why it is so tragic that the House conferees saw fit to eliminate the major portion of the funds earmarked in the Senate bill.

I read from page 6 of the Harkavy report:

There must be a manifold expansion of funds for family planning if DHEW is to make a real impact on unmet needs. It is estimated that some $100 million a year ($20 a year for 5 million women) is necessary to provide family planning service to women in the poor and near poor categories. This goal should be achieved in 5 years.

Mr. President, this report establishes without any doubt the need for the amendments which the Senate adopted.

For every dollar we spend in the field of family planning to provide assistance to these poor mothers who want voluntarily to plan their family, we will save literally ten, twenty, thirty and even hundreds of dollars in the ultimate cost to society of caring for unwanted children. The problem of the unwanted child in American society is integrally linked, in my judgment, with the major problems of our great cities, with the problem of poverty and, indeed, with the problem of crime and disorder.

Until this Nation and our leaders—I refer to the President of the United States on down—start doing something to protect the unwanted child, our problems will multiply on the domestic scene. When I say "protect the unwanted child," I am talking about our moral obligation to do our best to see that when a child is born in our society, he is born into a family that wants him, is willing to take care of him and to give him the love, and the guidance that he needs.

When an unwanted child is born into the depths of poverty in ghettos of our great cities, not knowing who one or sometimes both of his parents are, without any type of parental supervision, without any family institutions, without any religious sheltering, how can that child help but grow up as a ward of the community and, in many instances, as a dangerous citizen, frustrated and bent on a life of crime and delinquency?

We made great strides with the Senate bill, and I believe it is a tragedy that the conference committee saw fit to remove the real funding of this program.

Publication of the Harkavy report—to which I have referred—and the approval of my family planning amendments by the Senate Finance Committee came at virtually the same time. In effect, an executive agency acknowledgment of the problem, and the potential solution to that problem coincided. I have been informed that officials of HEW supported approval of my amendments both in the Finance Committee and in the conference. I am grateful for that support. I know that they are now eager to make up for lost time in implementing the recommendations of the Harkavy report, and in establishing a far-reaching family planning program which will meet this Nation's needs. It is therefore particularily unfortunate that Congress has failed to give the Department all of the funds which it needs to accomplish its proclaimed purposes.

I am encouraged by the remarks of the Senator from West Virginia and other leaders who are beginning to put their shoulders to the wheel——

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

Mr. TYDINGS. I know full well how effective the Senator can be in other fields.

Mr. BYRD of West Virginia. The Senator from West Virginia is not just beginning to put his shoulder to this wheel.

Mr. TYDINGS. The action of the District of Columbia Appropriations Subcommittee, of which the Senator is chairman, is a real step forward.

But I am referring now to the fight which will take place in Congress next year and the year after, to take a step or two in the right direction for the Nation, as we have taken for the District of Columbia.

The time is running out, Mr. President. The problem of the unwanted child should be the concern of every legislator and every leader in the Nation. Babies are born. Once they are here, we cannot abandon them. We cannot turn our back on them. We cannot punish them for the sins of their mothers or their fathers. We must protect them. But we must also insure, to the extent possible, that the women of our country, rich or poor, have the same opportunity to plan a family, the same opportunity not to bring an unwanted child into the world.

I yield the floor.

(At this point, Mr. McINTYRE assumed the chair.)

EXHIBIT 1

BALTIMORE, MD.,
December 12, 1967.

Hon. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

I urge you to work for Senate and House disapproval of that provision in the pending Social Security bill which would freeze Federal contributions to the AFDC welfare program. This provision, at the present rate of increase of our AFDC rolls, would cost the State of Maryland and the city of Baltimore, approximately $4 million during the first year alone. This would work a great hardship and impose an unjust financial burden which we cannot afford to bear.

THOMAS K. D'ALESANDRO III,
Mayor.

BALTIMORE, MD.,
December 8, 1967.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

Tremendous hardships would be pressed upon Maryland should the proposed AFDC caseload freeze stand. I urge your opposition to it and its ultimate deletion.

SPIRO T. AGNEW,
Governor of Maryland.

WASHINGTON, D.C.,
December 12, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Public assistance and welfare provisions of 1967 Social Security amendments approved by conference committee represent major retreat from gains won over many years. Freezing of rolls on aid to dependent children and compulsory work programs are punitive and regressive in effect and would work hardship not only on the poor but on State and municipal welfare resources. We urge your firm support of Senate version of bill.

ARTHUR S. FLEMMING,
President, National Council of Churches.

NEW YORK, N.Y.,
December 12, 1967.

Hon. JOSEPH D. TYDINGS,
Senate Office Building
Washington, D.C.:

We urge the Senate to reject the report of the conference committee on the 1967 Social Security Amendments. The medievalism of the public welfare provisions far outweighs any gains to be realized from increases in OASDI benefits. We have a deep concern for the plight of the elderly but the additional hardships to be imposed by the bill on already deprived children and families render this bill an unsound public program. The conferees should be instructed to approximate the bill passed by the Senate, and to reject the inhumane and regressive House bill. Our committees on aging, on family and child welfare and on health join us in urging you to return the proposed bill to the conference committee.

JOHN H. MATHIS,
Chairman, Committee on Public Affairs, Community Service Society of New York.

NEW YORK, N.Y.,
December 12, 1967.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

The board of social ministry, Lutheran Church in America, is opposed to the regressive public welfare measures embodied in the conference report on the Social Security Amendments of 1967. We support you in your efforts to keep the substance of the Senate bill.

CEDRIC W. TILBERG,
Secretary for Program and Leadership.

BALTIMORE, MD.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

The directors of Levindale were concerned and distrubed with H.R. 12080. Its passage will create havoc and injustice in our State's welfare program. The board voted unanimously to urge you to use your good offices to defeat H.R. 12080.

MANNY M. MALMAN,
President.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

In light of the recent Senate-House action on bill 1280, we strongly urge that you lend your support in rejecting the provisions of this bill that will limit the welfare services to families, particularly children, through the freeze on the number of recipients compulsory participation in training programs which would negate the individualization of the families' need and the elimination of Federal support to unemployed fathers.

Dr. HYMAN S. RUBENSTEIN,
President, Maryland Chapter, American Jewish Congress.

MRS. NAE R. GELLMAN,
President, Maryland Women's Division, American Jewish Congress.

WASHINGTON, D.C.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Washington, D.C.:

The National Association of Social Workers is deeply concerned about restrictive welfare provisions in conference report on H.R. 12080, the Social Security Amendments of 1967. Compulsory work requirements on mothers with small children and the AFDC freeze must be eliminated. Respectfully request that you not approve conference report but refer it back with request that new conferees be appointed.

CHARLES I. SCHOTTLAND,
President, National Association of Social Workers.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

The 700 members of the Maryland chapter, National Association of Social Workers, urgently request your vote against the social security bill as reported out by Senate-House conference committee. The limitation on Federal participation in the AFDC program places financial burdens upon our State and city which they are in no position to meet.

About 3,000 children in our State alone will be faced without adequate means of subsistence.

ERNEST M. KAHN,
Chairman, Public Welfare Committee.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

We the undersigned, members of the student body of the University of Maryland School of Social Work, its faculty, and friends, urge you to vote against the Social Security Amendment of 1967 reported out by the House-Senate conference committee. We particularly abhor the freeze on AFDC payments, a provision which will either put undue financial hardship on State and local jurisdictions or cause thousands of children to be without means of subsistence.

Marguerite Pope, Stephen P. Gordon, Michael Cenci, Frederick C. Rohlfing III, John E. Hickey, Max Siporin, Pauline M. Stott, Leona Irsch, Ralph M. Schley, W. Glenn Guamnitz, Robert I. Smith, Evelyn S. Kostick, Calvin R. Griner, C. C. Vincent J. Perticone, Arthur C. Redding Jr.

Sheila Thaler, Renee Greefeld, Sharonn Gittelsohn, Shirley Patt, Carol J. Wechsler, Rea L. Ginsberg, Sherman W. Buchanan, Evelyn Swartz, Suzanne Glaser, Willa Bywaters, Alexander B. Gates.

Vivian F. Ripple, Francine Schaeffer, John Barrett, Dorothy Hawkins, Joy M. Douglas, Flozella R. Clark, Kathy Berkowitz, Sylvia Whitney, Donna R. Shadle, Anne Kniffin, Abraham Makosfsky, James Ginsburg, Sharon S. Lawson, Jean M. Dockhorn, Emma V. Ramirez, Paula R. Buskirk, Margaret Davis.

Tom Moses, Deetta S. Taylor, George Taliafero, Sharon A. Penland, Janet Santen, Dianne Mahan.

Gracie E. Goode, Alan C. Korz, Leonard Prass, Hilda K. Gottlieb, Linda Millison, Martin Millison, Thomas C. Voskuhl, Sister Mary John Lowry, R.S.M., Allen J. Levin, Henry Hunt, Sedonia E. Berocknell, Martha James, Kathleen Fotmeier.

Mary Elizabeth Porth, Lora Price, Donald Blumberg, Orlie Reid, Edward C. Green, Beryl Bunker, Martha McLaney, Kathleen Manning, Carl Thistel, Celeste Peltz, Sylvia Cohen, Ruth W. Mednick, Dan Thursz, Ernest Kahn, Camille Wheeler, Patrica Haddad, Brian Opert, Henry W. Keller, Jr., Dorothy Boyle, Sylvia Gollub, James Workman, Betty Himeles.

Pearl Moulton, B. Maxine Tyree, Barbara Gaver, Gerald Pavloff, Robert Bartolini, Gary Balzer, Jane Foley, James Slingluff, Perry Waddles, Harriet S. Frenkil, Stanley E. Weinstein, Linda Melpolder, Thomas Salisbury, Adnette Marrogo, Elbert Hoy, Gertrude Ginsburg, Richard Smith, Carl Munson.

Ross Ford, Linda Siegel, Harris Chaiklin, Peggy Hayes, Virginia B. Laughlin, Lewis Hamburger, Ferne Kolodner, Dorothy Rodbell, Hyman Bookbinder, Brendan F. Murphy, Lillian R. Wiener.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH D. TYDINGS,
U.S. Senate, Washington, D.C.:

Strongly urge rejection of conference report of social security measures which is a travesty of satisfactory bill. Am amazed that Senate conferees should have yielded to such a retrogressive measure which not only fails to correct existing deficiencies but is replete with new ones. Urge its return to conference for constructive revisions.

SIDNEY HOLLANDER.

WASHINGTON, D.C.,
December 12, 1967.

Senator JOSEPH D. TYDINGS,
Washington, D.C.:

Farmers Union board calls upon the Senate to reject the social security conference report.

Farmers Union feels that the conference report might push welfare concepts backward 20 years. Farmers Union continues to support the plan to give work and training opportunities for low-income people instead of welfare as contained in the Senate version which was rejected by the conferees.

Farmers Union is deeply disappointed that the social security conference report failed to give significant increases in social security payments above a cost of living increase. There is little question that the bill will leave many millions on social security with total incomes below the poverty level, and future generations without adequate retirement incomes.

Farmers Union regrets that the drug lobby was successful in eliminating the generic drug provision from the bill, which would save an estimate of $100 million in taxes each year.

Farmers Union urges that the social security bill be reworked by the Congress early next year.

TONY T. DECHANT,
President, National Farmers Union.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Action of conference committee which considered H.R. 12080 is unconscionable. H.R. 12080 in its present form is unreasonably restrictive, punitive, and arbitrary, and negates many of the positive aspects of the Senate version of the bill. The health and welfare committee of Baltimore City's Mayor's Task Force for Equal Rights urges defeat of this bill.

Dr. CLAUDE D. HILL,
Chairman.

BALTIMORE, MD.,
December 12, 1967.

Senator TYDINGS,
Senate Office Building,
Washington, D.C.:

Don't penalize poor people. Defeat H.R. 12080. Please consider Senator Kennedy's position on this matter.

RICHARD BATEMAN,
Director of Housing Court Clinic.

BALTIMORE, MD.

Senator JOSEPH TYDINGS,
United States Senate,
Washington, D.C.:

Vote to kill House bill version 12080 Re AFDC—Freeze or work requirement.

MAZIE F. RAPPAPORT,
Director, Dept. of Medical Social Work, Baltimore City Hospitals.

BALTIMORE, MD.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

We strongly urge you to follow the leadership of Senator Robert F. Kennedy in his actions for Senate rejection of the conference committee report on social security amendments as the arm of the archdiocese of Baltimore regarding urban affairs. We would sooner have no amendments to the Social Security Act this year than to have a bill as presented by the conference committee.

Rev. HENRY J. OFFER,
Director, Archdiocesan Urban Commission,

CHARLES G. TILDEN,
Chairman.

DECEMBER 11, 1967.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

The executive committee of the Leadership Conference on Civil Rights urges you to vote against the conference report on the social security bill. What started out as a social security measure has become an instrument of social insecurity. It generates pressure to break up families. Under this bill fathers would abandon their families and mothers would be forced to leave their children and go to work. The war on poverty is becoming a war on the victims of poverty. Cities now wracked by terrible crises would be faced with the intolerable choice of leaving poor people destitute or trying to provide for them out of funds they do not have. This is a shocking and regressive bill. We urge you to send it back to conference and instruct the conferees to insist on the Senate provisions.

ROY WILKINS,
Chairman, Executive Committee Leadership Conference on Civil Rights.

NEW YORK, N.Y.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

Please reject conference report on H.R. 12080. Title II irremediably endangers and deprives millions of children.

JOSEPH H. REID,
Executive Director, Child Welfare League of America.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Urge your good office to defeat compromise H.R. 12080 from joint committee. We feel this legislation would be most damaging and that its defeat is urgent in turns of social welfare practice.

ROBERT I. HILLER,
Executive Director, Associated Jewish Charities, Baltimore.

WASHINGTON, D.C.

Senator JOSEPH D. TYDINGS,
New Senate Office Building,
Washington, D.C.:

AVC urges rejection conference report restrictions on welfare payments for dependent children and parents.

Dr. EUGENE BYRD,
National Chairman, Veterans Committee.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

In name of Christian conscience we urge your support of Senator Robert Kennedy in his attempt to kill social security compromise bill based on H.R. 12080.

Rt. Rev. HARRY LEE DOLL,
Bishop of Maryland.

NEW YORK, N.Y.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

In view coercive discriminatory provisions H.R. 12080 with respect public assistance (AFDC) as reported conference committee, urge vote against bill or return conference with instruction retain Senate provisions.

Rev. REINHART B. GUTMANN,
Executive Secretary, Division of Community Services, Executive Council, Episcopal Church.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Strongly urge vote against conference report on H.R. 12080 and support of Senate version.

ERNEST H. SMITH,
Family and Children's Society.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Understand Senate bill 208 would leave children ineligible for Social Security protection force mothers with small children to work urge vote against it.

JACK L. LEVIN,
Past President American Jewish Congress Maryland Chapter.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.:

Urge you to oppose restrictive welfare provisions of Social Security bill freeze on A-F-D-C cases could mean starvation for innocent children.

HAROLD C. EDELSTON,
Exec. Director Health and Welfare Council Baltimore Area.

WASHINGTON, D.C.
December 11, 1967.

Senator JOSEPH D. TYDINGS,
Washington, D.C.:

The conference report on the Social Security bill is repugnant to human needs and dignity. Social Security benefit levels are totally inadequate, and the work-training requirements imposed on mothers by the conference report are unconscionable. The welfare benefit freeze will impose heavy tax burdens on local communities and adjustments in old-age assistance and welfare standards may deprive the poorest of our retired citizens of any income increases at all. On behalf of more than six million members of the industrial union department, AFL-CIO, I urge you to vote against the Social Security conference report and subsequently to instruct conferees to insist on the provisions of the Senate bill.

L. WALTER P. REUTHER,
President Industrial Union Department AFL-CIO.

BALTIMORE, MD.,
December 11, 1967.

Hon. JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.:

Urge you strongly to vote against conference report on H.R. 12080. If this measure passes with present welfare provisions it will cost Maryland about $4 million additional per year and will cause untold misery among the poor. It discriminates against the children of unmarried mothers and deprives them of their due rights.

DONALD C. LEE,
President, Maryland Conference Social Welfare.

MIAMI BEACH, FLA.,
December 11, 1967.

Sen. JOSEPH D. TYDINGS,
Washington, D.C.:

AFL-CIO considers conference report on social security absolutely inadequate. Most of Senate provisions designed to improve House bill have been abandoned. Benefits for OASDI recipients would barely exceed already increased costs of living. Retreats on welfare provisions enacted by Senate are travesty on America's image as compassionate and humanitarian nation. We urge every Senator to vote against this deplorable attack on poor and underprivileged and request another conference to secure passage of an adequate social security bill.

GEORGE MEANY,
President, AFL-CIO.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

We believe H.R. 12080 should be defeated. Urge your leadership in this action since passage would create untold problems in our State.

CALMAN J. ZAMOISKI,
President, Jewish Welfare Fund.

WASHINGTON, D.C.,
December 12, 1967.

Hon. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.:

We are extremely dismayed over the conference committee report on social security amendments. The basic approach to the public welfare embodied in the report is not in keeping with human dignity. We urge correction of the coercive features of the report, the elimination of the freeze on number of AFDC recipients and the limit on amount of medicaid payments. Urge you to oppose conference report and to seek the return of the bill to conference committee for results more in keeping with the Senate bill.

Very Rev. Msgr. LAWRENCE J. CORCORAN,
Secretary, National Conference of Catholic Charities.

NATIONAL PRESBYTERIAN HEALTH & WELFARE ASSOCIATION OF THE UNITED PRESBYTERIAN CHURCH IN THE U.S.A.,
New York, N.Y., December 6, 1967.

Senator JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: On behalf of the National Presbyterian Health and Welfare Association, may I take this opportunity to thank you for your action in the Senate on November 21st. Your vote supporting Amendment #425 of Bill HR 12080 was greatly appreciated by members of our Association.

The Association, representing over 400 service units in the fields of child care, health services, services for the aging, neighborhood centers, and institutional chaplains, was distressed with some of the coercive features of HR 12080.

It is hoped that the House-Senate Conference Committee, following their discussions, will present a bill which is supportive of a progressive welfare policy to meet the many challenges which face us in the area of health and welfare today.

Yours very truly,
ARTHUR M. STEVENSON, Jr.,
President.

BALTIMORE, MD.,
December 13, 1967.

Hon. JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

Urge you to postpone action until January 17th on the major social security bill but to pass now its $3,600,000,000 section on increased benefits for the elderly.

HOWARD H. MURPHY,
Maryland State Department of Public Welfare.

BALTIMORE, MD.,
December 9, 1967.

Senator TYDINGS,
The Federal Building,
Baltimore:

Please vote to kill HR 12080 House version.

CHARLES LANSBURY.

HYATTSVILLE, MD.,
December 8, 1967.

Hon. JOSEPH TYDINGS,
U.S. Senate, Washington, D.C.:

Shocked, horrified re H.R. 12080 conferees punitive results. Please help defeat or send bill back to conference. Welfare recipients did not continue wonderful successful WTOC program.

ELIZABETH RILEY,
Social Worker.

BALTIMORE, MD.

Senator TYDINGS,
Senate Office Building,
Washington, D.C.:

Some mothers can do a better job by taking care of their children. Don't allow H.R. 12080 to take our children away from us.

MARGARET JOHNSON.

BALTIMORE, MD.
December 12, 1967.

Hon. JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

The latest un-American Supreme Court ruling is the last straw. Are you going to stand by and let Earl Warren hand our country over to the Communists?

Mr. and Mrs. FRANK EDIE CURRAN, Jr.

BALTIMORE, MD,
December 12, 1967.

Senator TYDINGS,
Senate Office Building,
Washington, D.C.:

Strongly oppose limitation on AFDC families and compulsory work requirements. Maintain your support of the poor by defeating H.R. 12080.

LALIT GADHIA.

BALTIMORE, MD.,
December 12, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

We urge you to vote against passage of the new social security bill in its present form. The welfare provisions are punitive rather than progressive.

Mr. and Mrs. MARTIN MILLSON.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

Urge you to vote against bill 12080. Passage would mean additional four million dollar expense to Maryland in 1968 and would bring unfair disadvantages to children of AFDC mothers.

Mr. and Mrs. LESTER S. LEVY.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH TYDINGS,
Senate Office Building,
Washington, D.C.:

Please vote against H.R.12080 because of deletion of positive Senate amendments.

INGE BARRON.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.:

Urge your vote against compromised social security bill.

MILTON GOLDMAN.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.:

Urge your vote against compromised social security bill.

MRS. JACK PEARLSTONE.

BALTIMORE, MD.,
December 11, 1967.

Senator JOSEPH TYDINGS,
U.S. Senate,
Washington, D.C.:

Urge your vote against compromised social security bill.

CHARLES M. CAHN, Jr.

BALTIMORE, MD.,
December 12, 1967.

Senator TYDINGS,
Senate Office Building,
Washington, D.C.:

Show that you are for people, vote against the welfare section of H.R. 12080.

LESLIE KANE.

BALTIMORE, MD.,
December 12, 1967.

Senator TYDINGS,
Senate Office Building,
Washington, D.C.:

Don't allow Congress to be punitive by passing H.R. 12080. I count on your efforts to defeat the welfare section of this bill.

DOROTHY MILLS.

UNFORTUNATE THAT NEEDED SOCIAL SECURITY AMENDMENTS PASSED IN SENATE WERE ELIMINATED IN CONFERENCE—LET US CONTINUE OUR EFFORTS

Mr. YOUNG of Ohio. Mr. President, the conference report on the Social Security Amendments of 1967 is clearly bad legislation. The regressive legislative proposals contained therein, if enacted into law, represent an unfortunate step backward in the field of welfare and social legislation.

The conference bill increases social security benefits by only 13 percent, whereas we in the Senate approved a 15-percent across-the-board increase. Frankly, a 20-percent increase would have been more in line with the needs of elderly Americans, widows, orphans, and disabled citizens in this inflationary period.

The conference bill sets a $55 minimum benefit, although we in the Senate provided for $70 a month. Frankly, a $100 per month minimum benefit would be a more realistic figure.

For more than 26 years social security beneficiaries have been fighting a losing battle with the cost of living. Although social security benefits have been increased five times since 1940, those receiving them have not participated in our increased standard of living. The 13-percent increase and the $55 minimum are clearly inadequate.

As hard as this bill is on older citizens, widows, and orphans, it saves its cruelest blow for underprivileged children. The worst feature of the conference bill is that it will curtail Federal aid to dependent children payments to the States. The number of children on the rolls next January 1 would be determined and also the total number of children in the State. Then the proportion on welfare would be frozen thereafter. The mathematical formula in the bill would arbitrarily freeze the number of children receiving benefits and bar from benefits unknown thousands of children now surviving on public welfare as well as children yet unborn. It punishes children in the harshest manner for what some in our society consider the shortcomings of their parents. This is a throwback to the poor laws of the 17th and 18th centuries.

In my State of Ohio alone there are more than 190,000 women and children receiving ADC assistance. Next year there will be an additional 15,000 to 18,000 added to those rolls. If the conference bill becomes law, those innocent children in Ohio and all other States will suffer, and citizens of Ohio and other States may be required to pay increased taxes to provide the benefits which should rightfully be provided by the Federal Government.

Not content with punishing children of poor families, the conference bill also contains heartless provisions for indigent and poverty stricken mothers. It would force them, regardless of how desperately they are needed at home, to leave their infants and school age children, to incur the expenses of their day care and to undertake job training. It is entirely conceivable this would be for jobs that do not exist. However, if a mother stayed with her children she could lose all assistance.

Mr. President, it has been my understanding since the first social security law was enacted in 1935 that we as a nation had adopted the philosophy that even the poor and poverty stricken are entitled to some dignity. More important, that children should have the care of their mothers while they grow up, if that is at all possible. This bill makes a sham of that philosophy which we had adopted when the Social Security Act, the most humane and social legislation in our Nation's history, was enacted into law 32 years ago. It was one of many imprints that Franklin D. Roosevelt left upon the pages of American history which will endure forever. I am very proud that during my first term as Congressman at Large from Ohio I voted for and spoke in favor of passage of the first social security law, and for liberalizing amendments on every rollcall in which I participated since that time.

Since passage of the Social Security Act of 1935, Congress has made changes in the act in keeping with fast-changing times. We have a duty to further expand and liberalize this program. Rather than fulfilling this duty, the conference report is a retreat to that time when a high-placed governmental official said, "Relief is a local problem."

Mr. President, this proposed legislation, apart from failing to provide adequate benefits for social security recipients, represents a failure by the Federal Government to assume its responsibility for taking over an increased share of the relief burden from financially hard-pressed cities and States.

The majority of men and women beyond 65 years old have inadequate incomes. Most do not receive private pensions. The majority cannot afford proper medical care. Many are ill housed and, unfortunately, too many lack means to obtain proper diet and are undernourished. It is clear that social security benefits must be greatly increased and the social security program greatly expanded if we are to meet present needs of older Americans.

Our social security system, which is actually the old-age, survivors, disability, and health insurance program, is an actuarially sound insurance system. The present surplus in the social security and disability trust funds exceeds $26 billion. Under the amendments which we in the Senate passed, this program will continue to be actuarially sound without imposing unduly heavy premium payments on Americans.

Mr. President, I could go on at length detailing the many regressive features of the conference report. The limiting of earnings to $1,680 a year for those social security recipients who wish to continue to work after reaching retirement age is utterly unrealistic. The provisions regarding medicaid and welfare for unemployed fathers, to name some, are entirely inadequate and at great variance from those which we in the Senate adopted.

Although I personally dislike to accept the conference report knowing that the conferees for the other body had perpetrated an act of vandalism on the most deep-needed and most advanced liberalization and expansion of the social security law by either branch of Congress since 1949, my better judgment tells me we should not postpone final action until the coming session of this Congress. Better, it seems to me, we should try to live with this and then early in the final session of this Congress without delay work on restoration of the amendments we in the Senate had hoped would be incorporated in the Social Security Amendments of 1967. Then, we could debate and vote on these amendments hoping that by next March or April we might succeed in accomplishing the needed improvements in the social security law which were aborted by the opponents of social security reform in the other body.

Mr. McCARTHY. Mr. President, adjustments in the social security program are badly needed to take account of changes in the economy and to provide more realistic benefits to the retired, the disabled and survivors who are eligible under the program. Improvements of the public assistance programs and of the medicare program are also needed.

The bill which the House approved and sent to us had, of course, many good features, but it also had serious defects. It did not provide a sufficient increase in benefits. It had objectionable features in the public assistance program, principally the freeze on the number of welfare recipients who would be eligible and provisions which come close to imposing forced labor on mothers of dependent children on welfare.

We greatly improved the House bill in the Finance Committee and other constructive amendments were added on the floor. We increased the benefits to the level recommended by the administration—15 percent instead of 12½ percent and with a minimum of $70 monthly. We took off the freeze on welfare recipients. It was my view that we ought to remove altogether the threat that mothers of dependent children would be denied welfare benefits if they did not take training or work, and I introduced an amendment to provide this. In the committee we did spell out several conditions that would constitute "good cause" for not being forced to work, in-

cluding "a mother actually caring for a preschool child." This exemption was enlarged by the Kennedy floor amendment which would have exempted a mother from being required to work during hours when her child or children under 16 are not in school. These provisions were eliminated by the conference committee.

It may well be, as some have argued, that State welfare agencies will use good judgment, or, as others have argued, that there will not be enough money for training so that in fact most of these mothers with dependent children will not be threatened with "Get out of the house and start to work or you will be cut off from benefits"; but in my judgment this is one of the worst features of the House bill. We ought not to write this kind of threat into Federal law. It is not practical. It is offensive to mothers on welfare who already have many difficult problems. It is a step backward in Federal policy which has been designed to protect the family and to enable mothers to provide care and guidance for their children at an age when they most need it. It is objectionable in principle.

I regret that the Senate conferees receded on this and on other constructive provisions and improvements that the Senate had written in the bill, and that we are now presented with an up-or-down choice of a conference bill that retains many objectionable and insufficient provisions of the House bill.

I ask unanimous consent to have printed in the RECORD a few of the many telegrams I have received opposing the conference bill.

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

WASHINGTON, D.C.,
December 13, 1967.

Senator EUGENE MCCARTHY,
Senate Office Building,
Washington, D.C.:

Public assistance and welfare provisions of 1967 social security amendments approved by conference committee represent major retreat from gains won over many years. Freezing of rolls on aid to dependent children and compulsory work programs are punitive and regressive in effect and would work hardship not only on the poor but on State and municipal welfare resources. We urge your firm support of Senate version of bill.

L. ARTHUR S. FLEMMING,
President, National Council of Churches.

WASHINGTON, D.C.,
December 12, 1967.

Hon. EUGENE J. MCCARTHY,
U.S. Senate,
Washington, D.C.:

We are extremely dismayed over the conference committee report on social security amendments. The basic approach to public welfare embodied in the report is not in keeping with human dignity. We urge correction of the coercive features of the report, the elimination of the freeze on number of AFDC recipients and the limit on amount of medicaid payments. Urge you to oppose conference report and to seek the return of the bill to conference committee for results more in keeping with the Senate bill.

Very Rev. Msgr. LAWRENCE J. CORCORAN,
Secretary, National Conference of Catholic Charities.

WASHINGTON, D.C.,
December 11, 1967.

Hon. EUGENE J. MCCARTHY,
U.S. Senate,
Washington, D.C.:

The executive committee of the Leadership Conference on Civil Rights urges you to vote against the conference report on the social security bill. What started out as a social security measure has become an instrument of social insecurity. It generates pressure to break up families. Under this bill fathers would abandon their families and mothers would be forced to leave their children and go to work. The war on poverty is becoming a war on the victims of poverty. Cities now wracked by terrible crises would be faced with the intolerable choice of leaving poor people destitute or trying to provide for them out of funds they do not have. This is a shocking and regressive bill. We urge you to send it back to conference and instruct the conferees to insist on the Senate provisions.

ROY WILKINS,
Chairman, Executive Committee, Leadership Conference on Civil Rights.

WASHINGTON, D.C.,
December 12, 1967.

Senator EUGENE MCCARTHY,
Senate Office Building,
Washington, D.C.:

We beseech you to filibuster if necessary to defeat the welfare amendments to the social security bill. The mental growth of thousands of infants and children will be gravely affected by the absence of their mothers in compulsory work or training. Day care for children under age 3 is highly experimental and likely to be extremely dangerous if applied broadly. We feel the freeze on ADC payments is also unspeakably cruel. Your courage on this issue now will be justly rewarded by an easy conscience later.

FREDERICK SOLOMON, M.D.,
Medical Committee for Human Rights.

WASHINGTON, D.C.,
December 11, 1967.

Senator EUGENE J. MCCARTHY,
Washington, D.C.:

The National Association of Social Workers is deeply concerned about restrictive welfare provisions in conference report on H.R. 12080—the Social Security Amendments of 1967. Compulsory work requirements on mothers with small children and the AFDC freeze must be eliminated. Respectfully request that you not approve conference report but refer it back with request that new conferees be appointed.

CHARLES I. SCHOTTLAND,
President, National Association of Social Workers.

NEW YORK, N.Y.,
December 11, 1967.

Senator EUGENE J. MCCARTHY,
U.S. Senate, Washington, D.C.:

Please reject conference report on HR. 12080. Title II irremediably endangers and deprives millions of children.

JOSEPH H. REID,
Executive Director,
Child Welfare League of America.

NEW YORK, N.Y.

Senator EUGENE J. MCCARTHY,
U.S. Senate, Washington, D.C.:

Conference report on H.R. 12080 retains unjust provisions requiring mothers receiving public assistance work and freezing aid to children from broken homes urge you oppose bill rather than saddle nation with these unsavory precedents.

HUBER F. KLEMME,
Coordinator, Antipoverty Task Force,
United Church of Christ.

NEW YORK, N.Y.,
December 12, 1967.

Senator EUGENE J. MCCARTHY,
Senate Office Building, Washington, D.C.:

We support the social security bill originally passed by the Senate and welcome your efforts to reject conference committee report. Shameful quota on number of children aided must be eliminated. Conference acceptance of limitations on medicaid, forced work procedures, and new burdens on states and localities should be reversed.

FAY BENNETT,
Executive Secretary,
National Sharecroppers Fund.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 43) to officially recognize the 150th anniversary of the admission of the State of Illinois to the Union.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two House on the amendments of the Senate to the bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities.

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

H.R. 8581. An act to amend section 11-341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 14330. An act to provide a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism in the District of Columbia, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 8581. An act to amend section 11-341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 14330. An act to provide a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism in the District of Columbia, and for other purposes.

CHANGE OF REFERENCE

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. MCCARTHY], I ask unanimous consent that the Committee on Public Works be discharged from further consideration of 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, and that the bill be referred to the Committee on Foreign Relations.

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

PRESIDENT PLEDGES AMERICA'S CONTINUED EFFORT IN SPACE

Mr. HOLLAND. Mr. President, in his speech at the Michoud Space Facility at Michoud, La., President Johnson dedicated America to pursue the exciting challenges of the space age.

In just 60 years, this Nation has moved from the first fragile flight at Kitty Hawk to space walks in the sky. The Americans who have dedicated themselves to our space efforts and the commitments of the Nation's taxpayers to our space success have enabled the United States to lead the way to the stars.

Our investment in the space program is an investment in the future of America.

The wonders of space science have enriched our lives on earth by providing additional knowledge for our schools, new technology for our industries, and new answers to our age-old questions.

Our satellites have warned the world's peoples of dangerous weather conditions, linked, in the President's words, "the continents into a community of nations," and mapped a moon which men have longed to see since time immemorial.

Under President Johnson and an enlightened Congress America has chosen to secure the future rather than to long for the past. We stand at the gateway to a new world—and we mean to enter that world.

With President Johnson's dedication—a dedication dating back to his days in the Senate—and the Nation's continued support, we will unlock the secrets of the universe and travel into the trackless skies. As America pioneered in the first flight at Kitty Hawk it shall continue to be the world's pioneer in space. America—and the world—will be the better for it.

I ask unanimous consent to insert the President's remarks into the RECORD.

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

REMARKS OF THE PRESIDENT AT MICHOUD SPACE ASSEMBLY FACILITY, MICHOUD, LA., DECEMBER 12, 1967

Governor McKeithen, Mr. Mayor, Director Webb, Captain Schirra and Captain Cunningham, Dr. VonBraun, the able leaders of Chrysler and Boeing and the working people in this group, ladies and gentlemen.

Governor McKeithen and I had our hearts swelled with pride as we rode through this great operation and saw the technical facilities and development that you men and women have produced.

Senators Ellender, Long and Hale Boggs—who gave my daughter a wedding party the other evening—Congressman Hébert and others have insisted I come to Louisiana to see what you had here. But little did I realize how mammoth it was and how much you have done and are doing.

Governor McKeithen, being a farm boy from out in the sticks, looked up to me and said, "Mr. President, this place would really hold a lot of hay, wouldn't it?"

I said, "Governor, I don't know how much hay it will hold. It has been a long time since I bought hay. But I do think it would have been big enough to invite all of my friends to the wedding." I don't think that we could buy them champagne if we got this many there. But it is big enough—Alaska is big enough to do whatever needs to be done.

It was 64 years ago this week that Bishop Wright of the United Brethren Church in Dayton, Ohio received a telegram. This telegram was from his two sons who were vacationing on the seashore.

That telegram began:

"Success four flights Thursday morning. All against 21 mile wind. Started from level with engine power alone. Average speed through air 31 miles. Longest, 57 seconds."

The next line said:

"Inform press."

The figures were a little off. The wind was 27 miles, not 21. The longest flight time was 12 seconds, not 57. But this was blamed on the telegraph operator, Governor, lately. But this telegraph operator said he couldn't read Orville Wright's handwriting.

But the fact remains that the two young bicycle mechanics from Dayton, Ohio had designed and flown the first practical airplane.

Standing here, in this great mammoth center, it is hard to believe that we have come so far and we have come so fast—from the Wright brothers on the sands of Jim Webb's native North Carolina to this amazing space complex here in the freedom-loving State of Louisiana.

What a leap in less than one human lifetime. From a voyage of 120 feet to a trip to the moon. And we are still soaring. We have started a journey from which there can be and there will be no turning back.

We have come a long way—and much of that journey has been made in the last ten years. Ten years ago, we could put scarcely 100 pounds into orbit about the earth. Today we can orbit 285,000 pounds. That is progress. That is something I am proud of and that is something you are proud of. That is something we are doing together.

In the nine years since I first introduced in the United States Senate the Aeronautics and Space Act of 1958, we have seen the power of our rocket engines increase 50 times—from 150,000 to 7,500,000 pounds of thrust in the engines that you build here.

We have satellites watching the world's weather.

We have communications satellites linking all the continents into a community of nations.

We have mapped the moon already.

We have flown our astronauts in orbit for as long as 14 days. They have begun to learn how men can live and work in space.

We have perfected our technology. Thirteen Saturn vehicles have been launched without a single failure. You hear about the bad things; now let's talk about the good things.

On behalf of this very proud Nation, and as your President, I have come here to say on behalf of the American people that we thank you good people of New Orleans and Louisiana for helping to bring these miracles about. We thank you for your skill, your loyalty, and your dedication to your country that gives such blessings to all America.

But you have done more than paved man's road to the stars. Much of what you do stays here at home to enrich our lives, improve our economy, and add to our strength.

Your Apollo program will send men to the moon. It will also help your industry, our universities, and our Nation to develop the knowledge that we need—that we are going to have to have—if we survive in the 20th Century.

We are just beginning, really, to grasp the responsibilities and the opportunities of space. We are just beginning to realize its meaning for the needs here on earth.

I was talking to Governor McKeithen riding through a moment ago. We have invested some $20 billion in the past 10 years. But the value to our Nation of this $20 billion and this successful space program may be millions of times greater than the investment we made. Who knows now, when we have only lifted the first veil from the mysterious and the miraculous?

But think of the cost to us if we were not in space—if we failed to support a program that is worthy of the wealthiest nation in history. What would that say about America's vested system of government? What would that say about our leadership in the world if we brought up the tail end?

Think of the cost to America, compounded again and again, if we had abandoned the determination to master technology—when it is so vital, not only to our prosperity but it is vital to our very national security.

It is because of you that we have not failed. It is because of you that the national effort that we launched in 1961—it is because of this investment, our foresight and sacrifices—that Americans can today watch the moon rise and the stars move through the heavens without great fear.

Not long ago we had to stand by and watch other countries accomplish what we could not accomplish. I will never forget the days of Sputnik-1 and Sputnik-2, and the real concern. You talk about concerned people; they were concerned during that period.

We were the most scientifically advanced nation on the face of the earth but we did not launch man's first earth satellite.

We were backward because we did not choose to adventure. We did not choose to have vision. We did not choose to look forward. Now let us remember that our future achievements—or our future failures—will depend on how far ahead we choose to look and how far ahead we choose to think.

If we think second, and if we look third, then we are going to wind up not being first.

I hope you hear me—that man will make space his domain is inevitable. Whether America will lead mankind to that destiny does not depend on your ability, but it depends on our vision, our willingness, and our national will and determination.

This great pilgrimage of man—like all his adventures—costs money. Christopher Columbus spent more years trying to find money for his voyage than he spent discovering the new world. In the modern world, we can no longer depend on a Queen Isabella pawning her jewels. We have to depend on taxes. We must have the revenues that only Congress can grant through taxes.

So we will advance in space to the extent that our people and their representatives are prepared for us to advance and are prepared to pay the cost of that advance. We may not always proceed at the pace we desire. I regret that there have been reductions and there will be more. There have been interruptions, and I hope that we have had all we can take. But I do have faith and confidence in the American people.

We are all the descendants of those voyagers who found and settled the New World.

We Americans are the first to really enter and the first to understand the 20th Century.

Today we stand here at the gateway to another and a more glorious new world.

We will not surrender our station. We will not abandon our dream. We will never evacuate the frontiers of space to any other nation.

We just must be the space pioneers who lead the way to the stars.

To Capt. Schirra and Mr. Cunningham, and their associates, particularly to Director Jim Webb and Dr. Von Braun, and to all of you in the great State of Louisiana, who have worked your hearts out to make this a success, to the great managers of this operation, Governor McKeithen, I say on behalf of not just the State of Louisiana, but the States of this Nation, all 49 of them—we are very proud of our space program.

We are very proud of our astronauts and the industrial genius that supports them.

We are very proud of the good people of Louisiana for what they have built and for the record that they will establish.

Thank you very much.

TOWARD TOMORROW'S TRANSIT

Mr. MONDALE. Mr. President, transportation lies at the very core of urban and metropolitan development. The lives of all of the 80 percent of American who now live in cities are shaped in their daily detail by transportation.

Urban transportation today is failing to live up to the challenges that this crucial position poses to it. Urban transportation today is, as everybody knows, too slow, too expensive, too ugly, too noisy, too much the despoiler—not the servant of urban life.

For these reasons the improvement of urban transportation is a prime concern for the Department of Housing and Urban Development. HUD's urban mass transportation programs are already achieving important results—but they are only a beginning for what must lie ahead if we are to develop the kind of urban transportation systems we need.

The strategy for this future development is now being laid by HUD in a major 18-month study.

I urge my colleagues to read a speech by Housing and Urban Development Assistant Secretary, Charles M. Haar, in which he describes the "breakthrough" program for urban transit. I request that Mr. Haar's speech be printed at this point in the RECORD.

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

TOWARD TOMORROW'S TRANSIT: A STRATEGY FOR INNOVATION

(A speech by Charles M. Haar, Assistant Secretary for Metropolitan Development, U.S. Department of Housing and Urban Development, to the HUD-sponsored Urban Transit Seminar, West Virginia University, Morgantown, W. Va., July 20, 1967)

"The first step is to break old patterns . . . to begin to think, work and plan for the development of entire metropolitan areas." (President Lyndon B. Johnson, Statement of the Union Message, January 4, 1965.)

Transportation lies at the very core of urban and metropolitan deevlopment. The physical shape of the cities and towns in which we live reflects the various ways in which people and goods have moved about at different points in our history. The narrow, winding ways of a Beacon Hill in Boston, of the lower tip of Manhattan, of downtown Providence, are products of travel on foot and horseback. The gridiron pattern of urban development in cities like Chicago was shaped by the streetcar. The sprawl of suburbs and the growth of linear centers along highways and circumferential freeways has, of course, been facilitated by the automobile and the motor truck.

And transportation touches the lives of urban dwellers in other ways, too, for cities, as Aristotle reminds us, are places where people come to live together to lead the good life. Today, they tend to perceive this goal in terms of living in one place, working in another, going to school and shopping in still others, and visiting friends and seeking recreation in others again. Contemporary cities are places where moving around is part and parcel of everyday existence and where concentration of activity makes these movements harder to synchronize.

The commuter who may spend an hour or two each day getting to and from work; the suburban housewife who spends her mornings chauffeuring herself and her afternoons chauffeuring her children; the poor who must spend hours on public transportation to get to work and cannot get to jobs where public transportation does not run; the old who are isolated and lonely because they cannot get out and about easily in the city—the lives of all of the eighty percent of Americans who now live in cities are shaped in their daily detail by transportation.

It is a curious paradox that the very virtues of the motor vehicle have brought problems to the cities of today. That double nature of technology—both source and solution of problems—again is manifest. Mobility engenders later congestion and congestion is felt not only by the New Yorks and Los Angeleses but by small cities and suburbs as well. A recent poll of citizens of Woodstock, Illinois, listed downtown congestion first among the town's 20 worst problems. The population of Woodstock is 9700.

Urban transportation today is failing to live up to the challenges that its central position poses to it.

The genius that has planned and built modern America has worked with only erratic effectiveness in urban transportation. The leisure we have won from toil we spend in traffic. The cost reductions we have achieved through greater efficiency in production and marketing are offset in many cases by the cost increases caused by inefficient urban goods movement. The peace we have sought in the suburbs is often hardly worth the turmoil we must go through to get there. Urban transportation today is, as everybody knows, too slow, too expensive, too ugly, too noisy, too much the despoiler—not the servant of urban life.

For these reasons the improvement of urban transportation is a prime concern for the Department of Housing and Urban Development. For almost fifteen years now HUD has been giving assistance to local communities, metropolitan regions, and States for comprehensive urban planning—of which transportation planning is always a major component—to promote coordination and harmony between transportation systems and other parts of urban life. It has been responsible for the Federal program of assistance to urban mass transportation since that program was established in 1961: a program that helps communities provide the balance of transit service necessary to meet transportation needs in metropolitan areas that cannot effectively be met by building more highways and adding more automobile traffic.

These needs are urgent ones. In the past we have been nearsighted in thinking about urban needs and the kind of transportation necessary to satisfy them. We have moved along the course of least resistance by piecemeal expansion. And as the President's Citizens Advisory Committee on Recreation and Natural Beauty, headed by Laurence Rockefeller, has stated in its recent report to the President, this expansion has been pursued by "archaic methods" that have focused on engineering considerations and simple costs when "experience has taught us that we require more uses from the land than can be considered in the simple cost-benefit formula. Highways have effects that reach far beyond those who drive on them; yet our present devices for choosing locations are still based mostly on requirements of the highway user rather than the community at large." The Secretary of Transportation has spoken of the "glaring inadequacies" of present transportation "with regard to urban congestion and airport access."

In most cases, however, mass transportation has not been developed to its full potential as an alternative or supplement to highway expansion in urban areas where the costs and disruption of this expansion are excessive, and where people need wider options than complete dependence on the private automobile. For, properly applied, public transportation is complementary to private transportation in rendering it more efficient both in its own terms and in those of social external costs.

Public transit has often not even managed a piecemeal response to the urban challenge in terms of suboptimization of its components and sub-elements. Equipment is too often antiquated—uncomfortable, drafty, noisy, and ugly. Service has deteriorated—waits are long, transfers increasingly necessary as the patterns of trip origin and destination have become more scattered. Methods of financing and pricing mass transit are far less advanced and sophisticated than those used in other fields. As a result of these factors transit operators have been caught in a fatal trap in which declining ridership has meant service cuts and fare increase which in turn have caused further loss of riders.

The causes have been variously diagnosed. The roots of mass transit stagnation have been found in a lack of research and technology, in a lack of business management and efficient administration, in a lack of Federal funds or in a lack of metropolitan and regional organization on a large enough scale to rationalize transit operations.

Deficiencies in technological innovation were emphasized by a National Academy of Sciences summer seminar, which considered transportation problems in 1960. Its report spoke of "the decline of transportation engineering in the universities and in research and development laboratories. The problem is most serious in the case of the older modes but exists to some degree in all." Five years later, Lawrence Lessing wrote in *Fortune* magazine that "a great gap exists in really basic research on advanced ground-transportation systems, due to over half a century of neglect by the industry as well as government."

Deficiencies in Federal financial support are sometimes emphasized. By contrast, mass transit has received Federal assistance late and sparingly. Harold Meyers wrote in *Fortune* magazine in 1964: ". . . for the last decade only the manufacture of buggy whips has been deader than mass public transportation. Lately, however, the industry has been stirring and it well may grow robust again in the decades ahead. . . . Spurring this prospective revival of a moribund industry is a transfusion of federal money."

John Kenneth Galbraith, in his recent book, has emphasized another possible cause of transit stagnation, organizational fragmentation. He contrasts the isolation and small scale of local transit systems with the regional coordination and large scale technological rationalization of the telephone system in this country—arguing that the "technostructure" for innovative research requires coordination on a large scale, regional or even national.

However we analyze the situation, informed observers agree that a satisfactory solution will require both better technology and more money. In its final report, the National Commission on Technology, Automation, and Economic Progress enumerated transit's many problems of congestion, delay, cost, and quality of service—then concluding: "The potentials of new transportation technology point toward the solution of many of these problems. Yet these possibilities are not being realized, due in large part to unresolved organizational, administrative, and financial difficulties. The problem is aggravated by the failure to look at transport technology as a whole."

Today, manufacturers are beginning to develop some notably improved equipment—as witness the computerize San Francisco BART transit system now under construction

and the Westinghouse transit expressway with electric buses automatically controlled on an exclusive right-of-way that has been successfully tested in Pittsburgh. But the industry has for the most part offered too fragmented and poor a market to encourage research and development along these lines and governments have not exercised here the role of leadership in innovation that is provided in other fields of transportation.

In fiscal year 1968, for example, the Federal Government will spend some $4.1 billion on highways, $900 million on air transportation, $800 million on water transportation, and only $140 million on urban mass transportation: less than 2½ percent of total Federal transportation assistance.

But even with this initial level of investment, it is noteworthy that HUD has achieved many important results by way of innovation. Both the BART system and the Westinghouse transit expressway were sparked by HUD urban mass transportation demonstrations. In Oakland, HUD sponsored the initiation of commercial hovercraft service between airports and city centers across San Francisco Bay. Other projects have spurred the development of automatic fare collection equipment, improved tunneling techniques, a helicopter-borne "skylounge" for center city airport connections, gas turbine highspeed rail commuter trains, computer scheduling of buses, and the design of transit to open job opportunities of residents of inner city neighborhoods among new industries at the fringe of cities.

Such demonstration projects have been an important complement to HUD's on-going capital grant program in urban mass transportation. HUD has used capital grants to expend and strengthen transit and rail commuter systems in several score of cities, to preserve service in a number of smaller cities that would otherwise have lost it and to initiate it in a number of others, and to start planning and construction of subway and rail rapid transit systems in San Francisco, Atlanta and Seattle. The first six years of HUD's urban mass transportation program have built an essential background of experience and suggested a number of the possibilities that exist for future development.

They are only an auspicious beginning, however, for what must lie ahead if we are to develop the kind of urban transportation systems we need. The strategy for this future development is now being laid by HUD in a major 18-month study for which we were given responsibility by Congress last year. This study will form the basis for a report to the President and the Congress early next year on what sort of comprehensive research and development program this country should embark upon over the next decade or more in urban mass transportation.

To conduct the study we have brought together some two dozen engineering and consulting firms, private manufacturers, and university groups, each with broad staffs of economists, scientists, engineers, urban planners and transportation experts. Our aim is to reach beyond the piecemeal development of today to outline in systematic fashion a comprehensive, staged program of innovation such as this country has employed in fields like space and air transportation.

Throughout, our concern has been to relate technological and scientific innovations as closely as possible with their impact on the shape of cities and towns and the quality of the lives of urban dwellers. We know that we cannot afford again to ignore urban needs and human lives in building transportation systems—that we must begin with these and build to serve them.

The initial phases of this study are now well along. Last February, HUD Secretary Robert Weaver announced the award of contracts concerning the four basic components of the study, to probe the technological possibilities for creating new systems of transportation in a series of future time frames:

1. Stanford Research Institute is conducting a futuristic study of solutions which might be developed within a period of five to fifteen years. They are among the groups doing comprehensive evaluation of electric cars, a field in which HUD has already been extensively involved through demonstration project work undertaken with the University of Pennsylvania.

2. The WABCO Mass Transit Center in collaboration with Wilbur Smith and Associates, the Institute for Public Administration and Melpar, Inc., is undertaking an evolutionary study of improvements that could be made in three to eight years. Among other possibilities, they are conducting a systematic appraisal of exclusive bus lanes, a concept that an earlier HUD demonstration project with Texas A. & M. showed to be particularly promising.

3. The engineering firm of Day and Zimmerman is looking at ways to obtain improved results from existing transportation technologies within a time-frame of six months to three years.

4. General Research Corporation, a group experienced in defense and space research, is conducting a comprehensive systems analysis, with the aid of computers, of urban transportation problems and their solutions.

In May, I announced the award of five additional contracts to round out and strengthen this work:

5. The Battelle Memorial Institute will do an early screening of the work of the four major contractors, and will prepare evaluation monographs on a wide range of possible urban transportation research projects.

6. Because of the many potential benefits to be derived from a bi-modal small vehicle transportation system that can travel both on ordinary streets and high-speed automated guideways, the Department has retained Cornell Aeronautical Laboratory to analyze such a system. Cornell will evaluate it by applying it to a test city, Buffalo, New York.

7. Preliminary investigations indicate that one of the critical elements of making major improvements in urban transportation is the development of electronic command and control systems. The General Electric Company has been retained to study this area.

8. General Motors Corporation is applying some of the experience and talent of the automobile and railway equipment industries to the study of a series of concepts including low speed air cushion vehicles for downtown areas, a "Metromode" exclusive right-of-way vehicle, automatic highways and two or three radically new bus concepts. Some of the last may incorporate work HUD is doing through a demonstration project contract covering improved bus design with the National Academy of Arts and Sciences.

9. North American Aviation has been retained by HUD to survey the aerospace, atomic, defense and other advanced technologies for elements which may be utilized in solving the urban transportation problem.

I am today announcing the award of eight final contracts in the new systems study. Some of these fill gaps in the earlier studies, or address problems that initial work has shown to be of importance deserving special, more intensive treatment. The movement of goods in urban areas is one of these—a generally neglected field, where transportation today is largely an attempt to fit into systems primarily designed to move people.

Others of these final studies will provide in greater depth the background of knowledge of demand patterns and the interrelationships of transportation with urban land use and the shape of urban life that are of such special concern to HUD. One, for example, is a study of the various unmet demands in urban transportation today—the "invisible groups" I mentioned earlier, such as the suburban housewife and the inner city poor and the aged. Here again, in one part of this area—the design of transportation systems to open job opportunities for slum residents—HUD has already done considerable work, having sponsored demonstration projects in Los Angeles, Nashville and Long Island.

Another is the problem of transportation in small cities and towns, where HUD has helped establish and maintain traditional bus transit that can provide reasonably good service at feasible cost.

The additional eight contracts, which will give us a systematic approach to designing a research and development program of the magnitude and flexibility this problem for the city deserves, are:

10. Peat, Marwick & Livingston of New York has been awarded the first contract, to develop projections of urban personal travel demand for each Standard Metropolitan Statistical Area. This will provide the broad statistical background to enable future research to be planned according to need.

11. Consad Research Corp. of Pittsburgh will study another and most important facet of urban travel demand: the sensitivity of demand to such matters as relative investments in different types of transportation systems, technological breakthroughs and improvements, changes in income, variations in population density. Lack of knowledge in this area has in the past left us unprepared for the impact that shifts in other aspects of urban life have on transportation; we cannot keep up with these changes, let alone get ahead of them, without such information.

12. Transportation Research Institute of Carnegie Institute of Technology has been charged with the investigation of the so-called latent demand for urban transportation to satisfy urban and social needs unmet by existing systems. I have spoken of the frequent failure of present transportation to get people in the ghetto to new jobs on the fringe of cities. This is an instance of latent demand. So are the suburban elderly who cannot visit with friends, shop or get to recreation. And TRI's study will look beyond these groups, too, at places where transportation could open horizons for city dwellers unguessed at today.

13. Battelle Memorial Institute will examine the neglected area of demand for urban goods movement, with an eye to developing systems that can distribute goods from grocery bags to heavy manufactured products without the costly delays, snarls of double-parked delivery trucks and noise that we have today.

14. ABT Associates at Cambridge, Mass., has been given a contract to look at the qualitative aspects of urban travel demand—at the effect of such things as seating comfort, temperature control, safety and security; and at how these factors can be improved.

15. Barton-Aschman Associates of Chicago is responsible for the largest of the new studies. It will investigate the land use requirements of various urban transportation systems and their impact upon the neighborhoods and areas they cross. It will look at the past experience in various cities and outline ways in which we can avoid conflict between transportation systems and the people and communities they are supposed to serve.

16. The Regional Economic Development Institute of Pittsburgh will study transportation in the new towns, which are likely to be increasingly an answer for metropolitan development over the next 40 years when we must build as many new houses and other structures as we have built in all our previous history. This study will focus on how transportation and urban land use can be coordinated in a setting where we can start from scratch.

17. The last of the eight contracts, awarded to Midwest Research Institute of Kansas City will look at the special transportation requirement of small cities and towns. At present these communities, unable in many cases to support even the rudiments of a traditional mass transportation system, have no answer to their problems of congestion, disorderly development, and service to those without access to automobiles. Future transportation systems must address their needs.

The unique contours of the problems of each of our urban areas mean that transportation progress will continue to come only from close cooperation by private industry, local government, the states and Federal assistance programs. Foremost here is that the ingenuity of industrial America must be brought to bear on the problem.

We have launched a most ambitious and interdisciplinary effort. An immediate—but temporary—result of our program is the creation of a brain drain! We are draining industry and universities of top talent to complete this study in the short time given us by the Congress. The long-run approach embodies a systematic effort which will encourage technological imagination, the county-wide stimulation of our best research talents and deep concern at the national level for the quality of urban environment.

From this study of possibilities for research and development in urban mass transportation, we hope will come blueprints for movement in tomorrow's cities—next year and in 20 years—that will end the gap between urban transportation and America's accomplishments in fields such as space exploration.

For progress in urban transportation we must undertake such a program. Without progress in urban transportation we cannot hope for progress in the problems of urban America.

FREE WORLD SHIPPING TO THE ENEMY PORT OF HAIPHONG

Mr. BYRD of Virginia. Mr. President, I do not want this session of the Congress to adjourn without calling to the attention of the American people certain facts regarding free world shipping to the enemy port of Haiphong.

During the 11 months of 1967—namely, January through November—58 ships flying the flag of Great Britain carried cargo to the North Vietnamese.

During that same period of time, the United States suffered 66,000 battle casualties in Vietnam.

Why does not the American Government bring diplomatic and financial pressure on the Government of Great Britain to keep from Haiphong ships flying the flag of Great Britain?

I first invited attention to the fact that ships flying the British flag were carrying cargo to North Vietnam in February of 1966.

I took this matter up with the Secretary of State and the Secretary of Defense, each of whom said an effort was being made to eliminate this British shipping. But then they would add that Harold Wilson, the British Prime Minister, was having a hard time, and would infer he should not be pressed too hard.

Apparently he has not been pressed too hard.

To my mind, our Government's attitude toward ships flying the flag of Great Britain entering Haiphong is another indication of what I have been saying throughout this year 1967, that there is no sense of urgency in bringing the Vietnam war to a conclusion.

I repeat the figures: For the 11 months January through November 1967, 58 ships flying the flag of Great Britain carried cargo to the North Vietnamese at whose hands the American people have suffered 66,000 combat casualties during the first 11 months of 1967.

DULLES INTERNATIONAL AIRPORT

Mr. BYRD of Virginia. Mr. President, there is a tendency to think of Dulles International Airport as a Washington facility, and its underutilization as a problem which concerns only the Washington metropolitan area.

But, in point of fact, Dulles Airport is a national asset—even an international asset.

The $110 million invested in the construction of this airport came from the pockets of all American taxpayers and these taxpayers are concerned to see that their money is well spent.

In addition, millions of persons from all over the United States and the world visit Washington each year. They have an interest in convenience and safety in their travel, and that was one reason why Dulles was built in the first place.

National Airport was built to handle 4 million passengers a year but it is now serving 10 million. The inconvenience and potential safety hazard represented by the congestion of flights at National is well recognized.

An editorial in the Nashville, Tenn., Banner of November 30, 1967, dramatizes the nationwide interest in Dulles International Airport. The editorial points out:

> The public has a definite stake in the issue. More extensive use of Dulles not only will result in greater convenience and comfort for long distance travel, but serve to minimize hazards so evident where air traffic is concentrated on ports too small to accommodate.

In the past year, there has been an encouraging expansion in the use of Dulles. According to a report in the Washington Post, airline operations at Dulles were up 59 percent for the first 10 months of the year. The number of passengers served increased about 35 percent during the same period.

These are very encouraging figures, but I think a great deal more can, and should be done to increase air traffic at Dulles.

I believe the nationwide stake in the better utilization of Dulles should be recognized by the Federal agencies concerned with this problem and that they ought to redouble their efforts to provide safe and convenient service for airline passengers coming to Washington.

Mr. President, at this point, I ask unanimous consent to insert in the RECORD an editorial entitled "For Dulles Airport Expanded Use," from the Nashville, Tenn., Banner of November 30, 1967, and an article by David Hoffman entitled, "FAA Actions Stir New Dulles Boom," which appeared in the Washington Post, December 14, 1967.

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

[From the Nashville (Tenn.) Banner, Nov. 30, 1967]

FOR DULLES AIRPORT—EXPANDED USE

Dulles International Airport—located about 20 miles west of Washington, D.C.—cost taxpayers $110 million. That's a tidy sum to pay for a facility now being bypassed by airlines to such an extent that it ranks at the bottom of the list as an air terminal in relation to its size.

The flagrant waste of its potential was pointed up by Sen. Harry F. Byrd Jr., of Virginia the other day in urging fuller use of its capacity.

It will be recalled that Dulles originally was built to relieve heavy congestion at nearby National Airport which had been responsible for several tragic mid-air collisions and scores of "near misses."

Byrd pointed out that Dulles now handles not many more than a milion passengers a year whereas National (a smaller facility) serves 10 million annually—six million more than the number for which it was designed.

Both National and New York's John F. Kennedy airport are currently saturated with flights which could easily be diverted to Dulles.

Byrd's recommendation has caught the attention of commercial airlines which now plan to make more use of Dulles next year, especially as entry and exit point for transcontinental and trans-Atlantic flights.

The public has a definite stake in the issue. More extensive use of Dulles not only will result in greater convenience and comfort for long distance travellers, but serve to minimize hazards so evident where air traffic is concentrated on ports too small to accommodate it.

[From the Washington Post]

FAA ACTIONS STIR NEW DULLES BOOM

(By David Hoffman)

Traffic at Dulles International Airport is beginning to boom under the impetus of Federal pressures and enticements.

Even so, passengers moving through the five-year-old terminal number substantially fewer than the number predicted by the Federal Aviation Administration when it sought funds to build the airport.

By arranging a ceiling on flights through Washington National, by threatening to squeeze others out, by improving passenger services at Dulles and by subtle salemanship, Federal agencies have engineered a spectacular increase in Dulles traffic without so much as promulgating a regulation.

Because of last year's machinists' strike, October was the first full month in the last four in which a valid comparison could be made between Dulles traffic this year against that in 1966. That comparison shows a 105 per cent gain in total airline operations, a 30 per cent gain in passenger movements and a 59 per cent gain in cargo hauled to and from the Chantilly, Va., terminal.

OTHER TOTALS RISE

For the first 10 months of the year, airline operation were up 59 per cent and passenger movements were up about 35 per cent.

At Washington National, meanwhile, efforts to stunt traffic growth kept the growth rate below the national average. But despite the airline-general aviation agreement to limit operations to 60 an hour, total operations increased almost 8 per cent during the first six months of the year.

FAA recently published a lengthy traffic forecast covering passengers and aircraft expected to move through Washington during the 1970–1980 period. On the basis of this newest forecast, and the one that preceded it, one can conclude Dulles traffic is almost five years behind schedule.

In a report submitted to the FAA on Aug. 15, 1964—one contracted for by the agency—the Dulles architects and engineers predicted that their airport would generate 2,192,000

passengers in 1965 and 4,340,000 by 1975. In fact, 407,000 passengers enplaned at Dulles in 1965.

FAA STILL OPTIMISTIC

The optimism of the earlier forecast is reflected in FAA's own forecast published this year.

According to it, the number of enplaning passengers will jump from 407,000 in 1965, to 1,335,000 in 1970, to 5,282,000 in 1975 and to 11,830,000 in 1980. Total aircraft operations accordingly will increase from 145,000 in 1965 to 263,000 in 1970 to 451,000 in 1975 and to 650,000 in 1980.

This would mean that sometime before 1975, Dulles would surpass Washington National as the busiest area airport.

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

Mr. BYRD of Virginia. I am glad to yield.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I listened with great interest to the remarks made by the Senator from Virginia about Dulles International Airport.

At the present time there is thinking indicating a belief that the building of Dulles International Airport was a mistake. It is thought by some that the expenditure of $110 million was not justified. I do not subscribe to that thinking, especially when I have in mind the extraordinary growth of population that is expected by the year 2000. My judgment is that this finest airport in the world, Dulles International Airport, will prove a boon in the years to come. There will be rejoicing and thanks to promoters of the airport for the construction of that field.

Apropos to the Senator's statement with respect to Dulles International Airport, practically every metropolitan community in the country will be faced with the need of establishing new airfields inasmuch as present airfields are inadequate.

The congestion at National Airport is reaching the point where many potential air travelers feel the danger of the many planes that hover over the airport trying to get in.

About 31 miles southeast of Cleveland we have what is known as Ravenna Arsenal grounds. It is a huge tract of land owned by the Federal Government at which the Federal Government has stored ammunition of war. A few days ago I wrote a letter to Alan Boyd and to appropriate aeronautical officials saying to them: "Examine the Ravenna Arsenal." The acreage is huge. The ground is level. The future of Cleveland will require new airport facilities. We now have an airport 12 miles west of Cleveland. We will need a huge airport east of Cleveland. The Ravenna Arsenal grounds might substantially supply for Cleveland the service Dulles will provide for Washington in the very near future.

I thank the Senator for yielding and I commend him for the statement he has made.

Mr. BYRD of Virginia. Mr. President, I am so pleased to hear the remarks just made by the distinguished senior Senator from Ohio in regard to Dulles International Airport.

I concur in his belief that Dulles will eventually become one of the greatest, if not the greatest international airport in the world.

It is particularly fine to have the comments of the distinguished Senator from Ohio, who has had wide experience not just in the Halls of Congress but also as chief executive of the great State of Ohio and, prior to that, a great deal of municipal experience as the mayor of the great city of Cleveland.

Thus, I welcome his remarks and I concur in his views that all of this great Nation, as the years go by, will be faced with the need for additional airport facilities. Congress took note of this fact insofar as the Washington area is concerned some years ago when it appropriated $110 million to build Dulles International.

Congress realized then, what has now become apparent, that the air traffic at National Airport has reached the extent that it is dangerous and many hazards exist because of the 10 million passengers who are being accommodated at the present time, and that we need an additional airport in this area.

Dulles International was constructed for that purpose to supplement and take over the long-haul traffic in the Washington area.

As the years go by, I feel that the Senator from Ohio will be borne out in his predictions that Dulles International will become a great international airport.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 664) to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8580) to convey certain land to the Squaxin Island Tribe of Indians.

SOCIAL SECURITY AMENDMENTS OF 1967—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the bill (H.R. 12080) to amend the Social Security Act to provide an increase in benefits under the old-age, survivors, and disability insurance system, to provide benefits for additional categories of individuals, to improve the public assistance program and programs relating to the welfare and health of children, and for other purposes.

Mr. BROOKE. Mr. President, in a statement before the Senate Committee on Finance last August I expressed the view that the object of social security legislation should be twofold. It should care for those who cannot help themselves—the elderly, the disabled, the young. And it should help those who are capable of work to learn skills which will take them off the welfare rolls and make them useful and productive members of society.

I am sure that these objectives were shared by the members of the conference committee which drafted the legislation presently before us. But I believe that the compromises reached in conference will not help, they will hinder, the achievement of both these objectives.

The Senate voted a 15-percent increase in social security benefits. A 20-percent increase would have been desirable. The conference committee agreed on a 13-percent increase, which is barely enough to keep up with the rising cost of living for some, and which will result in no additional benefits for many others who will simply find their old-age assistance checks reduced in proportion to the increase in their social security benefits.

The Senate voted to raise the minimum social security benefits to $70 per month; $100 would have been preferable. But the conference committee agreed on a minimum of only $55 per month, which will do very little to improve the living conditions of hundreds of thousands of elderly and dependent citizens. Even so, if this were the only provision of the bill, I could support it without question.

But I am most disturbed over the welfare provisions of the bill. The Senate adopted a very reasonable provision regarding work and work training programs for mothers and older children presently receiving welfare benefits. The conference committee reported out a bill which made no exemption at all for mothers, and which retained the ceiling on AFDC payments.

Mr. President, these measures are not constructive approaches to a desperate social problem. They represent an effort to economize with the wrong programs. They are punitive. They are destructive of human dignity. If the provisions of this bill are put into effect, all too many of the poor in this country will be penalized simply for being poor. Those States which have the most advanced programs of welfare and medical assistance will be penalized as well, for they will have to bear the cost of their progressive efforts by themselves. Other States will cut off payments without a qualm, and their people will be forced into already overcrowded urban centers in a desperate effort to find work, and income, and hope.

Mr. President, poverty is a national problem. It is a social problem. We cannot eliminate the problem of increasing welfare rolls by simply saying "after this date, there shall be no more increases." We cannot deal with a national deficit by saying "billions for defense, but not one more cent for sustenance." We will not help our elderly by granting them increases in their monthly pensions which do not even keep up with the increases in their costs of rent and food and medicines.

We can do better than this, Mr. President. We can provide training programs which will help our young people and dependent mothers and fathers to find suitable employment. We can provide our elderly with an adequate benefit increase. We can provide medical care adequate to make our poorer citizens functioning and healthy members of society. We can economize with a great many

programs. But we are hurting our poor, our country, and our standing in the world when we try to economize with this program.

Mr. President, I know that the Senate conferees did their best. I realize that they faced an extremely difficult conference, and that the House conferees had an overwhelming mandate from their colleagues. Under the circumstances, Senator LONG and the members of the Senate Committee of Finance who participated in this conference are to be commended.

Increased social security benefits have national support. If the bill were to be defeated this year, higher social security benefits would surely be voted next year. But I cannot in good conscience support a bill which includes with minimal social security benefits the present restrictive welfare provisions.

I believe that this particular legislation should be defeated, and that when we all return to Washington in January we should try again to draft and pass a bill which will help us to achieve our goal of a better, not a worse, life for our people.

Mr. KENNEDY of New York. Mr. President, I want to commend the Senator from Massachusetts [Mr. BROOKE] for his remarks. I associate myself with his sentiments about the conference report. I should also like to say how distressed and disturbed I am about how the report was handled this morning.

There might have been disagreement in the Senate on the merits of this piece of legislation; but I think that when it was made clear to the majority leader, as he acknowledges—and none of my remarks is intended to be a criticism of the Senator from Montana, because I believe him to be a most honorable man—but when it was made clear to him that a number of us wanted to speak about the conference report prior to the vote, and asked for that elementary consideration and decency that exists among men, then not to have received it, as we did not this morning, certainly is a reflection not only on the Senate but also on the integrity and honesty of those who participated.

I want to say how distressed I am about the fact that that happened. I felt strongly about the bill and intended to speak about it. I let that be known to the majority leader and to others involved with the majority leader. We had a number of meetings, during the course of which it was made quite clear that I intended to speak. I also know that my colleague from the State of New York [Mr. JAVITS] intended to speak. And there were a number of others who intended to speak during the course of the day.

I happened to be involved this morning in a conference on education. I was a member of that conference. I am also chairman of the Subcommittee on Indian Education and we had hearings this morning. I expected to be able to come to the floor of the U.S. Senate after the conference and the hearings and be able to speak about this legislation. Unfortunately, prior to the time that any of us were aware of it, the legislation was passed. I am distressed and disturbed.

As I say, I think what went on this morning is a reflection on those who participated, not just as U.S. Senators, but as individuals and as men.

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

Mr. KENNEDY of New York. I yield.

Mr. BYRD of West Virginia. Mr. President, the majority leader is not on the floor. I cannot agree with the Senator from New York——

Mr. KENNEDY of New York. I made it quite clear that the majority leader is not at all responsible for this. I do not think there is a more honorable man in the Senate than the majority leader. I think he is as distressed and disturbed as I am about what happened.

Mr. BYRD of West Virginia. If the Senator will yield further, the Senator made that clear; but the Senator also mentioned the leadership, and as the only representative of the leadership on the majority side who is on the floor, I think I should make it as clear as I possibly can that there was no attempt to do anything here this morning that was indecent or to do anything that would take advantage of those Senators who opposed the conference report.

The Chair put the question three times. There were three questions put by the Chair. They were put deliberately and they were put clearly. There was nothing done in any way that would indicate that the majority whip, who is the chairman of the Finance Committee and who was in charge of the conference report, was attempting to slip anything by in any devious way or to take advantage of any of the Senators who oppose the conference report.

The Senator from Maryland [Mr. TYDINGS] was on the floor. He is a Senator who is allied with the group which has spoken in opposition to the conference report. He indicated afterward that it was his fault; that he was here; that he could have asked for a quorum call.

I just do not want the RECORD to stand with any implication that the leadership—let it be me, let it be the deputy whip, or anyone else in the leadership—sought to take advantage of those who are opposed to the conference report.

Mr. KENNEDY of New York. May I just say I want the RECORD kept that way. I do not want the RECORD to be changed. If the Senator from West Virginia will tell me he was unaware I wanted to speak and other Senators wanted to speak when he made that motion this morning, then I would change my position. But it would be impossible, let me say to the Senator from West Virginia, based on the conversations I have had with the Senator from Louisiana, for me to believe that the Senator from Louisiana was unaware of the fact—I do not care who was on the floor—that the Senator from New York wished to speak. The Senator says there was no deceit intended. All the Senator from Louisiana had to do was call up the Senator from New York. All he had to do was call me up on the telephone and tell me he intended to do what he did. All he had to do was tell any one of the Senators who told him yesterday he intended to speak. And I cannot believe the Senator from West Virginia, if I may say so, was unaware that there were a number of Senators who wanted to speak on this matter prior to the time it came to a vote.

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

Mr. KENNEDY of New York. Yes.

Mr. BYRD of West Virginia. The Senator from West Virginia was aware that there were a number of Senators who wanted to speak, but the Senator from West Virginia was not privy to all the conversations going on——

Mr. KENNEDY of New York. That is right. The Senator from West Virginia was not at those conferences; but the newspapers certainly reflected very clearly that there were a number of Senators who wanted to speak.

Mr. BYRD of West Virginia. Did the Senator speak to the Senator from West Virginia?

Mr. KENNEDY of New York. No.

Mr. BYRD of West Virginia. Is the Senator from New York accusing the Senator from West Virginia of any deceit?

Mr. KENNEDY of New York. Let me ask him, Was he aware that any Member of the Senate wished to speak on this matter?

Mr. BYRD of West Virginia. Yes, I was, but I was also aware that the Senator from Maryland was sitting in his seat in the rear row. He full well knew what was going on.

Mr. KENNEDY of New York. I do not know of the Senator from Maryland being here and being fully aware. The fact is that my arrangements were not made with the Senator from Maryland. They were made with the leadership. The leadership was aware that there were a number of Senators, other than the Senator from Maryland, who wished to speak. Maybe the Senator from Maryland should have spoken. In any case, that does not rectify the situation as far as I am concerned.

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

Mr. KENNEDY of New York. Yes.

Mr. BYRD of West Virginia. The Senator from Maryland was here. He had every right to exercise his rights. He had every opportunity.

Mr. KENNEDY of New York. I agree with the Senator. I was not here. I was chairing the subcommittee on Indian Education.

Mr. BYRD of West Virginia. I understand that, but, if the Senator will yield further, I checked with the journal clerk and he has indicated to me that the time consumed in putting those three motions and taking the votes on them was somewhere between one and a half minutes and 2 minutes.

Mr. KENNEDY of New York. All I say is that all the Senator from West Virginia or the Senator from Louisiana, who participated in this, had to do was to call me or any other Senator involved and say, "We are going to do this at 9:20 or 9:30. It will come as a surprise to the Senator from New York, but guess what we are going to do at 9:30."

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

Mr. KENNEDY of New York. Yes.

Mr. BYRD of West Virginia. The Senator from New York knew we were going to come in at 9 o'clock.

Mr. KENNEDY of New York. I agree.

Mr. BYRD of West Virginia. He could have been here just as easily as was the Senator from West Virginia at 9 o'clock in the morning to protect his rights.

Mr. KENNEDY of New York. I understood from conversations with the majority leader yesterday that those rights would be protected—in fact, from the Senator from Louisiana. He said, "All you have to do is tell me what you intend to do, and I will abide by it." He said, "That should be the relationship between gentlemen." We said we intended to speak on this matter. I thought I could rely on that, because I thought I was dealing with men.

Mr. BYRD of West Virginia. Will the Senator yield?

Mr. KENNEDY of New York. I yield.

Mr. BYRD of West Virginia. I think the Senator was dealing with men, and I would prefer that he wait until those men to whom he referred were on the floor to defend themselves.

Mr. KENNEDY of New York. I am talking about the Senator from Louisiana, but the Senator from West Virginia is present.

Mr. BYRD of West Virginia. But the Senator from New York said he did not have those arrangements with the Senator from West Virginia.

Mr. KENNEDY of New York. The Senator was aware of it.

Mr. BYRD of West Virginia. I was aware of it, but the Senator from Maryland was on the floor representing those Senators.

Mr. KENNEDY of New York. I do not know that the Senator from Maryland represented me. I represented myself to the majority leader. Let me say that the Senator from Louisiana, having done this, has left the city, and the Senate is about to adjourn. I could not get him back here to tell him to his face.

Mr. BYRD of West Virginia. The Senator can do it when he returns.

Mr. KENNEDY of New York. I will be glad to send him a transcript of these remarks.

Mr. BYRD of West Virginia. If the Senator will yield further, if the Senator wishes to be here to protect his rights, he should do that.

Mr. KENNEDY of New York. I thought I did that.

Mr. BYRD of West Virginia. I do not think any Senator has the right to stand here and blame the leadership when he has not protected his rights.

Mr. KENNEDY of New York. The majority leader said this morning, after this occurred and after all this happened, that he had an arrangement with us and he expressed surprise and concern, and the fact is that he was as distressed and as disturbed as I am at what happened this morning.

Mr. BYRD of West Virginia. I honor the majority leader for taking that position. I was not privy to any of the conversations to which the Senator from New York alludes. I made the motion to reconsider and to table simply because that is the normal thing to do around here. I was not trying to take advantage of the Senator. I am glad the matter was arranged so that Senators can have an opportunity to express their opposition.

The Senator can leave the record stand like this if he wants to, but I do not intend to let it stand like that as a reflection on the leadership.

Mr. KENNEDY of New York. Let us make clear that by the leadership I am not referring to the Senator from Montana.

Mr. BYRD of West Virginia. I know that. The Senator is referring to the Senator from West Virginia——

Mr. KENNEDY of New York. And particularly the Senator from Louisiana.

Mr. BYRD of West Virginia. The Senator can have it that way if he wishes, but that does not make it right.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. KENNEDY of New York. Mr. President, it seems to me this maneuver this morning is the final denial——

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

Mr. KENNEDY of New York (continuing). Of the elements of fair procedure which has accompanied the progress of this bill since its beginning.

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

Mr. KENNEDY of New York. I am going to proceed now. The House Ways and Means Committee——

Mr. BYRD of West Virginia. Mr. President, I do not wish to interrupt the Senator, but he uses the word "maneuver." If there had been an attempt to maneuver on the part of the Senator from West Virginia, all I would have had to do was to object to the request made by the majority leader or by the majority whip.

Mr. KENNEDY of New York. I do not think the fact that we had a subsequent agreement this morning and that we are going to have a vote at a set time tomorrow is any concession at all.

Mr. BYRD of West Virginia. What does the Senator want for a concession?

Mr. KENNEDY of New York. I am not going through it. If it is not clear to the Senator from West Virginia by now, it is never going to be clear.

Mr. BYRD of West Virginia. There are a lot of things clear to me.

Mr. KENNEDY of New York. I hope so. I have tried to make some things clear.

Mr. BYRD of West Virginia. The Senator from West Virginia has tried to make some things clear, too.

Mr. KENNEDY of New York. This last maneuver is the final denial of the elements of fair procedure—a denial which has accompanied the progress of this bill since its beginning. The House Ways and Means Committee never heard testimony on any of the welfare provisions. It fashioned what have become the key elements of this punitive program behind closed doors. Then the House adopted a closed rule, so none of the provisions could be challenged individually on the floor. Not until it came to the Senate was the extent of this bill's retreat into brutality made clear.

To those whose lives would be affected by this bill, the chance was present now in the Senate to make themselves heard. But even in the committee, a sufficient opportunity was not afforded. Look at the hearings on H.R. 12080. There are three volumes, a total of more than 2,200 pages of testimony and statistics. Yet the testimony of those on welfare, the pleas of those whose lives would be changed, take up all of 10 pages. Is this the way a democratic system is supposed to work? Is this the debate and the resolution of interests that is supposed to accompany discussion of legislation?

Even without that testimony, however, Members of this body understood the harm that the welfare section of H.R. 12080 would bring about. They voted to remove most of the odious provisions of the bill, hopeful that at a conference, a compromise could be arranged.

Look at what happened. The conferees on both sides ignored the wishes of the Senate, and abandoned every Senate vote to liberalize the bill. The voices of those concerned had reached this body, but they had become silent and ineffective when the conference took place.

One more chance remained, and that was in the Senate of the United States, where we could have discussed this bill and the implications of the legislation, so that we could have seen whether we could remedy the situation, which threatens to turn the welfare laws of this country back into the 17th century.

Yet this morning, as I say, without debate and without warning, the bill was approved by a small band of Senators.

I have listened with care and with interest to the arguments that have been made about the necessity of completing action on this legislation. Let me say respectfully that I have not agreed, and I do not agree now. I believe that this is bad legislation, and that we could have done better without endangering the interests of our older citizens. I shall vote in the negative tomorrow, and I continue to urge the Senate to reject the conference report.

The social security benefit provisions of this bill represent almost a total surrender to the House of Representatives levels of benefits. I think we can do better than that. The public welfare provisions of the bill conform almost totally to the restrictive approach adopted by the House of Representatives and repudiated by the Senate 3 weeks ago. I think we in the Senate can insist that a better bill be adopted.

The Senate conceded, in conference, almost every provision where its approach was more liberal than that of the House; and the House conceded only the few points where the Senate's approach was more restrictive.

In short, the conference bill reflects almost no consideration of the mandate with which the Senate charged its conferees. I believe that rejection of the conference report and demand for more adequate social security benefits and more humane welfare provisions would be in order. The bill as reported from the conference is opposed by every major organization that has any concern in our welfare programs and by every expert on welfare. It is opposed by labor, by the

three major religious faiths, by civil rights leaders, by Governors and mayors, by welfare agenices both public and private, and, perhaps most significantly, by senior citizen groups.

Let me stress that rejection of the conference report would not have been a negative act. It would, indeed, have been an act of affirmation and a commitment to the continuing fight for a progressive piece of legislation. If we had rejected the conference report, we could then have asked for a new conference and a more adequate resolution of the differences between the House and the Senate bills.

Let me stress, too, that rejection of the conference report would not have prejudiced one iota the chances for obtaining a social security increase effective at exactly the same time as provided in the conference bill. Action could have been taken at the beginning of the next session to accomplish this; the payments could be retroactive, if necessary.

So let it be absolutely clear that not getting a bill this session would not have been a disaster for anyone. The recess is to be of only a month's duration, and the fight could have been taken up at that time.

The one thing I have felt we should not have done was regard ourselves as being under pressure to act this week. As I have said to the leadership, I would have been glad to come back next week, and possibly we could have finished with it then. But I thought that, in view of the fact that we received the legislation only 2 days ago, and had only a few hours to discuss it, that there was not sufficient time to debate it intelligently and still finish with it this week.

Let me discuss the conference report in somewhat more detail.

First, the social security provisions are inadequate, and almost a total retreat from the Senate position. The House across-the-board increase was 12½ percent; the Senate increase was 15 percent. The conference compromised at 13 percent. The House raised the minimum to $50; the Senate to $70. The conference compromised at $55.

The extent of the giving in can be seen in the following figures: The cost of the benefits, in the House version, was $3.2 billion. The cost, in the Senate version, was $5.8 billion. The cost of the conference bill was $3.6 billion—only $400 million more than the House bill, and fully $2.2 billion less than the Senate bill.

I do not think we need to settle for these inadequate benefit increases in 1968. If we had rejected the conference report and gone to a new conference, I think we could have gained more adequate benefit increases—benefit increases of the magnitude which every elderly citizen deserves and requires in order to live. I think every Member of this body who is up for reelection could have gone home and said that he was going to come back and fight for that himself.

Second, the social security provisions, as a result of the cuts in benefits just described, have been turned into a major tax measure—a back-door tax increase provision. The Social Security Administration advises me that the conference committee bill will produce a surplus of $1.850 billion in calendar year 1968. Thus the bill takes almost $2 billion more out of the taxpayers' pockets in taxes than it gives to their elderly fellow citizens in benefits. Although it is true that the Finance Committee version would have produced a surplus of $1.230 billion, the version passed on the Senate floor would have produced a far smaller surplus.

Nevertheless, even viewed most conservatively, the conference adopted a back-door tax increase of $620 million—a $620 million burden on millions of American wage earners which will provide no benefits to their elderly fellow citizens in return.

Third, the social security benefits will be a sham for hundreds of thousands of Americans, because the increase may simply result in a corresponding reduction in their old-age assistance payments. The Senate bill contained a mandatory increase of $7.50 a month in welfare payments for the aged, the blind, and the disabled. This was intended to guarantee that the social security increase would be meaningful for all. The conference deleted that provision; so hundreds of thousands will see their old-age assistance checks reduced by the same amount that their social security checks are increased.

Fourth, the House medicaid limitation is adopted. This is better for New York, but it is a disaster in the rest of the country. The ceiling is 133⅓ percent of a State's actual cash payments to AFDC children. In Mississippi the actual cash payments to a family of four are about $60 a month. Therefore, the ceiling on income eligibility in Mississippi for a family of four would be a monthly income of $80 or an annual income of $960. Even in an urban State like Ohio, the ceiling on Federal aid for medical assistance will be a family income of considerably under $3,000 for a family of four. This cuts the heart out of title XIX, which was enacted with such great promise just 2 years ago.

Fifth, the Senate conferees gave in on the coercion of mothers to work. There is now no exemption in the bill at all for mothers. A mother could be made to work even if she had a child 6 months old or a year old, even though the child psychiatrists are unanimous in saying that it is absolutely critical for a mother to be with her child. We had testimony before the Committee on Indian Children this morning about the fact that all doctors and psychiatrists are in agreement that a mother should be with her children up to the age, really, of 6 to 9 years of age. But here we are agreeing to a provision which can take a mother out of the home when her child is 6 months or a year old, or where the mother might have two or three preschool children, under the age of six; and she can be forced by the Government to leave those children. I think it is completely unsatisfactory. If there were no other objectionable provision in this bill than that, I would think the bill was unsatisfactory.

The bill provides absolutely no exemptions for mothers of even the smallest and youngest children. Mothers would have to go to work if the State welfare agency wanted to put them to work. I have heard Senators on this floor deplore the fact that our U.S. Government or the State governments have too much of a role in the lives of our individual citizens. Yet here we are agreeing to a bill which will give them more control and more direction than we have ever given the Government at any time in our history. The Government is now going to decide what mother has to go to work, what mothers are going to remain with their children, and what mothers are going to have to leave their children. If a mother has a 6-month-old child, and the State welfare agency representative says that that is a good mother to go out and clean the latrine in the courthouse, that mother has to leave her home.

If we think that is civilized, if we think that is anything other than a step back 200 years, I would be shocked, indeed. It would be hard for me to believe that anybody could argue in favor of such a provision. That is why I was looking forward to a debate on this bill.

I would like to have heard somebody stand on the floor of the U.S. Senate and defend that provision of this legislation that was passed at 9:30 this morning.

Mothers have to go to work where the State agency decides to put them to work. Giving these agencies that power could amount to a congressional authorization of virtual peonage.

Forcing mothers to work will in the long run not be productive anyway. The number of children whose lives will be damaged and whose value to society will be diminished when they lose their mother's care will far exceed the short-run saving in welfare costs.

And those who want to force the mothers of small children to work might well consider the implications of their position in our great cities, which are already gravely beset by racial difficulties. The hostility and anger which this coercive program will produce in ghetto areas are incalculable. If our cities are tinderboxes now, ready to burst into flames and violence, next summer's explosion will be made all the more certain and all the more serious by this program. We have witnessed Watts. We have witnessed Newark and Detroit. We have witnessed dozens of racial disorders of consequence in other American cities. President Johnson has appointed a Commission to study the causes of civil disorder.

Americans of good will in all parts of our country want to understand the causes of these disorders and to do something about them. Yet in the midst of all of these actions, we are about to pass legislation which will only make matters worse. These provisions are at odds with everything we have learned—or should have learned—about child rearing and race relations in recent years. They are simply unconscionable.

The effect of this provision will not merely be in the Northern States. There will also be a tremendous effect in the Southern States on women who want to live with their children.

The decision is to be made by a representative of a State agency that this woman can no longer live with her chil-

dren but must be away from her children. This, it seems to me, is completely intolerable.

That is one of the reasons why the bill should have been thoroughly debated and discussed. The Congress of the United States should not be agreeing to that kind of a provision.

My colleagues on the other side of the aisle frequently talk, and I think frequently correctly, about the fact that the Government is involved in these matters too much, and I hear my southern colleagues also talk about it. Yet, suddenly in the Senate of the United States we are going to give the authority of the whole Government to a Government agency or bureaucrat who will control whether a mother stays with her children or is going to be forced to leave her children and go to work, and not even at a minimum wage, but in most instances at any wage the Government agency decides she should have.

It is no wonder that the legislation was passed rapidly, considering those circumstances.

If we had had a debate on this legislation, in my judgment, and if the people of the United States and our colleagues in the Senate were aware of the facts, I do not believe that the Senate would have taken the action it did.

That is why I am so opposed.

I think if the measure involved no other provision than the authority for a Government bureaucrat to be able to decide to take a mother out of her house and put her to work, it would be unacceptable to all Members of the Senate.

Sixth, the Senate conferees gave in on earnings exemptions. The Senate had provided that $50 a month of earnings plus one-half of the rest would be exempt in computing the amount of welfare. The House provided only $30 a month plus one-third of the rest. The conference version is identical with the House version. This is not adequate. A meaningful earnings incentive is critical in ending the dollar-for-dollar loss of welfare which occurs under present law when a welfare recipient goes to work. Because the welfare recipient loses a dollar of welfare assistance for every dollar he earns, there is very little incentive for the recipient to seek employment. Why seek work when work will produce no more income than welfare produces? The Senate provision was a modest incentive in itself. In New York City, for example, Commissioner Ginsberg has undertaken an experiment under which the first $85 a month of earnings can be kept and half the rest as well. The provision which the conference agreed to—$30 a month plus one-third of the rest of the earnings—is so small that it may not prove to be a meaningful test of the theory that a welfare recipient will go to work if he has some chance of keeping a significant portion of what he or she earns. And this theory must be tested if we are to stop the growth of our welfare costs.

Seventh, the Senate conferees gave in on all of the amendments regarding welfare for unemployed fathers. This means, in effect, that the man-in-the-house rule emerges from the conference strengthened rather than weakened. This is a serious step backward.

The Harris amendment to the Senate bill had provided that the program of aid to dependent children of unemployed fathers should be a mandatory part of each State's welfare plan. This would have meant that when an unemployed father has exhausted his unemployment compensation, or receives inadequate unemployment compensation, and is unsuitable for employment or training under the work incentive program of the bill, he could still remain at home with his family and receive welfare. At long last, the tragic system under which fathers have had to leave home in order that their children might obtain welfare assistance would have been ended. This would have been a long step forward in developing a more progressive welfare policy for the future.

Mr. President, I am not opposed to welfare. However, it seems to me that tremendous damage has been caused under the welfare system not only because of the cost involved, but also because of what our welfare system has done to the poor.

If a father cannot find a job, then, in order to receive welfare and thus provide for his wife and children, he must leave home. If he has any children and cannot get a job, the children had better be illegitimate or deserted, because otherwise they will not get assistance.

It makes no sense. Great damage has been caused over the past 30 years. We tried the system out. We know that the present welfare system is antiquated and terribly damaging to our whole society and to the basic family system.

The Harris amendment was passed in the U.S. Senate, but was thrown out in the conference.

As a result, the only time people can get welfare will be if illegitimate children are involved or if the father leaves home.

That provision is not satisfactory. It seems to me that we should have the father at home.

I thought that the Harris amendment, as I said on the floor at the time it was adopted, was the most important amendment that was being considered. I thought several amendments that I had suggested were extremely important, but I thought the Harris amendment was of vital importance.

Not only did the Senate concede the Harris amendment, but it accepted two very restrictive House provisions which will cut down on the availability of welfare for children of unemployed fathers in the 22 States where it now exists. The conference bill requires, for the first time, that a father must have a substantial connection with the labor force before he can get aid to dependent children of unemployed fathers. This will cut out young fathers who have never been able to get a job and hold it for a substantial length of time. And it is these young fathers who have the gravest difficulties in the ghetto areas of our cities. In addition, the conference bill says that a father cannot get welfare if he is also getting unemployment compensation, even though the unemployment compensation may be less than the welfare standard.

These provisions are pernicious. They mean that more fathers will have to leave home in order that their children can obtain aid. They mean more broken families. They mean more broken lives. They mean more children having to grow up without fathers. They mean more juvenile delinquency and additional generations of dependency and tragedy.

Eight and perhaps worst of all, the conference bill restores the House freeze on ADC payments. Thousands of children all over the country will be either cut off welfare or will receive smaller welfare checks as a result. States and localities will have to either trim welfare rolls, spread the Federal money more thinly, or pick up the tab themselves. If they do the latter, the result will be a tremendous burden on local taxpayers, as real estate and sales taxes shoot up all over the country.

The fact is that the cities and the States will not be prepared to do that in the summer of 1968. As the Senator from Montana pointed out yesterday, many of the legislatures will be out of session. They meet once every 2 years. They will not be able to remedy the situation themselves. Many of the legislative bodies will have been out of session in the first few months of 1968. It will be difficult for them to prepare for this kind of problem. Many of the cities will not be adequately prepared and cannot get adequately prepared to try to deal with the problem. Their tax bills will have gone out; their budgets will have been made up. And suddenly this tremendous problem will be put upon them, unless they permit the children to starve to death. The children have to dress and to eat.

It is very well for us to cut 300,000 children off the rolls. That shows a real sign of economy. We have raised everybody's salary. We have raised the salary of everybody working for the Government. We have increased the allowances for Members of the U.S. Senate. We have done all that. We have taken care of ourselves. But we are going to save money. We are going to make sure the children do not have any money. We are going to cut them off the rolls. That is how brave we are. And we can go back and make speeches about how we are for economy. I do not believe it is acceptable.

The Federal Government made a commitment in 1935 that it would bear the primary responsibility for children in need, with whatever State and local matching is required. This provision would break that commitment.

The experience of broken promises is all too frequent in the lives of the poor. Hopes are raised only to be dashed. And the bitterness that results is deeper—and more explosive—than what went before. We should not delude ourselves by thinking that the poor will not realize what we have done. There will come a point at which—like the boy who cried wolf—our protestations of alarm, our expressions of concern, will fall on deaf ears. The ears of the poor will be turned to other voices, preaching alien creeds, proclaiming that the poor must give up on affluent America, must seek relief of their plight in destruction and turmoil. There will come a time when the masses of the poor—and not just a few speechmakers—will reach out for salvation in desperate

ways, rather than drown in need and indignity. And I fear that we will bring that time measurably closer if we pass this bill.

I am not a Cassandra, but it seems to me that the lessons we have learned—or should have learned—over the period of the last 5 or 6 years would have moved us in the opposite direction from that in which this bill takes us.

For let there be no mistake about this: the effects of the freeze will be felt throughout our ghetto neighborhoods. The freeze will not affect only those who seek entrance to the welfare rolls after January 1. It will be felt by all of the poor. For what is the most likely result of the freeze? It is that the States will spread the available Federal moneys more thinly among all who need welfare. And, if the States lower their welfare standards in order to provide something for everyone, they will lose even more Federal money because of the freeze. So the freeze will have a double-barreled effect.

Welfare rolls will grow and grow, and every recipient will receive less and less. This is most likely because we would leave the States and cities no real alternative. What choices do they have? We do not permit them to drop presently eligible mothers and children—though I believe that some States will find a way to do this. We should not expect that the States will say to a mother whose child was born on December 31 that she may have government assistance, but turn away emptyhanded a mother whose child was born the next day. Nor can we expect all the States and cities to meet the growing costs of welfare from their own revenue sources. Property owners are already overburdened by property taxes, and sales taxes threaten to reach levels that make further increases politically impossible.

It seems to me that this is a terribly important provision. If we were saying that the poor could have no more children and that a family could not move from the State of Louisiana or the State of Mississippi or the State of Alabama and come into any of the northern communities, perhaps the freeze would not cut any child off welfare. But we are going to have a great influx into all these areas, and where are they going to receive welfare payments? How will they survive? These are the questions I would have liked to address to those who support this bill.

So the effect of the freeze will be quite simply to spread poverty among the poor. The burden of our society's failures will fall on the shoulders of those least responsible for it. We will be taxing the poor to pay for the poor.

And this new burden that the bill would impose is going to be substantial. Let me give the Senate some figures on this. It is conservatively estimated that 300,000 to 400,000 children will be affected by the freeze during the first year of the bill's operation. This is approximately 10 percent of those now eligible. If this standard is applied to Chicago, where roughly 125,000 children now receive welfare, 12,500 more needy children will require assistance next year. In New York City, where roughly 350,000 children now receive welfare, 35,000 more needy children will require assistance next year. These children will either be denied welfare, or all the children will receive reduced welfare. And it is the same in every community across the United States.

On the basis of these figures, it is no exaggeration to say that the freeze is a 10-percent surtax on the poor. It is a cruel irony that only the destitute will pay higher taxes next year.

Bad as these facts are—and they are facts—we know that there are those who will make them sound even worse. They will be seized upon as evidence of a hopelessly corrupt society, by those always on the lookout for such evidence, and be made the pretexts for destruction and disorder. We cannot say to a generation of poor children that we will act as though they do not exist, without forcing them to adopt desperate measures to prove to us that they do exist.

I am not an alarmist. But I think that the enactment these provisions—and especially the one forcing mothers to leave their children, and the freeze—will sow seeds of great despair, unhappiness, agony and pain among our fellow citizens. And we will all reap the whirlwind for that act.

Mr. President, these are just a few of the undesirable provisions of this legislation. Let me say that whatever is the result of the present debate on this legislation, I think this discussion usefully illuminates some of the problems that exist with our welfare system. I think there is much that we could have done through a discussion of this matter. I believe that if people really understood what is in this bill, not just the part of the social security bill in which there are benefits, the bill would have been turned down by the Senate and it would have been turned down by the House of Representatives.

I intend to introduce next year, regardless of what happens in the present debate, legislation to improve our welfare system and make it more effective. If this conference report passes, it will be necessary to undo the damage that we are doing. But in addition to getting us back to where we were before, it is time to move ahead. Making productive, useful citizens out of people who have been forced to seek welfare assistance is of course our goal. And in serving that goal, employment opportunities and related training programs are of the highest priority. But it is also necessary to make our welfare programs consistent with what we believe in as a society. Welfare assistance should be based on a single criterion: need, and need alone. It should not be based on degrading and difficult theories of qualifying tests, applications, and investigations. For the future, we must simplify the process of qualifying for welfare. And we must provide a sounder financial basis for the future. There will always be some in our society who are in need. The test of our society is how we provide for them. I intend, therefore, to continue to pursue this matter, and to put forward proposals during the next session of this Congress which are directed toward developing more effective welfare policy in our country.

Mr. President, let me go into my difficulties with this legislation in somewhat more detail—not point by point, not proposal by proposal, but in the perspective of our overall failure as a nation to do what we must for those who are afflicted and disadvantaged.

Let me begin with the social security portion of the bill. The reason for my concern about the level of benefits in the bill is simple: Our social security system has grown extensively over the years—so that 95 million people are now insured and 23 million receive benefits—but we have not yet succeeded in lifting millions of older Americans into a retirement of security and self-respect.

The 13-percent increase in retirement benefits in the bill would barely get beneficiaries back to the level of real income they had in 1954. The two increases of 7 percent each which we enacted in 1958 and 1965 actually fell short of restoring the 1954 purchasing power of benefits—for the cost of living has risen about 25 percent since that time. Thus four-fifths of the increase which the bill provides would be used up just to get back to 1954 levels. Meanwhile, wages have risen above 50 percent in those 13 years. The wealth of our Nation has steadily increased, but our older citizens have not shared in that affluence. Instead, many elderly couples retire each year—into a life of poverty.

We in Congress must share the responsibility for the inadequacy of retirement benefits.

We have an obligation to our retired citizens, some 5 to 7 million of whom live in poverty. And no wonder—last year social security benefits averaged $84 a month, just $1,000 a year, for individuals, and $142 a month, $1,704 annually for couples. Enactment of the Senate bill's level of benefits is the least we can do to begin to alleviate the difficulties of our elderly fellow citizens.

With these responsibilities in mind, I introduced in the 89th Congress, and reintroduced earlier this year, legislation to provide benefit increases of meaningful scope, and to finance them in the only equitable way available—through the use of general revenues.

In the 90th Congress this bill is S. 1009, which is cosponsored by 10 Senators of both parties. It would provide benefit increases averaging over 50 percent, and would finance these increases by a gradual infusion of general revenues. It envisions a leveling off of the general revenue contribution at 35 percent of the cost of social security by the late 1970's.

At the moment, when we are engaged in a deepening war in Vietnam which saps our resources and consumes over $2 billion each month, it seems impractical to urge the full scope of these proposals.

But we must do everything that can feasibly be done for our older citizens.

That was why, when this bill was in committee, I proposed an amendment which was feasible, which would have provided an across-the-board increase in benefits of 20 percent, and an increase in minimum benefit to $100 a month.

These increases would have been financed by increases in the contribution and benefit base of the magnitude which were ultimately adopted by the Senate, and by a general revenue contribution totalling 11.5 percent of the cost of social security, beginning on January 1, 1972. In 1972 this contribution would have amounted to $4.5 billion.

This was a practical proposal. It was a sensible proposal. Indeed, those who suggest that the financing for higher benefit increase proposals than the Senate enacted was not adequately thought out are simply wrong.

The importance of my proposal was not just that it would have provided more adequate benefits than were ultimately provided by the Senate bill. It was also that these benefits would have been financed in an equitable way. For a tax on payrolls is highly regressive. For low-wage employees particularly, a required contribution beyond that contemplated in present law is going to be very burdensome. Many workers already pay more in payroll taxes than they do in income taxes.

General revenue financing would be a far more equitable way to raise revenues for the social security system, particularly revenues which would be used to provide additional benefits for low-income people—for those who worked either so irregularly or at such low wages that their contributions do not really finance the benefits they receive.

I emphasize this because the proposal I made to broaden the scope of H.R. 12080 would have given relatively more help to the poorest of our elderly, to those who have the most difficulty in finding dignity and comfort in their retirement. If we are to provide a meaningful floor of protection for older people as a matter of social insurance, I believe it is only fair to other workers that we finance it through general revenues.

The general revenue approach is sensible and feasible. It has been considered and discussed since the inception of social security. The first Presidentially appointed Council of Economic Security, whose report preceded the enactment of the Social Security Act, said that Government contributions to the system would eventually be needed, adding prophetically that, "it will not be necessary to have actual Government contribution until after the system has been in operation for 30 years."

The 1938 Advisory Council made the same recommendation, giving as its reason that "the Nation as a whole, independent of the beneficiaries of the system, will derive a benefit from the old-age security program." The Council also said, pertinently, that "with the broadening of the scope of the protection afforded, governmental participation in meeting the costs of the program is all the more justified." The 1938 Council stated the principle to be one of "distributing the eventual cost of the old-age insurance system by means of approximately equal contributions by employers, employees, and the Government." This, of course, is what my bill will do by the ninth year after its provisions go into effect.

The Social Security Board itself in 1939 called it "sound public policy to pay part of the eventual cost of the benefits proposed out of taxes other than payroll taxes, preferably taxes such as income and inheritance taxes levied according to ability to pay."

The Board added that "the wider the coverage, the more extensive this contribution from other tax sources might properly be."

In 1946, the House Ways and Means Committee's technical staff recommended a continuing Federal subsidy up to a third of the year's total of benefit and expense payments. The 1948 Advisory Council called a Government contribution "a recognition of the interest of the Nation as a whole in the welfare of the aged and of widows and children of survivors."

Even now, partial financing for medicare for those over 65 comes from general revenues, as it does for the transitional coverage under social security enacted last year for persons over 72 who are not presently covered.

Just in the last year there have been some important expressions of opinion regarding general-revenue financing. The Automation Commission's report had the following observations:

> We recommend that Congress undertake a detailed review of the entire system, including both its coverage and its financing. There is danger, in our view, that reliance on a narrow payroll tax base makes the system more and more regressive as incomes rise and other taxes are reduced.

The Advisory Council on Public Welfare reported to HEW Secretary Gardner that "consideration must be given to a substantial contribution from general revenues."

The sixth constitutional convention of the AFL–CIO called on Congress to provide for the payment of contributions to the social security trust funds from general revenues.

The general revenue contributions in the proposal I made to the committee would not have had to begin until January 1, 1972. What this meant is that we would have been promising now that we would spend $4.5 billion a year beginning 4½ years from now.

I believe this is a promise we could have made. It is not a huge amount of money. Our gross national product will exceed a trillion dollars by that time, and 1972 is far enough off so that we could easily plan to set aside this amount of money.

The net cost of the increase which I proposed would have been considerably less than the financing I have described. For the people who would have benefited from the increase are people who must now turn to old age assistance in order to eke out enough of a living to survive. Old age assistance has decreased markedly over the years as social security benefits have been liberalized. Only 11 percent of the elderly population receives such assistance now, as opposed to 22 percent of the population in 1950. Even now, more than half those receiving old age assistance in New York are on welfare because their social security pensions are inadequate. Thus, raising the minimum benefit to $100 and raising other benefits 20 percent would correspondingly decrease the number of people on the old age assistance rolls and the amounts which those who remain on the rolls will require.

Mr. President, what I suggested were, I think, the minimum changes which should be made if we are to keep faith with our older citizens. The conditions in which millions of retired Americans find themselves after having worked productively for decades are a disgrace to us all. Adoption of the proposal I have described would begin turning our social security system in the direction long advocated by experts in the field, and would allow us to provide real hope at last to our elderly poor that they will be able to live out their lives in some measure of ease and self-respect.

Even these minimum changes were not made. I think that is unfortunate. But then, on top of the fact that what I regarded as a very reasonable proposal of 20-percent increase in benefits, financed by partial general revenue financing, was not adopted by the committee, even the 15-percent increase which the Senate adopted was rejected by the conference committee. We have broken faith with our older citizens. We must restore that faith, and I say that the way to restore it would have been to reject the conference bill and seek a new conference, in which we can seek more adequate benefits for our older fellow citizens.

Mr. President, let me add that regardless of what happens on the present conference bill, I intend to press for further consideration of partial general revenue financing of social security. We simply cannot tolerate further financing of social security with increased social security benefits by increases in the regressive and highly burdensome payroll tax. We must increase benefits further, so that our older citizens can share fairly in the magnificent gains in productivity which our Nation has made, and when we do so, we must do so by beginning to utilize general revenue financing. That is what must be done in the future and that is what I shall continue to advocate in the coming months.

Mr. President, the public assistance portions of this bill are even more objectionable than the social security provisions. For if the social security provisions are merely far too small a step forward, the public assistance are a giant step backward. I have previously described some of these provisions in detail, but I believe it is worth while to discuss their general implications as well.

The amendments to our public assistance program which the conference adopted will not help, in my judgment, to solve the crisis in employment which grips the ghettos of our cities and the most impoverished of our rural areas. They will not help us to lighten the increasing fiscal burden of public assistance in any constructive way. Public money might be saved, but only because people badly in need of assistance will be eliminated from the welfare rolls without having anywhere else to turn. In short, these proposals seem to punish the poor because they are there and we

have not been able to do anything about them. But if this is our approach they will still be there when we are done. And the problem will be no closer to solution.

About a year ago, the distinguished members of the President's Advisory Council on Public Welfare reported that welfare is "desperately handicapped" in both "legislative mandate and financial resources." The Council prescribed "a major updating of our welfare system."

The conference bill not only fails to heed the Council's prescription, but is, in my judgment, a major step in the other direction.

I can well understand what motivated the conference committee in its action. It was concerned that the welfare system as it exists today has failed to enable its recipients to obtain jobs and end their dependency. I share that concern. It was concerned at the recent rise in the number of children and mothers on aid to dependent children. I share that concern. It therefore sought to create a system which would train children and mothers on welfare, provide day care, and establish incentives to work. I, too, believe such a system is needed.

Indeed, I believe that we will never succeed in restoring dignity and promise to the lives of people whose frustration exploded into violence in the cities this summer until we develop a system which provides jobs—enough jobs and good jobs.

For the people of the inner city live today with an unemployment rate far worse than the rest of the Nation knew during the depth of the great depression. In the typical big city ghetto, only two out of five adult men have jobs which pay $60 a week or more—enough for each member of a family of four to eat 70 cents' worth of food a day. Only half the adult men have full-time jobs at any rate of pay. Less than three out of five have any work at all.

We must, then, work out a system to provide jobs. But I do not believe that the approach adopted in the conference bill will provide these jobs. The fact is, as the alarming unemployment and underemployment figures I have mentioned indicate, that there are not enough jobs available at the moment. We must find them, but in the meantime, it will not do to force people into training programs for jobs that are not there.

This is the basic problem which we must look to. For this problem welfare is neither the cause nor the remedy. But welfare has its role: helping those in need—and the House bill will hinder it in fulfilling that role. Indeed, instead of helping at all, it almost appears intended to punish the poor. And punish it will, particularly in areas of the country where welfare authorities have done their best to demean and degrade the recipient of welfare even under existing law.

First, the conference bill says that no State may have a higher percentage of children on welfare than it had at the beginning of next year. This would force States and localities either to deny additional aid when more children are born into a family, to spread available Federal funds more thinly, or to come up somehow with the money needed to pay the difference. The latter, of course, would shift the burden from the level of government that can best afford it to the one that can least afford it. But the more prevalent result will not be more local money for welfare, but more families cut off welfare even though they are in need. For the conference bill, with all of the other restrictions on eligibility which it contains, is an open invitation to welfare departments in some areas of our country to find ways to tidy up their caseloads and discourage new applications.

Second, the coercive provisions on work and training for mothers fit into this pattern. The objective of enabling welfare recipients to obtain productive employment is of course laudable; indeed, as I have indicated, I believe it is the only hope we have for avoiding the deep division in our society which the creation of a permanent class of welfare poor would bring. But attempting to bring about employment by compulsion is not the way to do this. There are many mothers who should not work. Some, particularly in progressive States and cities, will be excused from working. But in other States with less enlightened welfare programs, many will either be driven off the welfare rolls or will be discouraged from applying. And they will still be poor—a little more invisible, for the time being, than they are now, but no less poor, no less miserable.

There is more than one State in this country which, even under existing law, has had what has come to be known as the "employable mother" rule. Under this rule, if the welfare officials judge the mother to be employable, she is stricken from the rolls. Coincidentally, these rulings tend to be made at the time of the year when people are needed to pick crops at $3 a day. This rule is being challenged in litigation, but the provisions of the conference bill on compulsory work and training imply that from now on the "employable mother" rule would be sanctioned by a national policy.

Third, the punitive intent of the conference bill is evident as well in the provisions on aid to children with unemployed parents. For the first time, the parent must have had a substantial connection with the labor force in order to qualify, a provision which will eliminate many men who have never had an opportunity for steady employment. In addition, the provision denying assistance to unemployed parents who are receiving unemployment compensation will keep aid from many who need both forms of help in order to survive, and will cause some to receive neither kind of aid. The conference provision will only succeed in forcing more families to break up, forcing more fathers to leave home so the family can obtain assistance by the traditional ADC route.

We in the Senate must go on record as opposing this almshouse approach. We must go on record as forcefully as we can that this is not the direction which we want welfare to take. We must not allow this backward step.

Let me emphasize again that I do think our welfare system is unsatisfactory. But every reason why I think it is unsatisfactory will only be accentuated by the conference bill.

I believe our welfare system is unsatisfactory, because, in general, it provides aid for broken families and not for whole ones. The conference bill accentuates this by refusing to adopt the recommendations of the Senate to expand aid to unemployed parents, and by restricting that program instead.

I believe our welfare system is unsatisfactory, because it imposes degrading conditions on eligibility, and encourages the enforcement of those conditions by demeaning investigation. The conference bill accentuates these defects by adding a whole raft of new conditions for eligibility and a whole new set of incentives for the State to investigate welfare recipients.

I believe our welfare system is unsatisfactory because, once a family does penetrate the bureaucratic maze and qualify for aid, the benefits it receives are in many States not even enough to live on. The conference bill accentuates this by enacting a freeze on ADC payments.

I believe our welfare system is unsatisfactory because it causes welfare recipients to lose a dollar of benefits for every dollar they earn. The conference bill does provide a small work incentive—$30 a month plus one-third of additional earnings. But this incentive is so small that it may well fail to encourage significant numbers of welfare recipients to work, and opponents of the idea may then succeed in claiming it will never work.

Mr. President, adoption of the provisions suggested by the conference committee would be a great step backward. We must have the perspective to see that the welfare system is not something that exists by itself, that has no effect on the world in which its recipients live. We cannot afford to bury our heads in the sand. Our Nation has been ripped apart by violence and civil disorder that have taken dozens of lives and caused billions of dollars of property damage. We face in our cities the gravest domestic crisis to confront this Nation since the Civil War. We are not going to solve that crisis by lopping people off the welfare rolls. We are not going to solve that crisis by forcing welfare recipients to accept training for jobs when we have absolutely no idea whether jobs will be available to them after their training. We are not going to solve that crisis by punishing the poor and hoping that they will bear that punishment silently, invisibly, graciously, without bitterness or hostility for their "benefactors."

We must reject the conference report which is before us.

Mr. YARBOROUGH. Mr. President, I have been receiving a great many telegrams protesting the conference committee report on the social security bill, in addition to many statements from people who oppose the report. I do not recall anybody outside of the Government that has asked me to support the measure as reported here.

As the distinguished Senator from New York has pointed out, the House version of the social security amendments, vir-

tually adopted by the conference report, I think are even worse than the inadequate provisions of the House version and will punish the welfare recipients.

Mr. President, telegrams continue to come into my office protesting the conference committee report on the social security bill. I will ask to have printed at the end of my remarks some of the telegrams from a wide spectrum of organizations which should be of particular interest to my fellow Senators.

The message these telegrams convey is something we already know—the House version of the social security amendments, which the conference committee virtually adopted, was bad. The House proposed benefits were unduly restrictive and the level the House proposed was shockingly incompatible with what we claim is the minimum level for subsistence in America.

But even worse than inadequate benefits, the House version indicated an intent to punish welfare recipients. Most of their punitive provisions would fall on children and would rupture family relationships. Mothers would be compelled to work without regard to the need to stay with children at home; and the House proposal would make it more profitable for a father to leave his family rather than to stay with them.

We wisely repudiated the House approach when we passed several important amendments on the Senate floor. We increased the benefits and eliminated the punitive provisions. We indicated that there was a different philosophy in the Senate than in the House and that it could not be compromised. But the changes in conference indicate there was a misunderstanding as to the depth of our conviction. Over 1 million people in my State will be directly affected by what we do here today so I severely question anything less than what the Senate provided.

There are four simple reasons why the conference report before us is not a wise proposal. First, the increase in benefits is very small and the price we pay for that small increase is a host of punitive provisions that will be used to degrade and demean recipients.

Second, the benefits will be a sham for many States like mine because this small increase will be met by a corresponding reduction in the old-age payments. The Senate bill contained a mandatory increase, but the House deleted it and in my State, with an average payment of only $64 per month, less than $770 per year, the House has provided an escape clause which means Texans will get little benefit under this bill. Thousands of elderly citizens will receive old-age assistance checks which have been reduced by the same amount that social security checks will have been increased.

Third, employee taxes are raised without corresponding benefits to the elderly. The conference bill tax rate would provide a surplus of $620 million more than the Senate version. So the conference committee has decided to tax our wage earners an additional $620 million this next year with no real increase in benefits to many of the elderly.

Fourth, local taxes will probably be forced up in many areas. The conference limits the assistance the Federal Government can give in aid to dependent children so States must either cut children off of welfare rolls or pay assistance through increased local taxes and real estate taxes.

In summary, the conference version provides little or no real benefit, and it has punitive provisions that attack the sanctity of the family, force mothers out to work, and prevent husbands from coming home. It has a back-door tax increase of $620 million on our wage earners, and may force an increase in local taxes and real estate taxes. Our citizens do not deserve the treatment they would receive from this bill.

Mr. President, I request unanimous consent that 10 of the telegrams I have received fairly representative of all, be printed at this point in the RECORD.

Mr. President, these telegrams are fairly representative of the telegrams I have received. I have selected these 10 to represent a cross section of the objections to the bill. Most of the telegrams are from leaders of nationwide segments of our economy and society and express concern for the elderly, the aged, and the children.

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

WASHINGTON, D.C.,
December 11, 1967.

Senator RALPH W. YARBOROUGH,
Washington, D.C.:

The conference report on the social security bill is repugnant to human needs and dignity. Social security benefit levels are totally inadequate, and the work-training requirements imposed on mothers by the conference report are unconscionable. The welfare benefit freeze will impose heavy tax burdens on local communities and adjustments in old-age assistance and welfare standards may deprive the poorest of our retired citizens of any income increases at all. On behalf of more than 6 million members of the industrial union department, AFL–CIO, I urge you to vote against the social security conference report and subsequently to instruct conferees to insist on the provisions of the Senate bill.

WALTER P. REUTHER,
President, Industrial Union Department AFL–CIO.

MIAMI BEACH, FLA.,
December 11, 1967.

Sen. RALPH W. YARBOROUGH,
Washington, D.C.:

AFL–CIO considers conference report on social security absolutely inadequate. Most of Senate provisions designed to improve House bill have been abandoned. Benefits for OASDI recipients would barely exceed already increased costs of living. Retreats on welfare provisions enacted by Senate are travesty on America's image as compassionate and humanitarian nation. We urge every Senator to vote against this deplorable attack on poor and underprivileged and request another conference to secure passage of an adequate social security bill.

GEORGE MEANY,
President, AFL–CIO.

WASHINGTON, D.C.
December 12, 1967.

Senator RALPH YARBOROUGH,
Washington, D.C.:

Farmers Union board call upon the Senate to reject the social security conference report.

Farmers Union feels that the conference report might push welfare concepts backward 20 years. Farmers Union continues to support the plan to give work and training opportunities for low income people instead of welfare as contained in the Senate version which was rejected by the conferees.

Farmers Union is deeply disappointed that the social security conference report failed to give significant increases in social security payments above a cost-of-living increase. There is little question that the bill will leave many millions on social security with total incomes below the poverty level, and future generations without adequate retirement incomes.

Farmers Union regrets that the drug lobby was successful in eliminating the generic drug provision from the bill, which would save an estimate of $100 million in taxes each year.

Farmers Union urges that the social security bill be reworked by the Congress early next year.

TONY T. DECHANT,
President, National Farmers Union.

WASHINGTON, D.C.,
December 9, 1967.

Senator RALPH W. YARBOROUGH,
Washington, D.C.:

Urge your support for two key public welfare amendments to H.R. 12080, the Social Security Amendments of 1967 eliminated by Senate-House conferees on the bill.

Although Senate had eliminated the AFDC freeze and liberalized work requirements for mothers with children on assistance, the conference maintains the particularly punitive provisions passed by the House.

CHARLES SCHOTTLAND,
President, National Association of Social Workers.

WASHINGTON, D.C.,
December 11, 1967.

Senator RALPH YARBOROUGH,
Old Senate Office Building,
Washington, D.C.:

AVC urges rejection conference report restrictions on welfare payments for dependent children and parents.

Dr. EUGENE BYRD,
National Chairman, American Veterans Committee.

WASHINGTON, D.C.,
December 11, 1967.

Hon. RALPH YARBOROUGH,
U.S. Senate, Washington, D.C.:

The executive committee of the Leadership Conference on Civil Rights urges you to vote against the conference report on the social security bill. What started out as a social security measure has become an instrument of social insecurity. It generates pressure to break up families. Under this bill fathers would abandon their families and mothers would be forced to leave their children and go to work. The war on poverty is becoming a war on the victims of poverty. Cities now wracked by terrible crises would be faced with the intolerable choice of leaving poor people destitute or trying to provide for them out of funds they do not have. This is a shocking and regressive bill. We urge you to send it back to conference and instruct the conferees to insist on the Senate provisions.

ROY WILKINS,
Chairman Executive Committee, Leadership Conference on Civil Rights.

WASHINGTON, D.C.,
December 13, 1967.

R. YARBOROUGH,
Senate Office Building,
Washington, D.C.:

ADA opposes the social security amendments conference report. The report's provisions repudiate needs and dignity. ADA

urges you to vote against the conference report and to vote for the previously passed Senate social security provisions.

Very respectfully,

LEON SHULL,
Director, Americans for Democratic Action.

WASHINGTON, D.C.,
December 13, 1967.

Senator RALPH W. YARBOROUGH,
Senate Office Building,
Washington, D.C.:

Public assistants and welfare provisions of 1967 Social Security Amendments approved by conference committee represent major retreat from gains won over many years. Freezing of rolls on aid to dependent children and compulsory work programs are punitive and regressive in effect and would work hardship not only on the poor but on State and municipal welfare resources. We urge your firm support of Senate version of bill.

ARTHUR S. FLEMMING,
President, National Council of Churches.

NEW YORK, N.Y.,
December 12, 1967.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.:

The Board of Social Ministry, Lutheran Church in America, is opposed to the regressive public welfare measures embodied in the conference report on the social security amendments of 1967. We support you in your efforts to keep the substance of the Senate bill.

CEDRIC W. TILBERG,
Secretary for Program and Leadership.

NEW YORK, N.Y., *December 12, 1967.*

Hon. RALPH W. YARBOROUGH,
Senate Office Building,
Washington, D.C.:

We urge the Senate to reject the report of the conference committee on the 1967 social security amendments. The medievalism of the public welfare provisions far outweighs any gains to be realized from increases in OASDI benefits. We have a deep concern for the plight of the elderly but the additional hardships to be imposed by the bill on already deprived children and families render this bill an unsound public program. The conferees should be instructed to approximate the bill passed by the Senate, and to reject the inhumane and regressive House bill. Our committees on aging, on family and child welfare and on health join us in urging you to return the proposed bill to the conference committee.

JOHN H. MATHIAS,
Chairman, Committee on Public Affairs, Community Service Society of New York.

Mr. MANSFIELD. Mr. President, my distinguished colleague [Mr. METCALF] and I were in my office, meeting with the Secretaries of Defense, Labor, and Commerce relative to the copper situation which affects our State and the other States in the Rocky Mountain west. While I was there, I understand that there was an exchange of words between the distinguished Senator from New York [Mr. KENNEDY] and the distinguished junior Senator from West Virginia [Mr. BYRD] concerning an incident which took place earlier today having to do with the procedures attached to the consideration of the social security conference report.

The situation which developed was most unfortunate. But I must say that before I went into my office to accept an important telephone call, I did ask the distinguished Senator from West Virginia [Mr. BYRD] to bring the morning hour and the morning business to a conclusion as soon as possible, so that the Senate could resume the consideration of the social security conference report. I did so because I wanted to provide as much time for debate as possible for all the Senators concerned, to enable them to have an opportunity to express their views pro or con on the conference report.

I may say to the distinguished Senator from New York [Mr. KENNEDY] that there was no predetermined move on the part of the joint leadership—and I associate myself with the manager of the bill, the distinguished Senator from Louisiana [Mr. LONG], and the secretary of the Democratic conference, the distinguished Senator from West Virginia [Mr. BYRD]. There was nothing underhanded in the procedure. The distinguished Senator from Louisiana acted in accordance with the rules of the Senate, as he had a right to do.

I think it fortunate that once that action had been taken, the Senate as a whole, including the leadership—all of them—was able to agree to a motion for a reconsideration of the vote on the motion to agree to the social security conference report.

As to the matter of a time limitation, which, of course, reduced the period which would have been allowed Senators who wished to speak, I take full responsibility. I did approach the distinguished Senator from Oklahoma [Mr. HARRIS] and asked him what his reaction would be.

He said, in effect, "It looks as though we are in a bind. If you can agree upon a time limitation, I am sure that the group with which I am associated will be agreeable to what you may do."

So on that basis I took it upon myself to ask for a vote at 11 o'clock tomorrow morning. I was willing, if anybody had requested it, that the vote go over until later.

I am sorry that what happened this morning did occur. I repeat, it was most unfortunate. I hope it never happens again.

However, I must say, although the Senator from Montana was not at the time acting as the majority leader, he thinks it was one of those things that happen now and again, it was accidental, most unfortunate but not premeditated, and there was nothing under the table connected with it.

I hope the Senator from New York would recognize the spirit in which this statement is being made and be aware of the fact that as far as the leadership is concerned, the action taken was not predetermined. When I say "leadership" I include myself. We know that there are times when under pressure Senators do things for which they are sorry afterwards and which they would not do had they given the situation proper consideration.

Mr. President, I make this statement only to clear the RECORD and try to smooth over some of the things which I understand were said earlier this afternoon.

Mr. KENNEDY of New York. Mr. President, I want to say to the Senator from Montana that I made it quite clear before the Senator came in what my feeling is about the majority leader.

Mr. MANSFIELD. I understood that, and I appreciate it.

Mr. KENNEDY of New York. What the Senator from Montana said today, as he talks about this matter, is, I expect one of the reasons he is so highly respected and held in such affectionate regard by all Senators and by me personally. He is not only dedicated to his State and to the country, but he is dedicated to this body. He is obviously a man who is not only generous but pure in heart.

I say that about the Senator from Montana because of the description he gave of the events of the morning. I do not intend to go back into them but I think the majority leader of the Senate is a man who is pure in heart. Period.

Mr. METCALF. Mr. President, I would like to continue a little bit in connection with the statement of my distinguished colleague from Montana with regard to the conference report.

I stayed on the floor of the Senate until adjournment last night. I was prepared to make a statement on the social security conference report last night.

After discussion with the Senator from Tennessee, who was representing the conferees of the Committee on Finance in the majority leader's chair, and with the Senator from West Virginia, I let them know I did desire to speak in some detail on some phases of this report before any formal action was taken.

I also informed both of my colleagues that I would like to go to the Interior Committee where an executive session was being held at which one of the Indian Claims Commissioners was going to be up for confirmation, a gentleman from the State of Montana who has been a longtime friend of mine.

It was with some dismay and surprise that I heard during the course of that hearing that the conference report had been called up for a vote and passed without the opportunity of my having been heard.

I am grateful to my colleague from Montana for working the matter out so that we can have some discussion about this report before the final vote tomorrow at 11 o'clock.

Mr. BYRD of West Virginia. Mr. President, the distinguished junior Senator from Montana is precise in what he has said. He did state to me last evening that he had a speech to make and he said at that time he could make a short speech or a long speech, and so I had the understanding from last evening that the Senator from Montana was going to speak.

But this morning when the majority leader was forced to leave the Chamber, as he stated a moment ago, he asked me to close the morning business as quickly as we could and to lay down the conference report on the Social Security Amendments of 1967.

I had no premonitions that the question would so quickly occur on the adoption of the conference report. When the question was submitted, and there were

three motions or questions submitted, as I recall, I was somewhat surprised myself that no Senator protested, but I did not know what might have occurred overnight. I was not privy to any conversations that might have occurred overnight. It was all a cause of wonderment to me as well as to the Senator from Maryland. But I made the motion to table the motion to reconsider.

However, I felt that as long as someone from the group opposing the conference report was on the floor of the Senate—the Senator from Ohio [Mr. LAUSCHE] was in the chair and he presented the motions clearly and deliberately—I had no reason to believe anything other than that the Senator from Maryland was fully aware of what was going on.

I could not be sure under the circumstances that the Senator from Montana [Mr. METCALF] had not decided overnight not to make a speech.

So I am sorry it all happened. I think it was most unfortunate. But again I say, and I hope Senators will believe, that Senators are men, men of their word, and men of honor.

I can only say I am sorry that the matter developed as it did, but certainly there was no intention on my part to deceive any Senator, to take advantage of any Senator, or to do anything underhanded, in offering the motion to table the motion to reconsider.

I expect that more than any Senator in this Chamber I have this year sought to delay rollcalls for the junior Senator from New York [Mr. KENNEDY]. I have sought to protect him on rollcalls time after time, and I would gladly do so again. But I cannot help but be resentful when it is implied that the leadership, and I included in that, has entered into any attempt to do something underhanded or in disregard of the rights of other Senators.

I cannot erase what has happened. I could have entered an objection to the unanimous-consent request which resulted in reviving the matter and delaying a vote until tomorrow had I wanted to, but I did not wish to.

Mr. METCALF. I thank my colleague from West Virginia for that information.

Mr. BYRD of West Virginia. I want the RECORD to show that I was completely sincere, honest, and aboveboard for my part, and I feel that the same can be said for all parties in the joint leadership.

Mr. METCALF. Does not the Senator from Iowa desire to have me yield to him at this point?

Mr. MILLER. If the Senator would be good enough to yield to me for a brief comment, I would appreciate it very much.

Mr. METCALF. I am delighted to do so.

Mr. MILLER. Mr. President, the other day we had before us a conference report on the military pay bill. Before it came over from the House, I advised our staff on this side of the aisle that I wanted a rollcall vote on it. I was necessarily absent at the time the bill passed the Senate, but I was assured that this could be arranged and would be arranged. The conference report came to the Senate and due to an error in communication, I was not notified, the bill was passed on a voice vote, and the motion to reconsider was tabled. After that, I got in touch with the Senator from West Virginia [Mr. BYRD] and apprised him of what had occurred. He knew nothing about it. He was quite concerned about it.

I want the RECORD to show that he was ready to do anything he could to get the Senate to reconsider that vote so that I would have the opportunity for the rollcall vote I had desired.

I took this matter up with the majority leader and with the Senator from Georgia, who had managed the bill. I think that, had I pushed it, they would have agreed to that very thing as a matter of consideration to me. As a matter of fact, in consideration of them, I finally came to the conclusion that it would be better not to push my request. However, I want the RECORD to show that the Senator from West Virginia was ready, willing, and able to do anything he could, even though he had not had any part in what had occurred.

I sometimes think that some of my colleagues might show the same deference to other Members of the Senate as I do. Sometimes, it is not easy to do that. But after all, we are a group of 100 Members. We have to get along with each other unless it is something that is going to affect most of the Members of the Senate. So that perhaps it is better not to push this matter too far.

Mr. METCALF. Mr. President, as I have already said, I was on the floor yesterday and listened with a great deal of interest to the Senator from Louisiana [Mr. LONG] and other Senators who were conferees and introduced and discussed the conference report on social security.

I listened and approved of portions of their report. It is one of the largest bills on social security, with respect to money, ever to be presented to this body. It carries a 13-percent increase in social security benefits which is substantial but not enough, in my opinion, in view of the delay in passing the bill and the delay in bringing up the social security benefits. But, it is a substantial increase, an increase in the minimum rate from $44 to $55, an $11 increase, which is a considerable increase. If a man must live on $44 and gets a 25-percent increase, that is quite a bit. But not enough still, in my opinion. I thought that we should have a minimum substantially higher.

The President recommended and the Secretary of HEW came before both bodies and suggested that we have a minimum substantially higher. This body and the Finance Committee thought that the minimum should be 15 percent and $70, but they came in with a report on the minimums. I would have acquiesced, as I have acquiesced in many of the other reports in the years since I came to Congress, because those things would have been corrected over the years and we would have another opportunity to increase social security benefits.

I was also impressed and I concurred in and agreed with the Senator from Louisiana, the Senator from Tennessee, and the Senator from New Mexico, in their discussion of some of the medicare benefits which would accrue to recipients of medicaid and medicare under the provisions of the conference report, under the provisions of the House bill, and under the provisions of the Senate bill.

There are improvements in the phases of social security and welfare programs which I applaud and approve; but, I do deplore the conference report because of the things that we are doing to the mothers, their children, and the poor of America.

It has been very thoroughly explored by the fine statement which has been made by the Senator from New York, but I still want to discuss it in further detail.

I feel that had we had the opportunity to discuss this special phase of the conference report, the impact upon our States and our tax systems, and our concept of what we should do for the poor and needy, it might have resulted in a whole change of opinion, not only of the Senate, but also in the whole group of States and among our constituents all over America.

Now when the Senator from Louisiana introduced the report, he started to talk about the amendments that were rejected. He suggested that perhaps it was presumed the Senate conferees would look after their own amendments rather than the other amendments offered by their colleagues, or those adopted on the floor. He enumerated a number of the amendments which the various conferees lost, some that he lost in conference, some that the Senator from New Mexico, the Senator from Georgia, and the Senator from Florida lost, and some suggested by the Senator from Delaware, the Senator from Kansas, and the Senator from Nebraska, all of whom are conferees.

Then he said:

> The House conferees were denied but the bill we agreed on makes major improvements in the entire Social Security Act.

Then he discussed some of the amendments some of the other Senators had, and they had a colloquy about the special drug amendment which I supported and voted for. I also supported the amendment to make drugs cheaper for the poor of America, to obtain drugs prescribed by their generic names rather than by special trade names and get to the people important and valued drugs at much cheaper rates.

Then he said about that amendment:

> In some respects we got even more than we tried to get, even though we did not actually get all that we had hoped for. In the long run we might eventually have ended up with something better than we had hoped to get. I am very much pleased.

The Senator from Louisiana also made this statement:

> So that there will be no misunderstanding, and because some persons might seek to create the impression that the Chairman of the House Committee on Ways and Means is an arrogant, unreasonable, and unbending person, may I say that no one, in my judgment, could be farther from the truth to suggest such a thing.

Mr. President, I had the honor and the privilege of representing the First District of Montana in the House of Representatives for 8 years. For one term of that period, I served on the Ways and Means Committee. My chairman was WILBUR MILLS, the gentleman from Arkansas. As I looked over the conference report, every one of those members who signed it as managers on behalf of the House were men with whom I had served in the House of Representatives.

Every one had been a colleague of mine for most of the years I served in the House, and all of them were on the committee when I served.

I have said before, and I want to say here officially today, that Chairman MILLS of the House Ways and Means Committee is one of the ablest, most intelligent, and best chairmen in Congress. I said before that he is one of the most knowledgeable men on social security and on tax affairs that I know of in the United States, and that takes in the Internal Revenue Service, the Treasury Department, the Joint Committee on Economic Affairs, and so forth.

I have the highest respect for the chairman of that committee. I have the highest respect and regard for many of my former colleagues over there. But I did not say these things about the chairman of the committee and I did not make these suggestions about whether they were arrogant, or intemperate, or hard to get along with.

The Senator from Louisiana said that. He said:

I might say that they were determined not to accept the provisions of this conference report.

He said:

. . . a mother who could refuse with impunity to accept a good job—

That was not the question, but to accept any job—

when it was offered to her because she would rather live on the public dole.

It was that sort of attitude the House committee refused to accept.

He said further:

I regret very sincerely that I was not able to persuade the House Members to agree to the Byrd amendment.

He said further on another amendment:

We met concerted opposition, not only from the House conferees, but from the administration as well.

The Senator from Louisiana said on another amendment:

I want to make it very clear to every Senator that the Senate conferees were advised in no uncertain terms that they would not agree to these provisions.

And so on. His statement is replete with suggestions that the House was adamant; that they would not go along; and it was because of those suggestions that some of us who serve on the committee felt that perhaps they had not been quite as persuasive as the House managers; that our conferees, in a couple of afternoons, had abandoned the provisions that went into the bill in the form of amendments in the committee and on the floor.

We held hearings over weeks. We compiled a record of 2,000 pages of testimony. We held executive committee meetings for many days, trying to correct the things that we found wrong in the House bill—not to draft a new bill, not to go along with the legislation that was sent over to the House Ways and Means Committee in the House of Representatives, but to make suggestive changes that were needed. Yet, in a couple of afternoons, our Senate conferees were persuaded by the greater persuasive abilities of our colleagues in the other body, and they abandoned most of the major amendments that were put in the bill in committee and during debate on the floor of the Senate.

That is why some of us felt that this matter should be brought to the attention of the country by rather more extended debate than we would be permitted in one afternoon or a couple of hours, or that we will be permitted as the result of the unfortunate parliamentary situation that has now occurred.

A lot of my amendments did not get adopted. I am not complaining about that. I will offer them again. I shall suggest some of them that should have been adopted, in the course of this discussion. But were it not for the so-called freeze in aid to families with dependent children, I would not be on the floor discussing this conference report today.

Mr. President, I ask unanimous consent to have printed in the RECORD a schedule that I have just obtained from the Library of Congress showing that 27 legislatures will not meet in 1968. I also ask unanimous consent that the schedule concerning legislative sessions, from "The Book of the States, 1966–67," be printed in the RECORD. These schedules point up the problem the States will be faced with when the freeze goes into effect.

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

LEGISLATIVE SESSIONS

[L—Legislative days; C—Calendar days]

State or other jurisdiction	Years in which sessions are held	Sessions convene		Limitations on length of sessions		Special sessions	
		Month	Day	Regular	Special	Legislature may call	Legislature may determine subject
Alabama	Odd	May	1st Tuesday [1]	36 L	36 L	No	2/3 vote those present.
Alaska	Annual	January	4th Monday	None	30 C	Yes	Yes [2].
Arizona	do	do	2d Monday	63 C [3]	20 C [3]	Petition 2/3 members	Yes [4].
Arkansas	Odd	do	do	60 C	15 C [5]	No	([5]).
California	Annual [6]	do	Odd Monday after Jan. 1	120 C [7]	None	No	No.
		February	Even 1st Monday	30 C			
Colorado	do	January	Wednesday after 1st Tuesday	160 C [8]	None	No	No.
Connecticut	Odd	do	Wednesday after 1st Monday	150 C [9]	None	Yes	Yes.
Delaware	Annual [6]	do	Odd 1st Tuesday	90 L	30 [8]	No	Yes.
		February	Even 1st Tuesday	30 L			
Florida	Odd	April	Tuesday after 1st Monday	60 C [9]	20 C [10]	([10])	Yes [10].
Georgia	Annual	January	Odd 2d Monday	45 C [11]	([12])	Petition 3/5 members [13]	Yes [4].
		do	Even 2d Monday	40 C			
Hawaii	Annual [6]	February	Odd 3d Wednesday	60 C [14]	30 C [14]	([15])	([15]).
		do	Even 3d Wednesday	30 C [14]			
Idaho	Odd	January	Monday after Jan. 1	60 C [3]	20 C	No	No.
Illinois	do	do	Wednesday after 1st Monday	None [16]	None	No	No.
Indiana	do	do	Thursday after 1st Monday	61 C	40 C	No	yes.
Iowa	do	do	2d Monday	None	None	No	Yes. [17]
Kansas	Annual [6]	do	Odd 2d Tuesday	90 L [3]	30 L [3]	No	Yes.
		do	Even 2d Tuesday	30 C			
Kentucky	Even	do	Tuesday after 1st Monday	60 L	None	No	No.
Louisiana	Annual [6]	May	Even 2d Monday	60 C	30 C	Petition 2/3 elected members each house.	No. [18]
		do	Odd 2d Monday	30 C			
Maine	Odd	January	1st Wednesday	None	None	No	Yes.
Maryland	Annual	do	3d Wednesday	70 C	30 C	No	Yes.
Massachusetts	do	do	1st Wednesday	None	None	Yes	Yes.
Michigan	do	do	2d Wednesday	do	None	No	No.
Minnesota	Odd	do	Tuesday after 1st Monday	120 L	None	No	Yes.
Mississippi	Even	do	do	None	None	No	No.
Missouri	Odd	do	Wednesday after Jan. 1	195 C [5]	60 C	No	No.
Montana	Odd	do	1st Monday	60 C	60 C	No	No.
Nebraska	Odd	do	1st Tuesday	None	None	Petition 2/5 members	No.
Nevada	Odd	do	3d Monday	60 C [3]	20 C [3]	No	No.
New Hampshire	Odd	do	1st Wednesday	July 1 [3]	15 L [3]	Yes	Yes.
New Jersey	Annual	do	2d Tuesday	None	None	([19])	Yes.
New Mexico	do [6]	do	Odd 3d Tuesday	60 C	30 C [20]	Yes [20]	Yes. [20]
		do	Even 3d Tuesday	30 C			
New York	Annual	do	Wednesday after 1st Monday	None	None	No	No.

See footnotes at end of table.

LEGISLATIVE SESSIONS—Continued

[L—Legislative days; C—Calendar days]

State or other jurisdiction	Years in which sessions are held	Sessions convene		Limitations on length of sessions		Special sessions	
		Month	Day	Regular	Special	Legislature may call	Legislature may determine subject
North Carolina	Odd	February	Wednesday after first Monday	120 C [3]	25 C [3]	No	Yes.
North Dakota	Odd	January	Tuesday after 1st Monday	60 L	None	No	Yes.
Ohio	Odd	do	1st Monday	None	None	No	No.
Oklahoma	Odd	do	Tuesday after 1st Monday	None	None	No [2]	No.
Oregon	Odd	do	2d Monday	None	None	No	Yes.
Pennsylvania	Annual [6]	do	1st Tuesday	None	None	No	No.
Rhode Island	do	do	do	60 L [3]	None	No	No.
South Carolina	do	do	2d Tuesday	None	40 L [3]	No	Yes.
South Dakota	Annual [6]	do	Odd Tuesday after 3d Monday	45 L	None	No	Yes.
		do	Even Tuesday after 1st Monday	30 L			
Tennessee	Odd	do	1st Monday	75 C [3]	20 C [3]	No	No.
Texas	Odd	do	2d Tuesday	140 C	30 C	No	No.
Utah	Odd	do	2d Monday	60 C	30 C	No	No.
Vermont	Odd	do	Wednesday after 1st Monday	None	None	No	Yes.
Virginia	Even	do	2d Wednesday	60 C [3 22]	30 C [3 22]	Petition ⅔ members	Yes.
Washington	Odd	do	2d Monday	60 C	None	No	Yes.
West Virginia	Annual [6]	do	Odd 2d Wednesday	60 C [23]	do	Petition ⅔ members	No.
		do	Even 2d Wednesday	30 C [23]			
Wisconsin	Odd	do	2d Wednesday	None	None	No	No.
Wyoming	Odd	do	2d Tuesday	40 C	do	No	Yes.
Puerto Rico	Annual	do	2d Monday	111 C [5 24]	20	No	No.

[1] Legislature meets quadrennially on 2d Tuesday in January after election for purpose of organizing.
[2] Unless Governor calls and limits.
[3] Indirect restriction on session length. Legislators' pay, per diem, or daily allowance ceases but session may continue. In Colorado the 160-day limitation applies to the legislative biennium. In New Hampshire travel allowance ceases after July 1 or 90 legislative days, whichever occurs first.
[4] If legislature convenes itself.
[5] Governor may convene general assembly for specified purpose. After specific business is transacted, a ⅔ vote of members of both houses may extend sessions up to 15 days.
[6] Budget sessions held in even-numbered years, except in Louisiana.
[7] Exclusive of Saturdays and Sundays.
[8] Approximate length of session. Connecticut session must adjourn by 1st Wednesday after 1st Monday in June, Missouri's by July 15, and Puerto Rico's by Apr. 30.
[9] Length of session may be extended by 30 days, but not beyond Sept. 1, by ⅗ vote of both houses.
[10] 20 percent of the membership may petition the Secretary of State to poll the legislature; upon affirmative vote of ⅗ of both houses an extra session, no more than 30 days in length, may be called. Extra sessions called by the Governor are limited to 20 days.
[11] Convenes for no longer than 12 days to organize. Recesses and then reconvenes 2d Monday in February for not more than 33 calendar days. Budget presently considered in odd-year session only.
[12] 70-day session limit except for impeachment proceedings if Governor calls session; 30-day limit except for impeachment proceedings if Governor calls session at petition of legislature.
[13] 30-day limit except for impeachment proceedings.
[14] Governor may extend any session for not more than 30 days. Sundays and holidays shall be excluded in computing the number of days of any session.
[15] Legislature may convene in special session on 45th day after adjournment to act on bills submitted to the Governor less than 10 days before adjournment if Governor notifies the legislature he plans to return them with objections.
[16] By custom legislature adjourns by July 1, since all bills passed after that day are not effective until July 1 of following year.
[17] Iowa constitution requires the Governor to inform both houses of the general assembly the purpose for which a special session has been convened.
[18] Unless legislature petitions for special session. However, no special session may be called during the 30 days before or the 30 days after the regular fiscal sessions in the odd years without the consent of ¾ of the elected members of each house of the legislature.
[19] Petition by majority of members of each house to Governor who then "shall" call special session.
[20] Limitation does not apply if impeachment trial is pending or in process. Legislature may call in 30-day "extraordinary" session if Governor refuses to call session when requested by ⅗ of legislature.
[21] Governor may convene senate alone in special session.
[22] May be extended up to 30 days by ⅗ vote of each house, but without pay.
[23] Must be extended by Governor until general appropriation passed; may be extended by ⅔ vote of legislature.
[24] Session may be extended by adoption of joint resolution.

Source: "The Book of the States, 1966–67," vol. XVI, the Council of State Governments, Chicago Ill.

THE LIBRARY OF CONGRESS,
Washington, D.C.

REGULARLY SCHEDULED SESSIONS OF STATE LEGISLATURES IN 1968

[State and convening date]

Alaska: Jan. 22.
Arizona: Jan. 8.
California: Jan. 1.
Colorado: Jan. 3.
Delaware: Jan. 2.
Georgia: Jan. 8.
Hawaii: Feb. 21.
Kansas: Jan. 9.
Kentucky: Jan. 2.
Louisiana: May 12.
Maryland: Jan. 17.
Massachusetts: Jan. 3.
Michigan: Jan. 10.
Mississippi: Jan. 2.
New Jersey: Jan. 9.
New Mexico: Jan. 16.
New York: Jan. 3.
Pennsylvania: Jan. 2.
Rhode Island: Jan. 2.
South Carolina: Jan. 9.
South Dakota: Jan. 2.
Virginia: Jan. 10.
West Virginia: Jan. 10.

Adapted from table, "Legislative Sessions," pp. 46–17, "Book of the States, 1966–67."

Mr. METCALF. Mr. President, the other night when I listened to President Johnson's talk to the AFL–CIO convention in Miami, he recalled that when he was a Member of the House of Representatives he had voted for a minimum wage law of 25 cents an hour. That reminded me of the first time I participated in a legislative body as a member of the house of representatives in the Montana Legislature. In 1937, I voted for a minimum wage law of 30 cents an hour. At that time, I served on the Social Security Committee of the House of Representatives of the Legislature of Montana. That was the year when the various legislatures throughout the country adopted amendments to their laws to take care of the amendments President Roosevelt and the New Deal Congress had put through Congress in the preceding year.

That was the year when we changed our concepts of how to take care of those who were poor, underprivileged, and unemployed, take them from the county poor farm and the county workhouse, and put them through a welfare program. That was the year we in the State of Montana passed the first State appropriation for social security and for public welfare.

In those days public welfare ran considerably ahead of social security in many cases, especially in benefits to the aged. Old-age assistance is declining these days, and social security benefits are increasing; and that is as it should be, because social security benefits are accruing to more and more people, and more and more people are beginning to enjoy the privilege of being off the relief rolls.

So, in those days, in all the State legislatures, as in Montana, we passed legislation that provided that State appropriations would take care of both welfare and social security provisions and unemployment compensation, which was a problem at that time.

In many of the States, as in Montana, those appropriations are made for 2 years.

We took it out of the hands of the county commissioners and boards of supervisors of the cities and various other agencies, and put it in the hands of State public welfare agencies. I think the thing we did in those days was a great exercise of federalism—to close debtors' prisons, poor farms, workhouses, and begin payments to people and try to let the poor and impoverished exist with some dignity.

We have continued that kind of concept over all the years that have ensued since, until this bill was passed and this provision for aid to families with dependent children was adopted. I refer to the so-called freeze. That is described on page 60 of the conference report, under the subheading, "Limitation on Number of Children With Respect to Whom Federal Payments May Be Made." That is a part of the material that was put in the RECORD, so far as the conference report is concerned. It can be found at the place where the Senator from Louisiana inserted it in the RECORD under this heading.

I read from the conference report relating to amendment No. 214, section 208:

Amendment No. 214: Section 208 of the House bill amended section 403 of the Social Security Act to provide that the number of children receiving AFDC with Federal financial participation in any State for any quarter after 1967 because of the absence of a

parent from the home may not represent a proportion of the total under-21 population of the State at the beginning of the year involved which is larger than the corresponding proportion for the first quarter of 1967.

The Senate amendment removed this limitation from the bill.

The conference agreement includes the House provision, but bases the limitation on the number of children under 18 receiving aid as compared to the total under-18 population of the State instead of taking into account children up to 21, uses the first quarter of 1968 instead of the first quarter of 1967 as the base quarter for purposes of the comparison, and makes the limitation effective after June 30, 1968, instead of after December 31, 1967.

This very bad concept was not attacked by the Senate conferees. Rather, they boasted that they had made some corrections in the House bill by moving the effective date of the so-called freeze from January 1967 to January 1968, and changing from 21 to 18 the proportion granted. That is a very minor and very small change. It does not in any way affect the principle of the freeze and does not in any way affect the concept that we shall shut the children of these mothers off on July 1, 1968, on the basis of the proportion that they were to the population as of January 1, 1968.

Mr. President, the Senator from New York [Mr. KENNEDY] and other Senators suggested that we cannot control the birth rate and say that no children shall be born after January 1, after New Year's Day, 1968. He suggested that we cannot control the rate of migration of rural families from the farms to the cities. Of course we cannot.

We cannot even control the migration rate of Stokely Carmichael when he wants to travel outside the United States, to say nothing of migration back and forth from the rural areas to the urban areas.

Yet we are saying to the States that after June 30, they will not receive any Federal assistance for any children born after the 1st of January 1968, or any children whose families moved into the area after that date unless there is a comparable outflow of children. That is what I am talking about. That is what many of us feel is going to cause distress, disaster, hunger, and further poverty in this country, this summer, and until it is repealed.

During the course of the debate yesterday, the Senator from Louisiana said, "Well, we left it up to those who know, those experts who know more about welfare."

I challenge that statement. More than 150 people who are true experts, who do know about welfare and about the impact of such a provision as we made, and such a provision as the House agreed to—the impact on the poverty stricken and the welfare recipients of the Nation—testified before the committee. The other day I put into the RECORD a list of people who opposed this so-called freeze before the Senate committee.

Mr. President, the only persons who came in to testify before the Finance Committee in support of the House provision were the representative of a Council of State Chambers of Commerce, and the Puerto Rico Medical Association. More than 150 experts—true experts—formally opposed this provision, including the Governors of 13 States, a statement from the National Council of Governors, members of public welfare commissions from many States, and members of such organizations as the National Council of Negro Women, the National Council of Senior Citizens, and others.

Yesterday the Senator from Oklahoma read into the RECORD a telegram from the National Council of Senior Citizens in which the members of that council, through its executive board, suggested that the National Council of Senior Citizens did not want to have an increase of 13 percent in benefits, or a minimum of $11 per month, at the expense of the mothers and children of poverty stricken America.

That was not a new concept or a new idea as far as the National Council of Senior Citizens was concerned after the bill passed, because, in the course of the hearings, at page 1075 of the hearing record, the representative of the National Council of Senior Citizens, John W. Edelman, president of that council, said:

Most shocking of all the provisions of the House-passed social security bill are its savage restrictions on Federal aid for relief of the poor.

Under this bill, relief to poor families could be shut off entirely or a poor family could have relief payments reduced by arbitrarily cutting off adults from relief and children could be removed by court order and placed with strangers for care.

So great is the concern of National Council members over this threat to children of the poor that I have received many letters from members who, despite their own need for a meaningful social security increase, offer to forgo an increase if this will protect poor children from the plight that awaits them if the House-passed social security bill should—God forbid—become law.

Our members, who have raised families, know the importance of family life to children and can understand the hurt inflicted on them when they are arbitrarily deprived of family life.

Mr. Chairman and other distinguished committee members, the welfare restrictions of the House-passed social security bill deliberately discriminate against cities like New York, Chicago, Detroit, Cleveland, Newark, and other communities with large ghetto areas teeming with the outcasts of our changing agricultural system.

The bill does nothing to prevent the migration of agriculture's human rejects to city ghettos. This migration will continue. Restrictive welfare measures proposed in the House-passed bill are not likely to change this historic movement from the farms to the cities.

I appeal to the committee and the Senate to show compassion for these victims of a changing technology in agriculture. I plead with you to lighten, rather than add to the heavy burden the unfortunate poor in city slums must bear.

Mr. CASE. Mr. President, for nearly a full year the Congress has been debating the social security bill. It is most unfortunate, therefore, that at this eleventh hour in the session the Senate is faced, virtually on a take-it-or-leave-it basis, with a conference report containing public welfare provisions opposed by nearly every group and individual appearing before the Finance Committee during hearings on the social security bill and by the majority of the Senate as evidenced by the votes taken on the bill 3 weeks ago.

I, of course, am disappointed with the social security benefit levels in the bill. Certainly a 15-percent increase in benefits, with a minimum of $70 per month, is not too much to ask in view of today's cost of living. As most social security beneficiaries know from experience, anyone living on a fixed income has been fighting a losing battle in this inflationary period.

At this point, however, I would like to call particular attention to my deep concern with the provisions of title II, the public welfare amendments. Just 6 months ago the deep social unrest in our urban areas exploded in the violence of Newark, Detroit, and some 50 other cities around the Nation. Evidence of the problems in our core cities continues to mount almost daily. Thus it is particularly distressing to find that we are presented with a bill which is retrogressive in nature and which represents a significant departure from what has been a humanitarian approach to the problems of the poor in our cities.

If anything has been learned in the past several months from the Newarks, the Plainfields, and the Detroits, it is that, as a Nation, we can no longer ignore the deep and bitter feelings of frustration and despair of those trapped in the poverty cycle. Yet the punitive provisions of the welfare amendments can only exacerbate the tensions in the ghettos.

The bill before us would use compulsion to put parents receiving aid to families for dependent children—AFDC—into work training programs. Contrary to the philosophy of the Senate-approved bill, it assumes that mothers of young children should work rather than take care of their children. It also rejects the Senate provision that families of unemployed fathers should be eligible for AFDC payments.

The provisions intended to encourage welfare recipients to find jobs can hardly be called incentives. The job-training allowance we approved three weeks ago has been cut from $20 a week to $30 a month. This comes to approximately $7 a week or just about enough for bus fare. The amount of outside earnings a recipient is permitted to keep over and above his welfare payment has also been substantially reduced.

By placing a freeze on the number of AFDC children for whom States can receive matching Federal funds, the conference committee report ignores population migration patterns which are caused by forces of national scope, such as unemployment, automation, and the decline of rural wages and jobs.

Many large cities have become in-migration areas. Because the migrants generally come from deprived areas, are functionally illiterate, untrained, and lacking in employable skills, many of them become almost immediately, welfare cases. My own State of New Jersey has the third highest rate of in-migration in the Nation, with the heaviest flow moving into the older cities.

In protesting the conference commit-

tee bill, officials of Essex County, N.J., where Newark is located, informed me only today that while the total population of Newark has declined in recent years, the welfare case load has increased sharply. Since 1960 the number of Essex County AFDC cases, 87 percent of which are in the city of Newark, has quadrupled and the costs have increased by 463 percent. During this same period of time, the Federal contribution to the Essex County AFDC load has declined from 42 to 33 percent.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD three telegrams, all directed to me.

The first is from Philip K. Lazaro, director of the Essex County Welfare Board.

The second is from Lloyd W. McCorkle, commissioner of the Department of Institutions and Agencies of the State of New Jersey.

The third telegram is from Walter C. Blaisi, Essex County supervisor, C. Stewart Hausmann, Essex County freeholder, Thomas R. Farley, Essex County freeholder, and Hymen B. Mintz, Essex County freeholder.

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

NEWARK, N.J.,
December 13, 1967.

Hon. CLIFFORD W. CASE,
Senate Office Building,
Washington, D.C:

We strongly object to the provision in H.R. 12080 relating to the arbitrary freezing of Federal participation in payments to needy families at the January 1968 level for the following reasons: 1. With the national migration of needy people from rural to urban areas, caseloads in urban areas continue to grow rapidly. The freeze would therefore penalize every urban area by requiring them to bear a larger share of the cost. In Essex County for instance, while the total population has remained relatively static, the demographic makeup has changed as middle-class families have moved out and the underprivileged have moved in. As a result costs in Essex for the ADC program alone have risen from $8,000,000 in 1960 to a projected $45,000,000 in 1968. 2. This freeze further intensifies the local financial problem in that the Federal Government in these years has contributed at flat $22 per person in ADC despite mandated rises in assistance grants, thus forcing local government to carry an increasing percentage of cost. In Essex, for instance, the Federal share in 1960 amounted to 42 percent of the total. In 1968 it is projected at 33 percent. Rather than freeze present Federal aid we strongly urge an increase in the per capita payment as well as elimination of the freeze provision.

We respectfully urge you to take whatever affirmative action you can with respect to the points raised herewith.

PHILIP K. LAZARO,
Director, Essex County Welfare Board.

TRENTON, N.J.,
December 12, 1967.

Hon. CLIFFORD P. CASE,
Senate Office Building,
Washington, D.C.:

New social security legislation, HR 12080 as reported out of Senate-House conference contains provision freezing Federal participation in aid-to-families-of-dependent-children program. If adopted this can be catastrophic for New Jersey, particularly our urban centers. New Jersey will suffer because 1—It is nationally recognized that the number of welfare recipients has been maintained at a low level in New Jersey and 2—New Jersey has the third highest rate of in-migration in the Nation. Freeze on Federal participation would place the entire cost of increased loads on State, county, and municipal governments.

LLOYD W. MCCORKLE,
Commissioner, Department of Institutions, and Agencies, State of New Jersey.

NEWARK, N.J.,
December 11, 1967.

Hon. CLIFFORD P. CASE,
Senate Office Building,
Washington, D.C.:

Immigration escalating welfare cost creating crisis in Essex County. Urge you oppose restrictions on and fight for liberalization of welfare provisions of Social Security Act.

WALTER C. BLASI,
Essex County Supervisor.
C. STEWART HAUSMANN,
Essex County Freeholder.
THOMAS R. FARLEY,
Essex County Freeholder.
HYMEN B. MINTZ,
Essex County Freeholder.

Mr. CASE. Mr. President, is less Federal support to our metropolitan areas to be our answer to the urban problem? Are we to express our commitment to the most serious problem in our Nation by accepting a bill which punishes rather than helps those who need help the most? This kind of response is not just shortsighted. For the disadvantaged and the poverty stricken, it contains the seeds of deeper disillusionment and bitterness.

Forcing those on welfare to bear the burden of our national confusion and frustrations will not halt the changes occurring in our society, nor does it represent a responsible answer to the Nation's problems of race and poverty. I, therefore, urge the Senate to reject the conference report and to insist on the public welfare provisions of the Senate bill.

Mr. JAVITS. Mr. President, I, too, as did my colleague, the Senator from New Jersey [Mr. CASE] rise to protest the deeply unjust provisions contained in the conference report.

Nobody knows better than I the charm and blandishment of voting "aye" on a conference report of this character on the ground that it does nice things for a lot of wonderful people.

Mr. President, these very same people, however, do not in their own names wish to see harm and injustice done to a lot of other dear people who deserve to receive the help of our Government.

They know and I know that, even if this conference report were rejected it would only take another 24 hours for the conferees to be back with another report which would correct the rather barbarous inequities contained in this report.

I think that is very important, because due to events over which, let us assume, nobody had a control, to be as kind as possible to our colleague, our efforts to put over consideration of this report were aborted.

We are now face to face with the adjournment rush and the voting deadline, and no opportunity whatever is afforded to alert the people of the country as to what is at stake here and why.

Mr. President, I have received telegrams sent by the Governor of the State of New York and by the mayor of the city of New York, expressing in eloquent terms their opposition to what is here contrived, and their reasons.

Mr. President, I ask unanimous consent that a telegram addressed to me by a distinguished labor leader, Walter Reuther, president of the Industrial Union Department of the AFL-CIO, be printed at this point in the RECORD. In this telegram he speaks of the conference report as being "repugnant to human needs and dignity."

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

WASHINGTON, D.C.,
December 11, 1967.

Senator JACOB K. JAVITS,
Washington, D.C.:

The conference report on the social security bill is repugnant to human needs and dignity. Social security benefit levels are totally inadequate, and the work-training requirements imposed on mothers by the conference report are unconscionable. The welfare benefit freeze will impose heavy tax burdens on local communities and adjustments in old-age assistance and welfare standards may deprive the poorest of our retired citizens of any income increase at all. On behalf of more than six million members of the Industrial Union Department, AFL-CIO, I urge you to vote against the social security conference report and subsequently to instruct conferees to insist on the provisions of the Senate bill.

WALTER P. REUTHER,
President, Industrial Union Department, AFL-CIO.

Mr. JAVITS. Mr. President, I think that the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. HARRIS], and the junior Senator from New York [Mr. KENNEDY] who were all fighting so forcefully should receive the thanks of the country for the burden they have had to carry on this matter.

It seems to me that what has to be made clear is that the social security increase, inadequate as it is, would not go down the drain if we postponed action on this report. There is no jeopardy about that. Nobody will even know what went on, as far as that is concerned. No one would receive increased checks until March in any case. Therefore, the idea of slowing down a bit and rousing the welfare organizations and decent citizens and marshaling the Governors was sound. And they should be roused. But we have now found ourselves in this trap—compelled to consent to a vote tomorrow. However, that is by no means the end of the matter.

If this measure is as wrong as I think—and it is—then there will be a chance to right it in the new Congress.

All of us have ultimately to face the people, and we will have to face them in 1968.

There will be plenty of time to make this case and make it effectively. Congress has a way of reacting to the sentiments of the country, I say to my colleague, the Senator from Montana [Mr. METCALF], who was kind enough to yield to me. If the sentiments are expressed well enough and strongly enough, the people will get action next year in the Senate and in the House of Representatives.

That is why I felt that the feelings

expressed so strongly by the Governor and the mayor of New York are very useful. They represent 18 million people, almost 10 percent of the Nation. It is a very progressive State.

I am sure that many other individuals and officials in other States will feel the same way and express their feelings and make their weight felt in Congress.

I hope that my colleagues will not feel that the ball game is over just because the situation we face—which, as I say, is just one of those acts of God—has made it impossible to marshal public sentiment right now.

All that was desired was that the matter go over until 2 days after we return on January 15.

I repeat, no one would have been in the least discommoded. The social security recipients would not even have known it happened, because they would not receive their first checks until March of 1968, anyway, and we have every assurance that their checks would have been sent out just the same if this report were dealt with in January instead of now. But it suits those who do not take our point of view to press the matter now. They have prevailed in terms of the parliamentary situation we face and in which our effort was aborted by the highly controversial events of this morning.

What we must do now, in my judgment, is to make strongly apparent how serious is the case in order to arouse sentiment to support that case. I have never seen Congress fail to respond when there was sufficient outcry, and especially when it was based on just cause.

The single most unjust aspect of this bill is the freeze placed on Federal payments under the AFDC program. This is really like plowing under little pigs or holding back little children or reserving the cure for cancer because it is good for us to suffer.

Mr. President, the proponents of the bill say that it will help to reduce Federal welfare expenditures. Certainly, it will. But it will not help to reduce welfare expenditures borne by decent people living in communities where the size of the welfare rolls will depend upon the welfare requirements, not upon the words of the Federal law. They will have to carry the full cost, without any Federal help. It is particularly burdensome upon those very areas of the country which, because of their superior opportunities and their superior performance, are attracting migration of people of low economic income and low training—people who come from Puerto Rico and from the Deep South and other areas of the country to find exactly what these States, which have enlightened policies, give them.

The welfare rolls of these areas will inevitably increase. Indeed, the mayor of New York says that the New York City burden will rise by $50 to $70 within 18 months. That is what is at stake here. New York—and I am sure it is true of Philadelphia, Chicago, Boston, and cities in the States of almost every Member of the Senate—will not allow children to go uncared for when they urgently need welfare.

The result of this unjust amendment will be to force up real estate taxes in those very municipalities where they are trying to cope with their responsibilities. Mind you, this is a national problem, because we have no control over the movement of population in this country. I believe it is estimated that not less than 5 million Negroes have moved up from the South within the last decade. A tremendous migration to New York, for example, has taken place in the last 20 years, from Puerto Rico, giving us desirable citizens. They will be wonderful citizens in a very short period of years. In the meantime, they represent a national movement of population for whose responsibility the Nation, in this iniquitous amendment, washes its hands.

Mr. President, for myself—and I feel very deeply that it should be the rule for the others who are engaged in this effort—the elimination of this freeze should be one of the major tasks during the next session of Congress.

Another key provision of the conference report which is most objectionable deals with the new so-called work incentive program. This is a euphemism designed to sugar over what is really compulsory work for mothers, something which you would hardly dream of in the Congress of the United States.

We had on the Senate floor—and, indeed, the Senate committee had done it itself—succeeded in ameliorating the original work provisions of the House bill. We had exempted mothers with preschool children from mandatory work, and had also barred compulsory work during nonschool hours for mothers who actually cared for schoolchildren 16 or under. These salutary exemptions were struck out in conference.

Even the provision specifically allowing the States to create categories of exemption was dropped, purportedly for the reason that it was redundant. It was not redundant, for the bill, as it left the Senate, specifically allowed the Secretary of Health, Education, and Welfare to issue criteria under which States could exempt persons from the compulsory work program. That important Federal power to establish guidelines is now out of the bill, and the matter is left in State control—exactly what has caused the trouble before this.

Also extremely distasteful to me is the fact that welfare payments for families in which a parent refuses to work without good cause are henceforth to be made in the form of protective or vendor payments. Mr. President, nothing is more calculated to break down morale and family life than these protective and vendor payments. The words "protective payments" are also a euphemism, because they interpose a third party into the family as the provider and purchaser of elementary goods and services, and this seriously undermines family integrity and stability. It would be difficult to think of a better mechanism to lead to more broken homes and more disrupted family life than we have here. And we further complicated the matter by allowing the use of vendor payments—that is, payments directly to those who supply services—an untried and long discredited system of providing the essentials of life through government arrangements with merchants.

Of course, our conferees also gave in on the enlightened floor amendment, which I had long championed, to make the welfare program applicable on a nationwide basis even where there is a man in the house, and to take away the discretion to deprive such families of welfare payments.

Mr. President, the conference report deserves much greater detailed and critical consideration than it will receive today and tomorrow. We should have had an opportunity to vote it down and to instruct our conferees to return to the conference table to eliminate some of its worst provisions. Instead, we will be forced to vote on it on a take-it-or-leave-it basis—a vote that makes a rejection of the conference report much more difficult. But these issues must be faced. That it what we are here for.

Mr. President, I join with my colleagues, for that reason, in rising to protest against the injustice and against the situation which has brought us to it.

Mr. METCALF. I am grateful to the Senator. In the course of my comments I shall elaborate on the important work that the Senator is doing in the conference on education, in an effort to solve the problem of poverty in America, and the problem of the welfare of people who are unemployed. The Senator from New York, the Senator from Pennsylvania, and others are working on the problem of education for our people and are not attempting to cut them off the welfare rolls.

Mr. JAVITS. I thank the Senator.

Mr. METCALF. Mr. President, the Senator from New York mentioned the fact that there was no question that this 13-percent increase in social security benefits and the $55 minimum would be promptly passed and that there is no question in anybody's mind, too, that the Secretary of Health, Education, and Welfare would go forward and prepare himself to issue the checks under the present legislation and under any other legislation which would be adopted in changing these other matters that would not go into effect until the 1st of March, and that those checks would be forthcoming at that time.

That was the matter I was just preparing to go into when I yielded to the Senator from New York, because I had suggested that back at the time we held hearings in the Senate Finance Committee on this bill the president of the National Council of Senior Citizens, the group that is most affected by this legislation providing a 13-percent increase and a $55 minimum, said they did not want to have that increase if it meant they would have to accept the House-passed social security bill with the so-called freeze.

The House wanted it. We wanted it. The administration wanted it. We wanted the increase. Some of us wanted more than 15 percent. Some of us felt the minimum should be more than $55.

It would not have been a matter of 24 hours from the time this body had rejected the conference report before they would have been back with some provision to take care of those people.

Even if the matter had gone over until 2 days after this Congress reconvened

in the second session, as has been suggested, there would still have been time for the Department of Health, Education, and Welfare to issue the checks provided.

During the course of his discussion, the Senator from New York said that one of the reasons why he was not on the floor this morning was that he was participating as the ranking minority member in the conference on the education bill. At that time I mentioned, and I want to reiterate, that the way to take care of this situation with respect to people on public welfare, people who are unemployed and unable to earn enough money to take care of dependent children, is not to kick them off welfare, not to return them to the debtors' prisons or poor farms or workhouses, but to let them compete in a modern society.

Many people have said that we now have a third generation drawing welfare. That is not the failure of the program. That is our failure. That is the failure of the Congress of the United States and the Republican and Democratic administrations over the years. That is the failure of the legislatures and the Governors of the various States of the Union in not providing the kind of work-training programs and vocational education and educational opportunities so people can get themselves out of the morass of welfare year in and year out and have the opportunity to take a useful place in society and earn the kind of wages and salaries they are capable of earning if they have the right opportunity.

The Secretary of Health, Education, and Welfare appeared and testified before the committee. I regret very much that, apparently, the administration has accepted this freeze or the very limited change that came out of the conference report at this time. But the administration had not accepted it when the Secretary came before the Senate Finance Committee. He said, with respect to working mothers and what is going to happen to the children, that what really matters is what happens to individual members of the families.

Let me read from what he said:

What really matters is what happens to each family. A mother might appear to be a good candidate for work and training on several grounds, yet special circumstances might make it desirable for her to delay entrance into the program. If determinations are made according to rigid formulas inflexibly applied, if lack of imagination and foresight characterize action at the decision level, then the result can only be grief for the individuals and families involved and defeat of the purposes of the program, which are to strengthen the family and move it toward independence.

All things considered, we believe that the establishment of training programs should be mandatory upon the States, but voluntary as far as the AFDC mothers are concerned. We believe that, with the universal existence of work training programs and day care arrangements so wisely provided in the House bill, plus the $20 incentive payments provided in the administration proposals plus the prospect of reasonable income exemptions, a very high percentage of mothers will want to be trained and will want to go to work.

The work-training projects offer great opportunities but, like all opportunities, they must be exploited with wisdom as well as energy. We must be sure that we are not preparing candidates for nonexistent jobs. But I would hope that we could go beyond merely giving vocational training for already existing or conventional, particularly dead end, jobs—that at least some of the projects would be consciously aimed at creating new careers in new kinds of jobs for the participants.

The people who know, to use the phrase used by the Senator from Louisiana, unanimously testified against the House bill and against the freeze and against making mothers work. Yet that is provided in this bill. An assistant professor at the University of Utah, who was a member of the graduate school of social work in that institution, suggested that while the provisions for additional day care service and foster care are much needed, unless we are willing to encourage stronger family life by providing more adequate support for the child in his home, there is a danger of disrupting families unnecessarily.

I ask unanimous consent that excerpts from her testimony be printed in the RECORD.

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

EXCERPTS FROM TESTIMONY OF MISS ZELLA D. ALLRED, SALT LAKE CITY, UTAH, ASSISTANT PROFESSOR, UNIVERSITY OF UTAH GRADUATE SCHOOL OF SOCIAL WORK

Re H.R. 12080.

Hon. RUSSELL B. LONG,
U.S. Senate, Washington, D.C.

DEAR SENATOR LONG: I am very much concerned over some of the proposed amendments to the public assistance provisions of the Social Security Act. May I take this means of drawing to the committee's attention those provisions which I think will tend to defeat a major purpose of the program to strengthen family life.

* * * * *

The proposed amendment to Section 402A, which would withhold assistance from a relative or dependent child who refused to participate in a work training program is unnecessarily punitive and again fails to recognize the complicated factors that go into such dependency.

There are two points in Section 201a of H.R. 12080, Sub-Sections 15 and 16, which may be detrimental to the overall objective of strengthening family life. Emphasis on "assuring to the maximum extent possible that such relative, child, and individual will enter the labor force and accept employment so that they will become self-sufficient" may not be in the best interest of the child or in long-range planning for family stability. Although this is qualified by reference to "appropriate cases" this qualification is frequently overlooked in employment planning. I have seen a number of instances in which mothers have been encouraged to go to work to the detriment of our future generation.

* * * * *

The provisions for additional day care services and foster care are again very much needed, but unless we are willing to encourage stronger family life by providing more adequate support for the child in his own home there is again danger of disrupting families unnecessarily.

I sincerely trust that your committee will give careful consideration to these particular points.

Respectfully yours,
Miss ZELLA D. ALLRED, ACSW,
Assistant Professor.

Mr. METCALF. Mr. Lawrence Speiser, of the American Civil Liberties Union, testified very eloquently about this compulsory work training program. I ask unanimous consent that excerpts from his testimony be printed in the RECORD.

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

STATEMENT OF LAWRENCE SPEISER, DIRECTOR, WASHINGTON OFFICE, AMERICAN CIVIL LIBERTIES UNION

B. COMPULSORY WORK-TRAINING PROGRAMS FOR AFDC ADULTS AND OUT-OF-SCHOOL CHILDREN OVER 16

Section 204 of H.R. 12080 requires the states to set up work-training programs for the "appropriate" adults and children over 16 who are not in school. In the words of the Committee report. "If, without good cause, any appropriate child or relative refuses to accept a work or training assignment, or refuses to accept employment or training offered through the state employment service (or that is otherwise offered by an employer) he will have his assistance discontinued upon verification that of this refusal and specific evidence that the offer of training or employment is a bona fide one."

We feel, fundamentally, that the very power to arbitrarily compel a person to accept employment, is inimical to a free society and in conflict with the Thirteenth Amendment prohibition against involuntary servitude and a denial of the equal protection of the laws.

Mothers, in a program so heavily involved with fatherless homes, are heavily affected by Section 204. We insist it is a denial of equal protection and due process either to withhold aid from a needy family where the mother refuses to leave her young children to work or to compel her to work in order to receive aid. The condition of poverty is not a reasonable basis to deprive a mother of the right to remain with her children if she feels they need her and we must recognize that the right of a mother to rear her children *is* a right.

Nor can we appropriately empower the state to make the decision whether a particular mother's determination not to leave her children is "good cause" for refusing employment. Section 204 lends itself to the same implementation as state "employable mother" rules such as the Georgia act now being challenged on equal protection and due process grounds in *Anderson* v. *Schefer*, Civil No. 10443, N.D. Ga., Sept. 20, 1966.

The complaint alleged that "in practice, the policy has the intended effect of depriving large number of Negro families of AFDC benefits and of maintaining an available supply of Negro laborers for agricultural employment in Georgia. County boards in rural areas terminate AFDC eligibility for Negro mothers as of a certain date each year regardless of whether employment is actually available. White mothers are usually exempted from the work obligation because farm labor traditionally is not 'suitable' for them."

The hearing of the Mississippi Advisory Committee to the U.S. Commission on Civil Rights held early this year in Jackson further illustrated the dangers of this section. The hearings delved into the operation of Mississippi's public assistance, food stamp, commodity distribution and work experience programs. In general, the hearings supported the conclusion that the administration of such programs were discriminatory and arbitrary.

As far as the Work Experience Program under Title V of the Economic Opportunity Act, a parallel program to the one put forth under Section 204, the hearings showed that "it failed to provide on the job training and experience to the poor. Instead of increasing jobs for poor people, Work Experience was used to provide employment to workers from the Department of Public Welfare and to subsidize public agencies by

offering a supply of free labor. The few private employers who participated used the program to increase janitorial and maid service, including work done in their own homes, without incurring any expense. Complaints were voiced by many Negroes that they were not receiving training in the jobs which they sought, such as nurses aides or dieticians, but were placed in menial positions. Moreover, when the program ended, most trainees were not employed, and those who were suffered a large wage decrease."

Mr. METCALF. I have a statement of Jo Eleanor Elliott, president of the American Nurses Association; a statement of Norman V. Lourie, first vice president of the American Public Welfare Association—again an expert, one of those men who knows about the impact of this amendment; one of those people who knows, that it was suggested that we should look to by the Senator from Louisiana—one from Mr. Charles B. Harding, president of the Arthritis Foundation, saying:

We are concerned about compulsory employment and training programs for children over the age of 16, unemployed fathers, and mothers with dependent children. The drastic switch of emphasis makes social security legislation and job training a recruitment program rather than a means of strengthening family life. We are certain it will allow coercive measures, will not rectify the consequences of generations of poverty and disease.

The Association of State Maternal and Child Health Directors, and Directors of Crippled Children's Programs, Dr. R. F. Rice, M.D., president, said:

Section 201 of the same title appears to place the States in a position of forcing mothers on AFDC to go to work. This could adversely affect the health and welfare of their children.

A representative of the Board of Directors of the Health and Welfare Council of Metropolitan St. Louis testified.

A former colleague of mine in the House of Representatives, who was then a delegate from the territory of Hawaii, and is now Governor of Hawaii, stated that this requirement would be detrimental to the AFDC mothers in his State.

Mr. President, I shall not take up the time of the Senate in reading all of these matters, but in order to make the record complete, and to demonstrate that this controversy is not at an end today, or will not end with the vote taken tomorrow, or by the agreement and approval of the conference report, but will go on as long as there is need for the mothers and children of America, I ask unanimous consent that excerpts from all of these statements and others on this subject be incorporated in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the Record as follows:

STATEMENT OF JO ELEANOR ELLIOTT, PRESIDENT, AMERICAN NURSES' ASSOCIATION

We support in principle and regard as commendable the provision that States set up work training programs to help welfare recipients become employable and self-supporting. However, we believe that where AFDC mothers are involved, their participation in job training and employment should be on a voluntary basis, premised on counseling and evaluation of what is in the best interest of the child or children.

The provision for establishing day care centers and the work incentive features of earnings exemptions will encourage mothers with an employment potential who can safely leave their children, to voluntarily take training and employment.

STATEMENT OF NORMAN V. LOURIE, FIRST VICE PRESIDENT, AMERICAN PUBLIC WELFARE ASSOCIATION

Our second major objection is with reference to the element of compulsion for participation in job training and to accept employment. Every employable father who is receiving assistance should be required to participate in job training if available or to accept an offer of suitable employment. The situation with respect to the mothers, however, is quite different. We know that there are many working mothers who would be eligible to receive AFDC if they were not working. We know, too, that many mothers now receiving AFDC would go to work if they could find a job, and if arrangements could be made for the care of their children. In fact, there is a constant in-and-out of employment among AFDC mothers who take jobs when they can find them. In households headed by women, more than 12 percent of the AFDC case closings are because of employment or increased earnings. In addition, there is a significant number of mothers receiving AFDC assistance who are working part-time or full-time. Current figures apparently are not available, but in a special study conducted in 1961 HEW found that 4.6 percent of the AFDC mothers had full-time jobs, but with earnings too low to meet the AFDC family budget. Another 8.3 percent of the workers were holding part-time jobs. There were wide variations among the states, with one state reporting that one-fourth of all AFDC mothers were working at full-time jobs. Some of these mothers have to pay for the care of their children at their own expense, which does not leave much net income from their meager earnings.

It is obvious that many more mothers would take employment if they had marketable skills, or if jobs were available, or if arrangements could be made for the care of their children.

The proposed requirement that the welfare agency develop a program for each adult in an AFDC family would serve to identify the potentialities of each individual, as well as the services and facilities that must be brought into play to make the individual's program effective. We are confident that a significant number of persons would voluntarily participate in a training program, and would be enabled to find and keep a job, if the services and facilities were made available to them as proposed in this legislation. We acknowledge that we do not know how large this number would be. Neither do we know in any exact sense how many "hard core" families there are, in which the mother would refuse to take employment even though it were considered appropriate, and if all necessary supportive services were brought into play. We do not know, because the welfare agencies have not so far had these resources and services to offer on a scale large enough to make them available to all who might benefit by them. But we regard provision for compulsory work or training for mothers as impractical and we have serious doubts that it would make any significant difference in the number of families who were enabled to become self-supporting.

It is our recommendation that the welfare agencies be given a chance to try out these new tools, with the recipient participating on a voluntary basis. If the results turn out to be unsatisfactory, the matter can be reviewed and reconsidered.

If the head of a family refuses to accept employment when, according to all reasonable tests, it is considered appropriate, the problem does not go away any quicker by cutting off assistance. If a father's share of assistance is cut out of the budget, he will probably continue to eat at the same table with the rest of the family, with everyone just getting a little less. Or he could desert the family, in which case they could continue receiving assistance. Or the children could be removed, if the court so ordered, at a greater cost than supporting them at home. The only chance for a constructive solution in a situation of this kind is through patient and perhaps time-consuming effort, to encourage and support and enable, and to instill some motivation.

Under the terms of the bill, if an assistance recipient is deemed by the welfare agency to be "appropriate" for training or employment, and refuses to participate in training or to accept a bona fide offer of employment, his assistance would be terminated. Apparently a good deal of latitude for subjective judgment would be permitted in making a determination that employment is appropriate for an individual with the potential consequence of termination of assistance. This is in contrast with the other eligibility provisions for public assistance, which set forth the objective conditions in some detail. We are fearful that this provision could be subject to wide variations in interpretation that could be in conflict with the stated purpose of maintaining and strengthening family life. In the event that Congress should decide to enact this provision we recommend that the Secretary of HEW be directed to formulate guidelines for its interpretation and application. Such guidelines should be designed to protect the rights and best interests of families and children. They should spell out what constitutes refusal of employment for good cause and what measures should be taken to safeguard the children in such situations.

CHARLES B. HARDING, PRESIDENT, ARTHRITIS FOUNDATION, NEW YORK CHAPTER

We are further concerned about compulsory employment and training programs for children over age 16, unemployed fathers, and mothers with dependent children. The drastic switch of emphasis of H.R. 12080 makes the Social Security legislation a compulsory job training and employment recruitment program rather than a means of strengthening family life. We are certain that you are aware that coercive measures will not rectify the consequences of generations of injustice, poverty and disease.

R. G. RICE, M.D., PRESIDENT, ASSOCIATION OF STATE MATERNAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S DIRECTORS

STATE OF MICHIGAN,
DEPARTMENT OF PUBLIC HEALTH,
Lansing, Mich., September 8, 1967.

Mr. TOM VAIL,
Chief Counsel, Committee on Finance,
U.S. Senate, New Senate Building,
Washington, D.C.:

Section 201 of the same title appears to place the states in a position of forcing mothers on AFDC to go to work. This could adversely affect the health and welfare of their children.

STATEMENT OF BOARD OF DIRECTORS, HEALTH & WELFARE COUNCIL OF METROPOLITAN ST. LOUIS

HEALTH & WELFARE COUNCIL
OF METROPOLITAN ST. LOUIS, INC.,
St. Louis, Mo., September 26, 1967.

Hon. RUSSELL LONG,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

DEAR SENATOR LONG: The enclosed statement on H.R. 12080 was unanimously approved by the Board of Directors of the

Health and Welfare Council of Metropolitan St. Louis. The Health and Welfare Council is a voluntary organization of 200 health, welfare and recreation agencies in the St. Louis area.

We respectfully request that you and your committee take into consideration the views expressed in the enclosed statement.

Sincerely yours,

RICHARD S. JONES, *President.*

STATEMENT ON H.R. 12080

There are however other provisions in this bill which give us deep concern and we are opposed to their inclusion in the bill in their present form. These are:

The compulsory nature of the community work and training program requiring that an AFDC mother or other adult or child over 16 years of age must engage in work and training (unless specifically exempted) as a condition of receiving assistance.—Employment and training programs are important resources for public assistance recipients. Their value is however diminished when they are made a condition of assistance. This provision will be expensive to administer and will further drain off already scarce social work personnel into inappropriate roles.

REPLY FROM GOV. JOHN A. BURNS, HAWAII—SPECIAL NOTICE FROM NATIONAL GOVERNORS' CONFERENCE REGARDING SOCIAL SECURITY AMENDMENTS OF 1967 (H.R. 12080)

4. Should the requirement for work training programs for mothers receiving AFDC payments include only mothers requesting the training, mothers of children over 6 years of age, or all AFDC mothers as the bill proposes?

The requirement for work training programs should not be imposed on all AFDC mothers. Participation in such programs should be determined by the individual home situation and the needs of the family. Arbitrary criteria such as "only mothers requesting the training" or "mothers of children over 6 years of age" are not practical. A mother with a handicapped child over 6 or a large family may be vitally needed in the home to provide adequate care and supervision for her children.

LETTER SUBMITTED BY SENATOR HICKENLOOPER FROM CENTRAL IOWA CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS

NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC., CENTRAL IOWA CHAPTER,

Des Moines, Iowa, September 6, 1967.

Hon. BOURKE HICKENLOOPER,
U.S. Senate,
Washington, D.C.

2. *Participation in work training and day center use.*

a. Both work training and use of day centers to care for ADC children are generally constructive programs for both ADC beneficiaries and society, however, such benefits would arise only from proper application to individual families and not from mass application to all beneficiaries. In many instances the best interests of children and society depend on the mother remaining at home caring for the children. It should be clearly stated in the law that in such instances refusal to accept training or employment should constitute "good cause" to refuse such training or work.

b. The legislation passed by the House would incorporate administrative responsibility in the law and thus impair our tripartite government as well as the programs legislated.

MRS. ELEANOR W. CARRIS, ACSW,
Chairman.

ALICE WHIPPLE, ACSW.
RUDOLPH P. BEERMAN, ACSW.

STATEMENT OF HON. ELMER L. ANDERSON, PRESIDENT, CHILD WELFARE LEAGUE OF AMERICA

We wish to address ourselves to the child welfare and public assistance amendments of title II of H.R. 12080 as they would affect the lives of untold numbers of children in this country. We do not believe that these provisions are in the true tradition of the U.S. Congress which has, over the past decades, expressed its concern for the health and welfare of all the Nation's children.

Although title II of H.R. 12080 presents the illusion of helping children, upon close analysis, it is in fact coercive, punitive, and creates discriminatory conditions hostile to the welfare of children and the promotion of sound family life. Even the positive features of the bill when viewed within the total context of the programs proposed, become negative and hostile to the well-being of children. A bill such as this could only have come from the House of Representatives because those esteemed Members did not fully understand the regressive proposals in this legislation and how they would ultimately harm the lives of millions of our children.

PUBLIC ASSISTANCE AMENDMENTS, PART 1, TITLE II, H.R. 12080

Our first objection to Title II of H.R. 12080 is that, in part, it relies on compulsion and coercion to achieve its end. It is excellent to provide job training and increased employment opportunities which the bill seeks. But we deplore the effort to force people to accept job training or employment with the threat of cutting off food for their children if they refuse. Such efforts are self-defeating.

This is particularly true in light of the fact that H.R. 12080 greatly enlarges the areas where the subjective judgments of welfare workers would determine whether a family receives assistance, for it will be the individual welfare workers who will determine whether a mother has a "good cause" in preferring to stay at home to care for her children, or whether employment is "suitable." We believe that it is a critical error to increase the areas where the subjective judgment of welfare workers is substituted for objective eligibility criteria. We assume that the Department of Health, Education, and Welfare will write sound guides as to what constitutes "good cause" for refusing to accept training or employment, or for defining what constitutes "appropriate" training and employment. However, we know from past experience that well-meaning regulations emanating from Washington frequently provide little real protection for the individual. The subjective judgment of thousands of individual welfare workers influenced by local attitudes and prejudices, frequently results in arbitrary unjust decisions from which appeal is long and costly and often impossible. Such circumstances severely endanger the rights of people, destroy their dignity, and make the individual subject to critical abuses of authority and discretion that, before they are corrected, can result in severe privation for children.

Emphasis upon investigations, searches, and referrals to courts produce a climate in which constitutional rights are endangered and welfare workers are alienated from people they are supposed to serve. It is extremely difficult, if not impossible, to offer rehabilitative service to help the families who must constantly be in fear of the worker who is serving them.

The Ways and Means Committee Report states that children will not be punished for the failure of a mother to work although she may be cut off assistance. This too is an illusion. If a mother, for example, is cut off relief because she sincerely believes she should care for her children and "protective payments" are then made only to meet the children's needs, that mother will either share the children's portion of potatoes or will starve. Either of these alternatives would, in fact, punish the child, despite the Committee's good intentions.

STATEMENT BY DR. TRUDE W. LASH, EXECUTIVE DIRECTOR, CITIZENS' COMMITTEE FOR CHILDREN OF NEW YORK

COMMUNITY WORK AND TRAINING PROGRAMS (SECTION 204)

We have long urged that AFDC mothers be given the choice of caring for their children themselves or working either part-time or full-time while being provided with group day care, family day care, or homemaker services. It is also appropriate that AFDC mothers be allowed financial incentive to work through earning exemptions until they become self-supporting (Sect. 202), though we support the Administration proposals for higher exemptions. But to compel mothers to work is the surest way of destroying whatever family ties may exist. It would break up the home of young children—as a matter of public policy.

The most destructive aspect of this work-training proposal, however, is the fact that it would drive women into the work force while the men remain untrained and unemployed. Unwilling to face the humiliation of not being the "provider" and thereby the acknowledged head of the household, they leave home, particularly in those states where their presence might threaten AFDC payments for their children. Doing further damage to the status of the male will not strengthen family life.

It would be a safe guess that the majority of fathers have not worked 6 out of the last 13 quarters, that few have more than a casual relationship to work and are therefore excluded from the AFDC program. Chief among the reasons for this situation is lack of education and training—due to lack of opportunity. The job market for untrained worker is tight. The urban ghettos are full of healthy, untrained and unemployed males who want to work. Thousands line up every time a city job-opening is announced.

When the summer Neighborhood Youth Corps in New York ended this program recently, over 23,000 out-of-school youths were thrown on the streets, and many in these groups are the absent fathers of AFDC children.

"Increased efforts to enforce the laws against desertion and non-support," will not only be costly but will result in driving unemployed fathers further underground and further away from sources of training and work.

Only a major new training and job program that give absolute priority to the unemployed male can provide a solution.

Such a community work and training program should not be forced upon the states as a welfare measure. If we equate trainees with welfare recipients we isolate them further from their fellow-citizens. Work and training programs must be comprehensive and unstigmatized.

It will be some time before a truly effective training and job program can be developed—and the jobs must be found first. The MDTA program, the OEO manpower program, the Nelson-Scheuer programs are still in the trial and error stage—all of them struggling to define training programs for jobs that have a way of eluding their graduates. The new proposals would mandate another layer and simply add to the confusion and duplication.

The Administration recommended, quite appropriately, that community work and training be transferred to the Department of Labor so that resources can be coordinated and training and jobs provided speedily and effectively.

It should be added here that even if jobs were available for all those mothers who

want to work, they would not now be able to find the day care or family day care services they would need for their children in order to be able to go to work. The cost of these programs is only one factor; the shortage of trained staff is another; but the lack of space in crowded ghetto areas may be the biggest obstacle of all. In New York City after 20 years of effort, only 7,000 children can be accommodated in our Day Care Centers and the same number of children are usually to be found on waiting lists.

With adequate financing and mobilization of all the creative genius and innovation at our command, it may be possible to develop an effective day care program, but not tomorrow or next year.

LETTER TO LONG FROM IRVING KANE, CHAIRMAN, PUBLIC WELFARE COMMITTEE, WELFARE FEDERATION, CLEVELAND, OHIO

THE WELFARE FEDERATION,
Cleveland, Ohio, August 31, 1967.

Hon. RUSSELL LONG,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.:

Our Cleveland experience with work-training under Title V of the Economic Opportunity Act has confirmed these points.

We support the general principle in the bill that women who are physically able should have the opportunity to work, and believe it is unwise to encourage these women to stay home. At the same time safeguards must be provided other than the existing appeal procedure to prevent compulsion on those mothers who choose to remain at home because they regard the rearing of their children under close parental guidance and supervision as their primary responsibility.

PREPARED STATEMENT OF COUNCIL FOR CHRISTIAN SOCIAL ACTION, UNITED CHURCH OF CHRIST

We are, however, profoundly disturbed by some of the provisions in the public assistance sections of the proposed bill, Title II of H.R. 12080, as passed by the House.

For example, the requirement that the states set up *work training programs for unemployed parents and for children over 16* who get welfare assistance may be unexceptionable in itself. However, if participation in such programs is to be made *mandatory* on the part of all families receiving Aid to Families with Dependent Children, the way would be open to grave injustices.

We—and, we trust, your Committee—will also insist on satisfactory answers to a host of questions that must trouble anyone who reads this bill.

Are all children over 16 who get welfare assistance going to be required to engage in work training? Who is going to set up the standards and oversee the work? Is the work going to be of the kind and quality that contribute to the child's future usefulness? Are considerations of health, progress in school, and the total home situation to be disregarded? Who will determine exceptions, on what basis, and what appeal is there from an adverse decision?

Are all mothers to be required to participate in such programs, regardless of the needs and demands of their own children? What assurance is there that day care programs will be available? What standards governing day care centers for children in such families will be established, and by whom? Are we really prepared to *force* the poor mother to leave her children in another's care, regardless of her preferences—when society heretofore *criticized* the woman who left her children to take a job?

PREPARED STATEMENT OF MYRON L. MAYER ON BEHALF OF THE COUNCIL OF JEWISH FEDERATIONS AND WELFARE FUNDS, FEDERATION OF JEWISH PHILANTHROPIES OF NEW YORK

All too often there is an assumption that most people who require public assistance should, and can, be removed from its rolls, and the corollary, that being in need of such aid is itself a sign of individual failure. The fact is that the vast majority of those who are in need of aid are too young, too sick or too old to work. And these conditions require aid—aid administered with dignity and a full understanding of the conditions of the individual.

Such people require skilled social services to achieve their maximum potentialities for useful lives—as do those others—a small minority—who are employable but who need aid in qualifying for, finding, and holding jobs.

We welcome the increased Federal matching of 75-percent with the States' 25-percent for services to children on the Aid to Families with Dependent Children program. We feel that such Federal assistance should be available for comprehensive child welfare programs, so that services may be available for all children who need them, including those not on AFDC.

But, we are very concerned because H.R. 12080 requires that all adults on the rolls, including mothers and youths over 16 who are out of school, work or engage in a work training program (unless specifically exempted) as a condition of receiving assistance. We believe that skilled counseling services—as currently provided in the Act, and now expanded by increased Federal financial assistance—are required to enable those parents to work who can do so—and whose best interests, and those of their families would be served by working—if they can find jobs.

Many mothers will provide greater benefits to their children by acting as full-time mothers rather than being pushed into involuntary employment.

LETTER TO SECRETARY JOHN W. GARDNER FROM HON. KENNETH M. CURTIS, GOVERNOR OF MAINE

STATE OF MAINE,
Augusta, Maine, September 20, 1967.

Hon. JOHN W. GARDNER,
Secretary, Health, Education and Welfare,
Washington, D.C.:

It is the view of Maine officials that the provisions contained in Section 201 of H.R. 12080 are both unduly proscriptive and would force unproductive and meaningless procedures. The element of compulsion puts government in the very delicate position of deciding which mothers will work and which ones will not. That this provision is subject to great abuse should be obvious. More importantly, perhaps, in Maine a substantial percentage of the AFDC recipient group are on the program for relatively short periods and except for brief intervals are basically self-supporting families. Forcing us to spend time doing things for these people which they are perfectly capable of doing for themselves is an inefficient allocation of money and energy. I give my whole-hearted support to increased incentive to work with those welfare recipients who *do* need training and guidance to assist them to become self-supporting; however, to make this mandatory may well be self-defeating.

LETTER TO SECRETARY GARDNER FROM HON. ROBERT DOCKING, GOVERNOR OF KANSAS

4. Question: Should the requirement for work training programs for mothers receiving AFDC payments include only mothers requesting the training, mothers of children over 6 years of age, or all AFDC mothers as the bill proposes?

Answer: Mothers on AFDC should have the same freedom of choice that other mothers have. If an AFDC mother wishes to be in a training program then she should have that opportunity. It should not be forced upon her. Some mothers should stay home and take care of children, other mothers should work. The difference between the two will have to be decided on an individual basis.

The training programs will serve a useful function in direct relation to the interest and motivation they stimulate in the mother on AFDC.

DR. MARTHA M. ELIOT, CHAIRMAN, MASSACHUSETTS COMMITTEE ON CHILDREN AND YOUTH

Dr. ELIOT. In respect to the provision of getting more of the mothers of AFDC children to work, I would say that the way in which these provisions are administered is most important. To me, many of these mothers should not go to work. It would be better if they stayed at home and looked after their families. Some mothers may wish to go to work, especially when their children are older, and the situation in the home makes it possible for her to go to work and add to the family income.

To include provisions that would essentially expect the States to force many mothers to go to work seems ill advised. I do not believe that all these mothers should go to work. But many, I think, could, provided the conditions in the home are shown to be satisfactory.

If adequate social services are provided to these families on AFDC, and if these social workers take into consideration all the problems of the children in the families before the mother is urged to go to work, I believe some of the mothers could satisfactorily do it. Actually, I doubt whether there is a very large proportion of the mothers under AFDC who would be—for whom it would be appropriate that they should go to work.

EPISCOPAL ACTION GROUP ON POVERTY

(Submitted by Inabel Lindsay, Ch., Social Goals Subcommittee)

The amendments to Title II of the Social Security Act pertaining to Public Assistance programs as proposed in H.R. 12080 are particularly harsh, punitive and coercive. The concerns of the House that earlier identified goals have not been achieved are justified. The public assistance programs were designed to provide basic financial support for the needy coupled with services to encourage self-support and self-dependence to the extent possible. Failure to achieve these objectives has not been the fault of operating personnel but rather has been due to grants too low to support even a minimum of health and decency; the methods of delivering services have increased feelings of worthlessness and despair and, if anything, have intensified dependency; and the complex administrative structure in most programs has prevented the investment of the time and skill essential to the provision of constructive help. Notwithstanding these deficiencies, the proposed amendments will do nothing to remedy the situation. On the contrary, these amendments will undoubtedly increase the problems, frustrations and unmet needs of those eligible for public assistance.

The most drastic and punitive changes proposed are those affecting children dependent upon or eligible for Aid to Families with Dependent Children. In the attempt to legislate morality, H.R. 12080 imposes a work or work training requirement upon all adults on the assistance rolls, including mothers and youth over 16, not in school as a condition for the receipt of assistance, unless specifically exempted. (No definition of conditions of exemption is provided).

STATEMENT OF FAMILY AND CHILD SERVICES OF WASHINGTON, D.C., SUBMITTED BY MRS. DEFOREST VANSLYCK, PRESIDENT

Family and Child Services, on the basis of its 85 years experience as the largest voluntary family counseling and child welfare agency in Washington, D.C., is deeply concerned with what it believes to be several regressive, unsound, and harmful provisions

of the proposed amendments to the Social Security Act.

We wish to submit for the record our general endorsement of the testimony of the Child Welfare League of America as presented by its President, Elmer Anderson, on September 18, as well as the statement of the Health and Welfare Council of the National Capital Area, and urge the Committee to consider very carefully the full implications in particular of Title II—The Child Welfare and Public Assistance Amendments.

We are especially concerned with the two major new restrictions affecting children dependent upon or eligible for public assistance under the AFDC program. In our view these proposals constitute a fundamental reversal of accepted principles of public policy.

Family and Child Services shares the legitimate concern of Congress with the disturbing increases in numbers of families needing this type of assistance and also in numbers of deserting parents and illegitimate births. On the other hand, the experience of our agency persuades us that such arbitrary and punitive restrictions as compulsory work or training requirements and a ceiling on the number of families eligible for federal assistance, irrespective of need, are not only inhumane but self-defeating and would not help to rehabilitate families and remove the causes of dependency.

The need for greatly expanded day care programs to permit parents, where appropriate, to seek employment is obvious. We have long supported this. But to require that all adults and older children have jobs in order to qualify for federal assistance ignores in our experience the fundamental importance of a mother's role, for example, in caring for and training young children and in maintaining stable and independent family units.

We urge the Committee to reject these two provisions.

LETTER TO LONG FROM WILLIAM R. COOPER II, PRESIDENT OF BOARD, FAMILY SERVICE OF MONTGOMERY COUNTY, PA., SEPTEMBER 25, 1967

On the Amendment about work and training for all mothers and out of school youth over 16, we feel it would be far more practical if job opportunities were offered, not forced. Some mothers are not capable of doing two things at once and would break emotionally. It does not allow for individual differences. An overall must is dangerous, for example, if a child is disturbed and the mother has to take him out of the home, this makes the problem worse and your future citizens misfits who cannot contribute constructively to society when they grow to adulthood.

WILLIAM R. COOPER II,
President of the Board.

NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.,
Flint, Mich., September 20, 1967.

Hon. Senator RUSSELL B. LONG,
Chairman, Senate Finance Committee,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LONG: The Flint Chapter of the National Association of Social Workers representing more than 80 workers of Genesee, Lapeer and Shiawassee counties wishes to engage your support and concern in the revision of the coercive and restrictive provisions of H.R. 12080 as it was recently passed in the House and now stands before the Senate Finance Committee.

In support of needed revisions, we enclose a brief position statement thereon, as prepared by our Committee on Social Policy and Action. This represents our analysis of the bill and its implications, as it now stands for Public Welfare in our three counties.

We hope that you are supporting this bill but we urge you to consider the changes we think are vital to the people of the State of Michigan.

Respectfully yours,
MURRAY M. EISEN, ACSW, *President.*

FLINT, MICH., CHAPTER OF NATIONAL ASSOCIATION OF SOCIAL WORK POSITION STATEMENT ON H.R. 12080

Translated into action on the local level, H.R. 12080 would, in effect, reverse the service emphasis of the 1962 Amendments. If, in effect, the purpose of its restrictive provisions is to reduce the welfare burden, then it is a self-defeating bill, with built-in provisions for failure. Coercion through reduction of assistance has been proven time and again to be ineffective as a method of rehabilitating family strength. The skilled social worker whose efforts must be devoted to policing eligibility requirements is rendered totally ineffective as an agent of rehabilitation.

The segment of population most affected by these punitive provisions, would be that portion of our society already suffering from severe deprivation.

This Chapter does recognize the importance of the expansion of the community work and training provisions of the bill with its many good features. We do urge, however, that the proposal of the Administration, transferring this program to the Department of Labor, be supported to effect better operations and the development of public service employment programs. We must, however, urge that the basic right of a mother to stay at home to rear her children, be preserved. The mental health of future generations of citizens dictates that children have basic needs for care given by their natural parents in their own homes. A mother of several children cannot provide a full time mothering after an eight hour day. Foster care and day care costs are so expensive as to effectively reverse the economic gains of the employed mother.

GOVERNOR'S COMMITTEE ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, SUBCOMMITTEE ON JUVENILE DELINQUENCY, STATE OF MASSACHUSETTS

(By Robert M. Mulford, Chairman)

THE COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF ATTORNEY GENERAL,
Boston, September 18, 1967.

Senator RUSSELL B. LONG,
Chairman, Senate Finance Committee, U.S. Senate, Senate Office Building, Washington, D.C.:

There is abundant evidence that when children are subjected to deprivation of maternal care, impairments of character development often occur.

Extensive provision *should* be made, in our opinion, for day care services for pre-school children and after-school care for school-age children of mothers who work and for whom this seems to be the best plan and for mothers who are seeking work or who for other reasons require day-time care for their children. However, safeguards should be provided so that no pressure is put upon mothers to leave their children in order to go to work.

SUBMITTED BY HIRAM L. FONG, U.S. SENATOR—HAWAII'S COMMENTS ON H.R. 12080—FROM JOHN A. BURNS

We recommend that the requirement that all AFDC mothers participate in work and training programs be eliminated. Participation in such programs should be determined by the individual home situation and the need of the family.

HEALTH AND WELFARE COUNCIL OF NASSAU COUNTY, INC., GARDEN CITY, N.Y.

(Submitted by Board of Directors, John A. Gambling, President)

Undesirable provisions in Title II include:

1. Freezing at the January 1967 level the number of children in each state eligible for AFDC funds regardless of the number of children requiring such funds;

2. Forcing mothers of AFDC families to accept training or employment away from home even when they are the only adult family member, by threatening them with such penalties as removal from AFDC rolls and the possibility of court ordered removal of their children from their homes.

STATEMENT OF GLENN E. WATTS, PRESIDENT OF HEALTH AND WELFARE COUNCIL OF THE NATIONAL CAPITAL AREA

B. FAMILY EMPLOYMENT

Three negative and restrictive provisions of the House bill give us the deepest concern, and we urge most strenuously that the Senate reject these provisions.

We believe that there needs to be considerable strengthening of programs which can help to rehabilitate families, so that fewer persons need public assistance payments, and those who require aid will need it for a shorter time. More day care is needed, and the House bill would further such programs. We are in agreement with the goals of family independence and self-support expressed in the report of the Ways and Means Committee. We do not believe, however, that the goal of reduced public assistance payments can be achieved by restrictive programs without serious suffering inflicted on individuals, and ultimately the community will pay in some other form.

The House bill would require that each appropriate AFDC adult and older child not attending school be equipped for work and placed in jobs. We oppose this requirement because it is based upon an unsound philosophy. With respect to children, we believe that maximum effort should be made to assist older youths to complete their education. There are Federal programs which lead to this aim. The requirement that they work is contradictory to what we believe is sound public policy.

With respect to mothers of children on AFDC, some may wish to work, and can do so with no damage to the family when adequate child care plans can be made. It is not sound, however, to make work a requirement for mothers in order to receive assistance for their children.

LETTER FROM GOVERNOR HUGHES TO SENATOR LONG, SEPTEMBER 20, 1967

I also strongly oppose, as unsound economy, the provisions of the bill relating to required work training programs for mothers receiving AFDC payments. The original philosophy behind the bill was that society and children would benefit from maintaining the family unit. This basic philosophy is still valid. The savings that can be made now through these provisions will prove extremely costly as these children grow into adulthood without the additional parental guidance which the nonworking mother could provide.

There should, in my opinion, be no blanket requirement that all AFDC mothers undergo work training, nor should mothers be arbitrarily required to go to work. The policy adopted should be based on the approach that a mother would be required to accept training and employment only when it is established that—

1. The age of the children, the circumstances of the family, or other factors do not require her continued presence in the home.

2. She is mentally and educationally capable of assimilating the training.

3. A job of the type for which she has been trained is reasonably available in the community or nearby.

4. The mother's acceptance of work training will serve to promote the family unit and increase the value of the over-all home experience.

STATEMENT OF HON. JACOB K. JAVITS, U.S. SENATOR

First, I must strongly oppose the compulsory work and training aspects of the bill. We have the virtually unanimous testimony of the experts that such coercion has not worked in the past. We have our own commonsense to tell us that forced work cannot instill motivation, but instead is likely to increase hostility and resentment. People will learn and earn successfully only if they have some desire to do so, and where they do not have that desire the result will be sporadic attendance and poor performance. Moreover, this coercive work and training approach is based on a false assumption about the characteristics of those who are receiving welfare. In fact, only 1 percent of those on the welfare rolls are potentially employable men, although in some places that figure is slightly higher; for example, in New York City it is 4 percent.

It is true that the public assistance rolls also include many potentially employable mothers who are now engaged in taking care of their children. I am not one of those who thinks that these mothers must invariably be left at home with the family; rather, these mothers on welfare should be given the same opportunity enjoyed by middle- and upper-income mothers to accept employments. But the choice should be voluntary—it should be theirs to make and should not be vested in some supposedly omniscient state or local bureaucracy. I have introduced legislation which seeks to give these welfare mothers such a free choice by providing Federal assistance for day-care facilities, and I hope that the committee will take the structure and philosophy of my bill (S. 1948) into consideration in designing any day-care program under this act.

I fear that the compulsory work and training provisions also dangerously misread the climate in the ghettos and the depressed rural areas of this country. We are in the midst of a "revolution" in which the poor of the Nation, so long denied equal opportunity, are awakening to their rights and powers and are gaining in new self-confidence of self-assertion. The philosophy of the House bill runs exactly counter to that development and can only serve to exacerbate tensions and to further convince slumdwellers that the "power structure" will never respond to their legitimate needs.

And certainly this bill does not recognize the simple fact that many of the poor do wish to work and need no external coercion: a Department of Labor survey taken in the slums of New York shows that over 75 percent of the unemployed would be willing to take training to get a job, that over 55 percent would return to school if necessary, and that 25 percent would be willing to move to another area to get work. Rather than compelling welfare recipients to enter work or training, the better course would seem to be to greatly expand the opportunities for work and training and the knowledge about such opportunities. We can hardly be justified in moving toward a compulsory system when we have not given voluntarism a chance.

In this connection I would like to commend to the attention of the members of the committee the Emergency Employment Act of 1967, which has been approved by the Committee on Labor and Public Welfare and which will be called up on the Senate floor within a very few days. This bill would make some 200,000 job opportunities available for the poor. Job creation activities such as these must be at the heart of any effort to cut down on the size of the welfare rolls.

JEWISH FEDERATION OF METROPOLITAN CHICAGO, A. D. DAVIS, PRESIDENT

JEWISH FEDERATION OF METROPOLITAN CHICAGO,
Chicago, Ill., September 11, 1967.

Hon. RUSSELL B. LONG,
U.S. Senate, Senate Office Building, Washington, D.C.

The provisions pertaining to registration for work and acceptance of employment by relatives (including mothers) of children receiving aid to needy families with dependent children are unnecessary and could lead to the compulsory employment of many mothers, under fear of denial of assistance, and contrary to the welfare of their children. At the present time, mothers who are able to work under arrangements not harmful to their children are encouraged to do so, and there is no need for compulsory legislation in this regard.

STATEMENT OF HON. EDWARD M. KENNEDY, U.S. SENATOR

Secondly, work training. I think it would be truly an archaic law which required all mothers to accept work or training, as a prerequisite to receiving welfare benefits. I think these should be an optional policy. It could be some kind of flexible policy. I am not prepared today to make detailed comments on how it should be established and regulated. I know you have Mr. Mitchell Ginsberg here and others from other welfare departments who will comment in detail, and perhaps then we can work out some kind of discretionary provision for welfare departments, so this is not mandatory. I think it would be helpful to have some kind of discretion in the welfare department, so they could take into consideration extenuating circumstances on these provisions.

STATEMENT OF HON. ROBERT F. KENNEDY, U.S. SENATOR

About a year ago, the distinguished members of the President's Advisory Council on Public Welfare reported that welfare is "desperately handicapped" in both "legislative mandate and * * * financial resources." The Council prescribed "a major updating of our welfare system."

The House bill which is before you today not only fails to heed the Council's prescription, but is in my judgment, a major step in the other direction.

I can well understand what motivated the other body in its action. It was concerned that the welfare system as it exists today has failed to enable its recipients to obtain jobs and end their dependency. I share that concern. It was concerned at the recent rise in the number of children and mothers on aid to dependent children. I share that concern. It, therefore, sought to create a system which would train children and mothers on welfare, provide day care, and establish incentives to work. I, too, believe such a system is needed.

Indeed, I believe that we will never succeed in restoring dignity and promise to the lives of people whose frustration exploded into violence in the cities this summer until we develop a system which provides jobs—enough jobs and good jobs.

For the people of the inner city live today with an unemployment rate far worse than the rest of the Nation knew during the depths of the great depression. In the typical big city ghetto, only two out of five adult men have jobs which pay $60 a week or more—enough for each member of a family of four to eat 70 cents worth of food a day. Only half the adult men have full-time jobs at any rate of pay. Less than three out of five have any work at all.

I have suggested that we need an immediate impact project designed to put men to work and to restore some sense of hope to the young and the unemployed residents of the city slum. We should begin immediate programs of needed public tasks and works—providing jobs to build schools and roads, to restore parks and erect clinics, and to staff the schools and clinics and neighborhood centers when they are built. Our communities need these jobs done and the men of the ghetto need jobs. By matching the two we can return hope while meeting the most urgent needs of the Nation.

We must, then, work out a system to provide jobs. But, I do not believe that the approach adopted in the House bill will provide these jobs. The fact is, as the alarming unemployment and underemployment figures I have mentioned indicate, that there are not enough jobs available at the moment. We must find them, but in the meantime, it will not do to force people into training programs for jobs that are simply not there. That will only increase the pent-up frustration which has already exploded too often in the past. In the meantime, also, we must not continue to place a premium on broken homes as the condition for obtaining public assistance. And, we must not end up by venting our own frustration in a measure punishing the poor because they are there and we have not been able to do anything about them. They will still be there when we are done. It is not as though people choose to be poor, to need welfare assistance.

Consider, for example, that we have a school system in our slums which is plainly unsatisfactory. Of a quarter of a million Puerto Rican schoolchildren in New York City, only 37 went on to college last year. If young men are unskilled and unprepared for employment, then the schools which left them so heavy a burden bear a heavy share of the responsibility.

Nor, of course, is the problem merely in the schools. For the rest of ghetto life also there are statistics: 43 percent of the housing substandard and overcrowded; 14,000 people treated for rat bites every year; infant mortality at twice the normal rate; and, because of inadequate diets and medical care, mental retardation at seven times the community level.

These are matters we must look to. For these problems welfare is neither the cause nor the remedy. But, welfare has its job—helping those in need—and the bill before you will hinder it in doing that job. Indeed, instead of helping at all, it almost appears intended to punish the poor. And punish it will, particularly in areas of the country where welfare authorities have done their best to demean and degrade the recipient of welfare even under existing law.

Second, the coercive provisions on community work and training fit into this pattern. The objective of enabling welfare recipients to obtain productive employment is, of course, laudable; indeed, as I have indicated, I believe it is the only hope we have for avoiding the deep division in our society which is the creation of a permanent class of welfare poor. But, attempting to bring about employment by compulsion is not the way to do this. There are many mothers who should not work. Some, particularly in progressive States and cities, will be excused from working. But, in other States with less enlightened welfare programs, many will either be driven off the welfare rolls or will be discouraged from applying, and they will still be poor—Mr. Chairman, a little more invisible, for the time being, than they are now, but no less poor, and no less miserable.

There is more than one State in this country which, even under existing law, has had what has come to be known as the "employable mother" rule. Under this rule, if the welfare officials judge the mother to be employable, she is stricken from the rolls. Coinci-

dentally, these rulings tend to be made at the time of the year when people are needed to pick crops at $3 a day. This rule is being challenged in litigation, but the provisions of the House bill on compulsive work and training imply that from now on the "employable mother" rule would be sanctioned by a national policy.

We in the Senate must go on record as opposing this almshouse approach. We must go also on record, it seems to me, as forcefully as we can that this is not the direction which we want welfare to take. We must not allow this backward step. What I would recommend, therefore, is that the Senate use H.R. 5710, President Johnson's original set of welfare recommendations, as its working bill. That bill's recommendations were limited, to be sure, but they were at least not regressive. The expanded training and day care provisions which the House adopted can then be included but without the meat-ax compulsions which the House bill attached to them.

STATEMENT OF HON. JOHN V. LINDSAY, MAYOR OF NEW YORK

We are doing everything possible to find the absent fathers of illegitimate children and require them to contribute to the youngsters' support.

We have begun an experiment with an economic incentive to allow welfare recipients to keep the first $85 a month they earn, plus 30 percent of any additional income. This form of economic incentive may be the most effective way to reduce welfare expenditure and encourage independence.

We are providing supplemental assistance to families in which the breadwinner is fully employed but does not earn enough to support his family. With no Federal assistance, the city and the state together are supplementing the income of 13,000 heads-of-families, who in turn support 65,000 individuals. We make up the difference between what the breadwinner earns and what the minimum welfare allowance would be for such a family if the adult were unemployed. It costs us $90 million a year.

But if these programs are to work—any of them—they cannot be forced upon the clients. We can provide day care facilities—but we cannot force a mother to turn her children over to them. We can develop employment opportunities—but we cannot force a person to take the job and expect a satisfactory employee; in all likelihood an unwilling worker will be fired. We can offer family planning advice—but we cannot—and should not—force a woman to accept it.

Although the belief is common that the welfare rolls are burgeoned with the lazy, the shiftless, able-bodied men and women who should be working rather than loafing along on relief checks, the facts do not substantiate the stereotype:

In a spot review of the 600,000 persons who were receiving public assistance in New York City at the end of last year, we found:

Seventy-nine percent were children and adults caring for children. The approximate breakdown was 98,500 mothers and 300,000 children.

Fifteen percent were aged, sick or disabled and wholly unable to support themselves.

Two percent consisted of families with an employed male with an earned income so low that he could not support his family at a subsistence level.

Four percent were potentially employable persons unable to obtain a job because of inadequate skills or training.

Of this last four percent, or 24,000 men who are technically considered employable, only 2,600 have enough occupational ability to move into employment without considerable training and rehabilitation.

About 43 percent of the 24,000 technically employable men are considered ready for training or remedial education and are either involved in or are awaiting assignment to such programs. The remaining 44 percent of that small percent who are technically employable are so disabled as to require massive counseling, rehabilitation, health services, close guidance and long-term follow-through.

I might note that this basic and enormously difficult task—finding jobs for those who cannot now qualify for jobs—is the principal aim of the National Urban Coalition I and other mayors are organizing. It has become frustratingly clear to me as mayor that the public sector cannot marshal the resources—in money and in brains—to move against the problem. But the private sector, which has given a nation the world's highest living standard and yet has not been brought into the fight against poverty, can get results far exceeding governmental abilities.

If the commercial and industrial giants of this country will undertake a total effort to provide training and employment for the poor, I think we can make our present efforts look almost puny. The institution of that commitment is underway, and we in the cities have high hopes that it can succeed where we have so consistently failed.

The concern for the nation's public assistance program that is expressed in H.R. 12080 is a concern we all share. The Congress, the taxpayers, the social work profession and the poor themselves have witnessed the weaknesses of the program over the past 30 years.

The public assistance program was designed to provide basic financial support for the destitute, as well as services to encourage self-support where possible. On both counts, it has clearly not succeeded:

Support payments in most states are too low to sustain even a minimal, decent standard of living.

The method by which these payments are delivered encourages feelings of worthlessness that lock recipients into dependency.

And the complex administrative structure prevents an investment in the time and skill required to offer constructive help.

It has been demonstrated amply over the years, we think, that more investigations of eligibility are not the answer, that forced work is not the answer, that removing children from their homes is not the answer, that denying Federal assistance to intact families is not the answer, that arbitrary caseload ceilings are not the answer, that increasing the stigma of welfare is not the answer, that welding services and income maintenance is not the answer.

The nation has 30 years of experience with these devices and the results are plain. They have not succeeded in controlling the caseload and they have not helped people. I submit that it is equally evident that some of the provisions in H.R. 12080—adhering as they do to the familiar route of control and threat—will fail. Aside from the morality of penalizing children with the proposed ceiling on the aid to dependent children caseload, removing children from parents who decline to work and forcing mothers into work and training that may not be appropriate—there are also questions of practicality and effect.

Our judgment is that the principal amendments in H.R. 12080 will not reduce the number of Americans in need of public assistance. On the contrary, we believe the enactment of provisions for an AFDC ceiling, mandatory work and training and restrictions in the AFDC-UP program will increase the number of hearings and court challenges . . .

Aggravate tension in ghetto areas with a high proportion of welfare recipients . . .

Further cripple the administration of public assistance by multiplying recipients . . .

Penalize the children who are already penalized by their families' reduced circumstances . . .

And place intolerable financial burdens on states and localities that try to maintain their programs.

LAS ANIMAS COUNTY DEPARTMENT OF PUBLIC WELFARE, COLORADO

(The following letter was submitted to the committee by Hon. Frank E. Evans, a U.S. Representative in Congress from the State of Colorado:)

SEPTEMBER 11, 1967.

Hon. FRANK E. EVANS,
Member of Congress,
House Office Building,
Washington, D.C.

Community work and training programs

I would endorse this provision 100 percent, as you know we have had such a program in Las Animas County under Title V, and we feel it has been very successful.

LAS ANIMAS COUNTY DEPARTMENT OF PUBLIC WELFARE,
CLAIR O. ROBERTS, *Director.*

STAFF OF LUTHERAN FAMILY AND CHILDREN'S SERVICES OF ST. LOUIS, MO.

LUTHERAN FAMILY AND CHILDREN'S SERVICES,
St. Louis, Mo., September 6, 1967.

Senator RUSSELL B. LONG,
U.S. Senate,
Washington, D.C.:

Although we agree with the principle that it is good for people to work when possible we don't feel that a mandatory law is the way to accomplish this goal. To assume that forcing an ADC mother to work is the best way to break the cycle of family dependency for economic support raises the question of a mother's role in child rearing. Does a mother best meet her children's needs by working, especially if she has young children? Does her working provide the best chance for her children to grow up and live independent of assistance? Thus work for some adults may be an excellent opportunity—but in the long run it seems that focusing on the adults, on the present at all costs, means that we haven't dealt with the chronic nature of dependency—"from generation to generation".

Respectfully yours,
Constance Hartner, Rodney R. Johnson, LeRoy D. Zimmerman, Jean J. Pfeifer, Douglas Zopatoiny, Sally Phend, Helen C. Conunos, Arnold H. Bringewatt, Pat Annis, Martha Bringewatt, Carolyn J. Riske, Douglas Zopatoiny.

MAINE DEPARTMENT OF HEALTH AND WELFARE—LETTER FROM STEPHEN P. SIMONDS, DIRECTOR, BUREAU OF SOCIAL WELFARE

DEPARTMENT OF HEALTH AND WELFARE, STATE HOUSE,
Augusta, Maine, August 28, 1967.

To: Dean Fisher, M.D., Commissioner.
From: Stephen P. Simonds, Director, Bureau of Social Welfare.
Subject: Social Security Amendments of 1967—National Governors Conference Query.

4. The requirement for work training program for mothers receiving AFDC payments should apply only to mothers requesting the training instead of all AFDC mothers, as the bill proposes. It is both undesirable from the standpoint of public policy and totally unnecessary for practical reasons.

The effect of the bill's proposal is to put government in the position of deciding which mothers will work and which ones will not; which child will have the benefits of his own mother's care; which child will be cared for by parent substitutes. For very sound reasons, government has not taken upon itself the power to dictate such decisions. Furthermore, this element of compulsion is not needed, and is irrelevant. The fact is that the combined resources of our Work Experience and Training program, anti-poverty agencies, and other manpower training programs are unable now to provide all the necessary educational, training and work experience resources requested by AFDC mothers.

We cannot take care of all those who want to work. The proposed Amendments would require us to set up elaborate administrative machinery, assure weekly registration with employment services, police "bona fide" job offers; costly procedures which serve only to divert our attention and resources from the work training programs we are now just getting underway. Moreover, a substantial percentage of the AFDC recipient groups are on the program relatively short periods of time and except for brief intervals are basically self-supporting. Their major need is money to get them through a crisis period and they quickly return to former or new jobs, when this is passed. In our present program, these families are identified and we do not spend time doing things for them which they are perfectly capable of doing for themselves. H.R. 12080 would force us to adopt unproductive and meaningless procedures for this group.

STATEMENT OF THE MEDICAL COMMITTEE FOR HUMAN RIGHTS, CHICAGO, ILL., SUBMITTED BY QUENTIN YOUNG, M.D., NATIONAL CHAIRMAN

The Medical Committee for Human Rights believes that Section 201, requiring mothers receiving AFDC to work, is thoroughly unsound. In our society, a child's mother has long been considered the best caretaker. When both parents in an affluent family work it is difficult enough to find a good caretaker. The surrogate parents available to families of low income are most often aged or sick relatives or older siblings who are themselves unsupervised. Under the best of circumstances the prolonged absence of a mother can be devastating to a child. Psychiatrists and psychiatric social workers recognize that often it is most important for the health of a child for a mother not to work in order to care for a child even if it means she must go on welfare. Furthermore, the law will effectively prevent the mother from choosing the person to whom she will entrust her child. The proposed and as yet non-existent day care centers, considering the already low funding for poverty programs, are likely to become the grim, Dickensian institutions which promote mental retardation and emotional disorganization rather than wholesome development.

STATEMENT PRESENTED BY MSGR. LAWRENCE J. CORCORAN, SECRETARY, NATIONAL CONFERENCE OF CATHOLIC CHARITIES

The objectives of the changes proposed by H.R. 12080 are commendable; assuring that recipients who are able enter the labor force, reducing illegitimacy and strengthening family life. The emphasis on work and training programs may well augment the present program of the Welfare Administration, funded by the Office of Economic Opportunity. It responds to the desire of many AFDC recipients to obtain employment and not receive the assistance grants. This Committee already has been furnished the information that 34% of the closing of AFDC cases resulted from employment or increased earning of family members.

Granting all this, however, one still must question the basic method proposed in H.R. 12080 to accomplish its objectives, namely, coercion. It is highly doubtful that any person forced to work or take work training will perform an adequate job or develop work skills. This Committee would be well advised to remove the coercive aspects of the work and training program.

Children 16 years of age and older, who have dropped out of school, also are to be forced to work or to take work training. The first effort should aim to return these children to school, yet no mention is made of this in the House bill. Only after these efforts have failed should the youth be pressed into the labor force.

Perhaps the most unfortunate focus of the coercion in H.R. 12080 is upon mothers of children. Perhaps some can and should be urged to work, or take work training. Others, however, should remain in the home because of the needs of their children. The determination of this demands a careful and skillful social diagnosis. Yet the staff to perform this skillful task is not available. Only one per cent of the caseworkers and 13 per cent of the supervisors in Public Assistance programs have completed their graduate training in social work. This is a barometer of the readiness of the staff of public assistance agencies to execute the task being assigned to it. Such a job assignment seems impossible of fulfillment under present circumstances.

NATIONAL CONSUMERS LEAGUE

(Submitted by Mrs. Sarah H. Newman, General Secretary)

The National Consumers League is greatly troubled by the concept of public welfare expressed in H.R. 12080, which would force mothers into training programs and to accept jobs deemed "appropriate". Worse, yet, is the freeze on welfare payments to dependent children which would punish the unborn by eliminating Federal aid for any additional children. Instead, we endorse improved public assistance payments and more day-care facilities for children, thereby freeing mothers for training programs.

NATIONAL COUNCIL OF CHURCHES OF CHRIST IN THE U.S.A.—STATEMENT BY WILLIAM H. ROBINSON

The provisions of the public assistance amendments outrage our sense of American standards of decency for a number of reasons.

1. They remove from the mother of AFDC families the right to decide whether her children's growth and development can best be nurtured by her going to work or by her staying in the home to provide them with the tender loving care every child needs for healthy growth. Some mothers may choose to go to work, directly or by way of a training program, and to leave their children with a day care center. Others may sincerely believe that they can make their best contribution to their children and to society by staying at home to care for them. This is not a choice that any agency of government should dictate. It is a thoroughly unjustified intrusion of government into the private decisionmaking responsibilities of a substantial number of American mothers. These provisions undermine the human dignity and sense of worth of AFDC recipients in a shamefully un-American and unethical way.

2. It is a bad social policy to pursue a goal of regularly removing mothers from their normal duties of caring for their young children in their own homes where fathers are absent. Counseling services should be made available to such mothers so that when they want help to decide whether to go to work or stay at home to take care of their children such help is available. Acceptance of such counseling services should be a condition of financial aid. For those mothers wishing to engage in work and/or training programs, day care services of high educational quality should be provided to their children. These day care centers should be staffed with people able to provide a mother-substitute to children while under their care. Our society will certainly not benefit from having over 3 million children in the coming generation deprived of a mother's care during many hours of the day. Children growing up under such conditions will certainly provide a disproportionate share of the delinquents, the mentally ill, and the socially and economically unproductive citizens of the next generation. Our society cannot afford such a dreadful waste of human resources.

STATEMENT OF MRS. HENRY STEEGER, CHAIRMAN, NATIONAL COUNCIL ON ILLEGITIMACY

4. The proposal to force mothers and out-of-school youngsters over 16 into the labor market as a condition of receiving assistance. This provision does not allow for individualization, and does not take into account the social value of a mother's work in the rearing of her children and caring for their home. Also youngsters, rather than be urged to enter the labor market prematurely, into possibly dead end jobs, should be urged to complete schooling so that their long-range earning power is enhanced. Continued schooling should be available for pregnant girls and young mothers.

PREPARED STATEMENT OF THE NATIONAL COUNCIL OF JEWISH WOMEN, INC., NEW YORK, N.Y., SUBMITTED BY MRS. LEONARD T. WEINER, NATIONAL PRESIDENT

The National Council of Jewish Women, established in 1893, with a membership of over 100,000 members in local units throughout the United States, has pioneered in services to children and senior citizens, and has always strongly supported programs for such services.

When H.R. 5710 was before the House Ways and Means Committee, the National Council of Jewish Women supported the provisions of the legislation in the belief that it would provide much needed improvements in the various programs under our Social Security System. We are, therefore, deeply concerned and disturbed by some of the provisions of the measure reported by the Committee and subsequently adopted by the House of Representatives. Instead of improving the lot of those who are recipients of, in some instances, pitifully inadequate assistance, the measure, if it should become law, may rob them of this assistance altogether.

The drastic changes proposed under the Public Assistance title are contrary to a long-standing position of the National Council of Jewish Women of supporting "procedures which uphold the rights and dignity of recipients of welfare services." There is a serious question in our mind whether the dignity of an individual is upheld if he or she is forced to accept or keep a job as a condition of assistance, or the rights of a mother are upheld when she is forced to abandon her freedom of choice of caring for her children, or in some instances deprived of their custody.

STATEMENT OF RUTH ATKINS, ON BEHALF OF THE NATIONAL COUNCIL OF NEGRO WOMEN, INC.

The intent of the work program provision is to increase the individual's job potential. Accepted as such, there can be no quarrel with the approach. There are, however, serious questions about the effect of the specific provisions written into H.R. 12080.

Although there is no disagreement with the philosophy that people should be helped to become self-supporting, we do not feel that the best interests of children or of all mothers is served by the simplified solution of forcing welfare recipients, including some 16- and 17-year-olds, into the labor market at any cost. Labor Secretary Wirtz has already testified to the difficulty of finding jobs for persons with limited education and the problems likely to be caused by "instant training" programs too hastily established.

Setting up compulsory work programs for mothers of young children introduces an element of coercion which is not likely to produce a sound learning climate. Nor is it consistent with the "freedom to choose your own life work" ethic on which our free enterprise economy prides itself.

There is no question that the arbitrary removal of mothers of young children from the home will have serious effects on wages, working conditions, and family life. The solo parent who has managed to maintain a home

for her children and provide some measure of family stability and parental love in the face of overwhelming economic odds is to be admired and respected. Under the provisions of section 201 of this bill, she now can be arbitrarily ordered by local or State welfare agents to abandon her young children to a hastily established day-care center while she worries her way through a day of "work training." If she refuses to abandon her maternal role, "the authorities" may question her "fitness" to remain a mother to her children. I am certain that the gentlemen of this committee share with me a belief in a strong and loving family as the keystone to our American way of life. We had far better concentrate on building family strength and resiliency rather than on destroying the family as this legislation threatens to do.

TESTIMONY OF NATIONAL FARMERS UNION, PRESENTED BY TONY T. DECHANT, PRESIDENT, AND BLUE A. CARSTENSON, ASSISTANT LEGISLATIVE DIRECTOR

The House passed Social Security Amendment (H.R. 12080) contains two controversial amendments. The first one calls for worker-training programs, but requires every adult member and child under the age of 16 who is not in school for whom work or training is appropriate to participate or face loss of public assistance. The Committee said that only a few state welfare departments have established work training programs at this time, and only in limited areas despite congressional encouragement.

We urge that there be an incentive rather than a compulsion so that those on welfare who work or go into training would receive at least the minimum state welfare payment set by the state. People should be able to earn their way out of poverty.

STATEMENT OF MARTIN MORGANSTERN NATIONAL COORDINATOR, NATIONAL FEDERATION OF SOCIAL SERVICE EMPLOYEES

MANDATORY COMMUNITY WORK AND TRAINING PROGRAM

H.R. 12080 requires that every state establish community work and training programs for AFDC parents and that "Every adult member and child over 16 not attending school for who it was *determined* that work and training is *appropriate* would be required to participate or face the loss of assistance." (Summary of Provisions, p. 11.) H.R. 12080 (p. 132) provides that if anyone "refuses without good cause to participate in a work and training program" that that person would be ineligible for public assistance. Chairman Mills asks, "Is that not the way we lead people from a condition that I am sure they do not want to be in—of need—into a position of independence and self-support?" (P. 23053 Congressional Record 8/17/67.) The answer I am afraid is a most resounding "No."

Certainly we are in favor of work and training for any recipients in any category where the individual is capable of benefiting thereby. We recognize, as does Chairman Mills that the best way to help the welfare recipient is to end his dependency. We agree with Mr. Mills when he says that the people involved themselves do not want to remain in a condition of need. The question is how do we alleviate need and end dependency? It is our feeling that the mandatory program outlined in this law will do much more harm and little, if any, good.

There are several factors that convince us that this is the case. The states are required to establish Community Work and Training programs in order to obtain federal reimbursement! We have found that nothing so motivates state officials as the desire to obtain reimbursement. In order to demonstrate how much motives can operate to the defeat of the intent of the law, let me digress a moment and discuss implementation of the 1962 public welfare amendments. In 1965 I was a case worker in the New York City Department of Welfare. At that time HEW insisted on implementation of the services requirements if full reimbursement was to be continued. In my welfare center I attended three meetings, which involved taking one-half of a work day for all workers, and called in order to discuss "the giving of services." In each of those meetings we discussed the completion of certain forms that HEW required for reimbursement. We were carefully briefed on the proper care and maintenance of these forms and repeatedly admonished concerning their importance. These forms "reported" the time and nomenclature of services being given to our clients. Not one word was ever said concerning the quality or nature of such serviecs, or about why and when they should be offered. Nothing was said about the importance of actually giving services; the only thing of importance, the only thing discussed, was the record keeping which guaranteed reimbursement.

If we insist that the states create Community Work Training programs for all clients or face loss of reimbursement, the results will be worse than they were with the services amendments. There is a great deal of planning, intelligence, time, and efficiency necessary to build such a program. The states that have been working on them for years have encountered less than universal success. Everyone in the poverty program has seen training programs that don't train and work programs that don't work. Many programs have trained people for jobs that didn't exist, or for which the trainees could never be hired for reasons other than their own shortcomings. No training program is worth the money invested in it unless it guarantees a man a job at his successful conclusion of the course and unless the trainee really desires such a job. Work prospects as those which many states and counties have instituted where reliefers are used to cut grass, shovel snow, or work for below union scale in dead-end jobs will entice and motivate no one. They will increase the recipient's conviction that the cards are stacked against him and that his only salvation lies in beating the system. Work and training programs that are little more than a return to "work relief" are doomed to waste the taxpayer's money and the welfare worker's time.

There are other drawbacks to this program. The Ways and Means Committee acknowledges that "A key element in any program for work and training for assistance recipients is an incentive for people to take employment" (Report of Ways and Means Committee in H.R. 12080 p. 106). Yet the Committee relies primarily upon coercive techniques rather than incentives. One of the problems with our current Public Welfare program is that it has inherited the coerciveness of the English poor laws. The examples from which we should learn are many. In 1349 the Statute of Laborers in England demanded that anyone under 60 who was unemployed must take any job available. That didn't work and in 1531 we got new legislation from Henry VIII who said, "Many and sundry good laws, strict statutes and ordinances have been enacted yet *notwithstanding the number of poor has not in any part diminished but increased in numbers.*" His highness then decree another "good statute" prescribing whipping, loss of an ear and finally death for unemployed beggars. But that didn't work so 16 years later in 1547 Edward VI tried branding and permanent slavery. This failed. Every 30 or 40 years thereafter English monarchs tried new variations on the punitive theme and poverty continued. The Committee's "new approach" is really old hat.

When the Ways and Means Bill does try incentives it does so half-heartedly and thus ineffectually. The first incentive they recommend is to be provided by the caseworker who will help the client prepare for training by using the social services already authorized under the 1962 legislation (report of the Ways and Means Committee p. 48) to upgrade the client and prepare him or her to benefit from training. Here is the height of irony, for these proposals destroy any hope we may have held for ever properly implementing the services promised in the 1962 amendments. By giving the caseworker and his superiors the absolute power to dictate to a client how she must spend her income, by giving him the right to order her to work, to restrict her activities, and even to take away her children, we have destroyed any chance of creating the environment of trust and understanding that is needed if services are to be accepted by the client.

As for the cash incentives that would reward those who take jobs, they would be excellent if the dollar amounts were not set so low. The Ways and Means Committee correctly points out that the precedent for disregarding some earning of welfare recipients was set in Title VII of the Economic Opportunities Act and Section 109 of the Elementary and Secondary School Act of 1965 and points out that this approach while good, is merely piecemeal and discriminatory. The Committee wisely sets out to correct this by setting one standard that would apply to all income, but it sets the amount of earnings that a client might keep at well below those set in the earlier legislation. The new levels will mean an actual decrease in incentive income for those already covered by existing legislation and in any case is much too low to be a meaningful incentive.

It is our carefully considered opinion, therefore, an opinion that results from long and constant contact with welfare agencies, that given a climate and circumstances where they must, in a relatively short time, establish mandatory community work and training programs the state and local authorities will fail miserably. In making this judgment we take into consideration the fact that these programs must accommodate excessive numbers of persons, many of whom are there involuntarily and resent it, that these programs then have at once a captive audience but a hostile one. We must remember that these programs will not be able to limit or adjust their scope to placements available nor have the benefit of highly-motivated trainees (in fact these trainees may not even be covered by existing laws that protect other workers). These programs will be under a double pressure, first to meet HEW standards as to both inclusiveness without violating "good cause" regulations and second to show immediate effectiveness. The second will exist as public welfare officials will remember the Ways and Means Committee's hasty judgment on the 1962 amendments and be anxious not to lose another program. Further both our experience as workers and poor law history indicate the futility of a punitive "get tough" approach to the poverty problem.

Yet we want to see extensive CWT programs and we believe that the states can create such programs and that they will work. They will work if the states work hard to build programs that provide good jobs and good training so that the recipient will have a better life to look forward to off of welfare. It will work if the cash incentives are set at a more realistic level, perhaps at $85.00 or $100.00 monthly plus one half of the rest. And finally it will work if caseworkers are not overburdened with large caseloads, punitive tasks and extensive paperwork responsibilities and can instead spend their time preparing and motivating clients for work and training projects. Two final points on this topic.

First, if we are panicked into creating CWT projects that are an anathema to welfare recipients they will spend most of their time scheming to avoid work and training. And they will raise a new generation of indi-

viduals to whom work and training are evils to be avoided at all costs.

Second, we are alarmed at the possible avoidance of the minimum wage laws under the work and training program. We confess to confusion over the intent of the Committee at this point. In the Bill itself (Section 204 (a)) it is abundantly clear that: "the rates of pay will not be less than the applicable minimum rate (if any) under Federal or State Law for the same type of work and not less than the prevailing rate for similar work in the community . . ." However, in the Report (p. 105) it states:

"The original provision," (as above) . . . "is based on the view that the AFDC participant under the CWT program, including arrangements for training with private employers, *is not in an employment relationship, or otherwise subject, because of this activity, to the wage and hours laws (or the internal revenue, social security, or workmen's compensation laws)*. For this reason, the Committee urges that the Secretary of Labor find it possible to classify the beneficiaries of this program as not being included under the Federal minimum wage law."

If this last paragraph means what it says, it appears that the calumny is complete. It is quite obvious that someone who is not protected by the minimum wage, social security and workmen's compensation laws will not be given the opportunity to participate in the internal revenue system. This is, of course, together with the penalty provisions of the Amendments, a fundamental thrust at depressing the labor force. We urge careful and detailed inquiry into the intent of the Committee and the strictest conformity to the mandates of the original Act.

LETTER FROM MRS. LUCILLE S. PUGH, PRESIDENT, OREGON SOCIAL WELFARE ASSOCIATION

OREGON SOCIAL WELFARE ASSOCIATION, INC.,
Salem, Oreg., September 18, 1967.

Hon. RUSSELL B. LONG,
Chairman, Senate Finance Committee, U.S. Senate, Washington, D.C.

SIR: The Membership of the Oregon Social Welfare Association, Inc. through its Board of Directors protests certain sections of HR 12080, Title II, as being punitive and not in the best interest of the people of this country. We refer specificially to those sections of the bill which would

(1) require all adults on assistance, including mothers and out of school youth over 16 to engage in work and training as a condition of receiving public assistance. The proposal apparently includes exemption from minimum wage requirements and further provides such penalties as removal of the adult from the assistance budget, discontinuing assistance, or even possible removal of the children by court and placement of the children in foster care.

STATEMENT OF THE PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE, SUBMITTED BY THOMAS W. GEORGES, JR., M.D.

SECTION 204. COMMUNITY WORK AND TRAINING PROGRAMS

The provision for 75% matching (85% until July 1, 1969) for "training, supervision, and material" is attractive. Pennsylvania could use a variety of services in a sound work and training program. However, the mandatory requirement that a CWT program be established in all areas where there is a "significant number" of AFDC recipients age 16 and over ignores the fact that the CWT program by itself, can be used to conduct work relief projects which have a dead end. In effect, the person in a CWT program would work only for his assistance grant.

We have real question as to whether such programs are geared to providing stable, realistic jobs. They seem rather to satisfy the belief that poor people should work for what they get. It is not a respectable way of getting people to work. It does not get people back into the labor market as self-supporting. It tends to continue dependency. It is not a substitute for either public employment or private employment expansion efforts.

We wonder, in these days of almost unlimited training programs with government support, if there is any reason for public welfare to operate a work relief program? Pennsylvania has had such a program for many years. Our own experience is that the more recently created Work-Training programs (Title V. EOA, MDTA, Neighborhood Youth Corps, New Careers Program, etc.), with built-in incentives are more productive.

We propose that there should be a Federally supported work and training program. It should be equal in its incentives and benefits to the MDTA, Neighborhood Youth Corps, New Careers, and Title V (Economic Opportunity Act Program).

Our best experience convinces us that the public assistance role is to prepare the hard core of unemployed to enter the labor market. Our greatest success has proven that literacy training is fundamental to any work and training program if it is to enhance lasting upward mobility. Therefore, the program should be keyed to training rather than a mandatory work training program alone. For literacy and related training, the incentives should be the same as for work training.

STATEMENT OF PAUL H. TODD, JR., CHIEF EXECUTIVE OFFICER, PLANNED PARENTHOOD-WORLD POPULATION

Particularly in extending family planning to those who depend on public assistance, every effort must be made to avoid any actual or implied coercion. Not only does a coercive approach to family planning violate the right or individual privacy but it is self-defeating. We have seen in many communities how the punitive application of such regulations as the "man-in-the-house" rule results in frightening recipients away from taking advantage of family planning services which they want and need. We urge the committee to amend section 201B to require Federal, State, and local authorities to establish clear and unambiguous safeguards against coercion in carrying out the mandated family planning program.

LETTER FROM RICHARD G. SHEPARD, SOCIAL WORK SUPERVISOR, WHITEHALL, WIS. TO HON. WILLIAM PROXMIRE

(Submitted by Senator PROXMIRE)

(The following letter was submitted to the committee by Hon. William Proxmire, a U.S. Senator from the State of Wisconsin:)

WHITEHALL, WIS., *September 20, 1967.*

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.:

Second. The second potentially damaging aspect of the proposed amendments is in Title II, Section 201, page 107FF, and Section 204, page 126FF. Specifically I refer to the proposal which would require mothers on the AFDC program to engage in work training and employment as a condition to receiving assistance.

It is my feeling that this aspect of the proposed bill could be very damaging to the little pre-school children who need the identification with an adult. Generally AFDC is granted to homes where the father is gone for any number of reasons. Therefore, in AFDC homes there is only one parent for the child to identify with. If the mother is then forced into work training or employment, there will be no one to give the child comfort, re-assurance or love. It would be very likely that such a barren childhood would damage the mental health of these children.

If this aspect of the bill could be changed to exclude those mothers with pre-school children and those adults not physically fit, it would not be so objectionable.

RICHARD G. SHEPARD.
Social Work Supervisor.

STATEMENT OF CARL RACHLIN, LEGAL DIRECTOR, SCHOLARSHIP, EDUCATION, AND DEFENSE FUND FOR RACIAL EQUALITY, INC., NEW YORK, N.Y.

Now what this bill does, Senator, is further carry the destruction of the Negro family one step beyond what I have just said, because now we are saying not only can the father not be there, but that the mother, in order to continue to receive any assistance at all, must leave the house: That is she has no alternative as to whether she will or will not work or will or will not remain and take care of her children. She must accept whatever employment or training will be provided or risk losing assistance for her children.

We say that with the mother out of the house, having already forced the father out of the house, what will be left of the family stability? We think mothers ought to be given an opportunity to decide for themselves. Some may feel that it is better if they work, others may feel better if they stay in their homes. This should be the mother's decision. We think that that is the significant thing that H.R. 12080 is very weak on.

LETTER TO LONG FROM ROBERT D. MABBS, PRESIDENT, SOUTH DAKOTA CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS

SOUTH DAKOTA CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS,
September 8, 1967.

Re H.R. 12080 Social Security Amendments of 1967.

Hon. RUSSELL B. LONG,
Senate Office Building,
Washington, D.C.

We protest:

1. The assumption that Aid to Families with Dependent Children is primarily a program for children born out of wedlock. About 83 percent of the children in AFDC grants are legitimate.

2. The assumption that all adults in families with dependent children should work.

a. Rearing children is an important function. Especially where one parent is left with the responsibility, this may take all the time and energy she has. Families receiving an AFDC grant tend to be larger than in the total population.

b. Many adults in these families have obstacles to employment in addition to their need to care for their children, such as poor health, lack of education or work experience, physical handicaps, minority status, and lack of skills. Others live in small communities or on Indian reservations where jobs simply do not exist.

Sincerely,

ROBERT D. MABBS,
President, South Dakota Chapter, Director Undergraduate Social Work Eucation, Augustana College, Sioux Falls, S. Dak.

EDWARD V. SPARER, TEACHER OF LAW OF PUBLIC ASSISTANCE, YALE LAW SCHOOL

C. THE NEW "WORK TEST" FOR MOTHERS AND THE CURRENT STATUS OF "WORK TESTS"

Work requirements as a condition of public assistance for able-bodied adults is not, of course, newly introduced by H.R. 12080. As a general rule, able-bodied men are required to work or to seek work and, so too, are able-bodied women who do not have young children to care for. Some welfare officials in their zealous pursuit of work requirements, have attempted to criminally punish men who refused jobs, and some lower courts have agreed with their theories only to be rebuffed, properly, by appellate courts. See, e.g., *People v. La Fountain*, 21 App. Div.

2d 719 (3rd Dept., 1964) and *People v. Pickett*, —— N.Y. 2d ——, 278 N.Y.S. 2d 802 (1967). (As indicated by the N.Y. Court of Appeals in *Pickett*, serious questions regarding the Thirteenth Amendment arise upon such criminal punishment.) Nevertheless, it is generally accepted as part of the structure of our present federal and state welfare laws, that the able-bodied are required to accept work.

A different situation exists with regard to mothers of young children on AFDC. The intent underlying our present Social Security Act is that the right to make the *decision* as to whether such mothers should work or not should not be taken away from poor mothers just as it has not been taken from other mothers in our society. In its *Handbook of Public Assistance Administration*, Pt. IV, Sec. 3401, HEW has summarized the legislative history and intent of the present act:

"The aid to dependent children program is designed to provide as adequately as possible, such assistance and service as are essential to the rearing of children in family homes. To the extent that such help is available, a mother in and aid to dependent children family is in a position to exercise some degree of choice as to what course of action she should follow with respect to seeking or continuing employment and to make a decision in consideration of her special circumstances, especially the extent to which the age or condition of her children may make her continuous presence at home desirable or necessary."

It was clearly indicated by statements made in the reports of the Committee on Economic Security* that the intent of the aid to dependent children program was to enable mothers to remain in their homes, so that their children would have the opportunity for parental care and the benefits of growing up in a family setting.

"The enactment of laws for aid to dependent children was evidence of public recognition of the fact that long-time care must be provided for those children whose fathers are dead, are incapacitated, or have deserted their families; that security at home is an essential part of a program for such care; and that this security can be provided for this whole group of children only by public provision for care in their own homes.

"* * * Before the adoption of these laws it frequently * * * happened * * * that she (the mother) * * * was encouraged to make the attempt to be both homemaker and wage earner, with the result in such cases that the home was broken up after she had failed in her dual capacity and the children had become delinquent or seriously neglected."

The transfer of mothers of young children from their homes into the labor market may increase the woman power in industry and domestic service, but whether the employment of such women represents an economic asset depends upon a number of factors in each case. For example, when children become ill, they are, as a rule, cared for in their own homes, and if the mother is employed she must usually either stay away from her job or neglect her sick child. The time available for domestic responsibilities is limited for an employed mother. She must either neglect her home or make inroads on her physical resources. The resulting nerve strain may affect her contribution to industry as well as to the well-being of her family. Even if, on the other hand, substitutes for the mother's care are obtained, the children will require a considerable portion of the time of some other responsible adult.

The role of the public assistance agencies is, by assistance and other services, to help the mother arrive at a decision that will best meet her own needs and those of her children. Such help will involve consideration with families of such factors as the welfare of children during the mother's absence from home and of the type of substitute child care arrangements the mother can or wishes to make if she takes full- or part-time work. Consultation services should also be available that will help the mother determine what increased costs will be involved in taking a job; for instance, clothes, lunches, transportation costs and other necessary expenses involved in the mother's absenting herself from home. In some instances, a part of the potential wages will be required to provide supervision for the children in their home or in a day-care facility. The opportunity to discuss these conditions will necessarily influence decisions since it will often be apparent that anticipated earnings will not, in all cases, provide the essentials for family life.

The Bureau of Public Assistance recommends against any policy of denying or withdrawing aid to dependent children as a method of bringing pressure upon women with young children to accept employment. Public assistance recipients should not be subjected to undue pressure and receive different treatment from that accorded other persons in the community simply by reason of the fact that they are in receipt of public assistance. In cases of families receiving aid to dependent children, children are already, in most instances, deprived of the care of one parent, and, therefore, need the protection and personal supervision of the available parent.

H.R. 12080 would reverse the purpose of AFDC. It would require mothers of young children to work as a condition of unrestricted AFDC aid whenever the welfare department *decides* she should work. If the mother disagrees and insists that she care for her own children, "the children involved could be taken care of only through protective payments or vendor payments without the need to make the usual determination that the adult is not capable of handling the funds." (P. 104, House Committee Report).

The House bill, however, would thus reverse current policy only on the federal level and in approximately one-half of the states. According to a survey conducted last year by the Columbia Center on Social Welfare Policy and Law, the other half of the states have enacted AFDC regulations which require mothers to work whenever the welfare department, under its rule, deems it appropriate.

Some of the state welfare regulations reach incredible lengths. Thus the Georgia regulation, on the one hand requires mothers to obtain full-time work whenever the welfare dept. deems it appropriate; on the other hand, the welfare department must, under the Georgia "employable mother" regulation, discontinue aid whenever the mother obtains a full-time job, no matter how little she earns. Thus, the lead plaintiff in a current federal court suit challenging the constitutionality of this particular rule, earns *$24.* (twenty-four dollars) for a forty-eight-hour work week and was deemed not eligible for AFDC supplementation. She has seven children to support. Another plaintiff earns *$15.* (fifteen dollars) for a *fifty-hour* work week. She too was denied supplementation, though she has eleven children to support.

The Washington, D.C., rule, as I understand it, goes even further. Under the D.C. rule a mother who is deemed able-bodied and available for work is subject to AFDC termination even though she has not obtained a job! Nevertheless, the more typical rule does not require termination (so long as the mother seeks work when the welfare department so decides) and will provide for supplementation of salaries in the single parent family up to AFDC "need" levels. I cite some of the experiences under such rules, therefore, as an indication of the range of use and abuse that might develop under H.R. 12080 on a national basis.

New York.—New York State has a regulation which empowers the local welfare department to require an AFDC mother to work when the department deems it in the "best interest". The conclusion of the New York City welfare department, however, is that such requirements are unrealistic, damaging to the mother and inconsistent with the self-respect and independence that is the goal of the Social Security Act.

Arizona.—A not untypical case of the "employable mother" sort that I have come across involved a mother of nine children who was cut off welfare (and thereby forced to take a full-time job at strenuous work for little pay). Her young children were left virtually uncared for. She appealed her earlier welfare cutoff and was restored to welfare, only to be cut off again on the claim that her work experience during her earlier cutoff proved that she was "an employable mother." A protracted appeal and hearing finally restored her to AFDC once again, but not until she and her children had endured considerably more suffering.

Mississippi.—How the "employable mother" rule works in Mississippi is best told in the words of a former AFDC recipient who was cut off because of it. Mrs. Ora D. Wilson testified at the welfare hearings in Jackson, conducted by the Mississippi State Advisory Board of the Civil Rights Commission. Mrs. Wilson stated:

In the year 1965, I was receiving a welfare check. On the first day of June, I came to Jackson on a demonstration. I got locked in jail and stayed locked in jail for eleven days, and when I returned home, the welfare lady who has brought a check—brought my welfare check to my home—she had been mailing it every month, but this time she had brought it a day before I returned home, and she left this check with my children, with the two children. She told the two children, when I came home, to come to the office to see her. When I came home, I did go to the office. The welfare lady asked me where had I been. She came to my home, and where was I? I told her I was in Jackson at that time. And she asked me wasn't I in a demonstration? I told her, "yes, I was." She said, "Didn't you know that you didn't have any business to leave home, to leave your children?" She said, "Where did you leave your children?" I said, "I left my children. They were at home and they was in good care." She said, "You didn't have any business to go off and leave your children." And she said, "You should have been here chopping cotton for $3.00 a day instead of going off on a demonstration." Then she said, "If you will agree to chop cotton for $3.00 a day," she said, "you will get your check back in August." She said, "You will get your first check in August." This was in June. At this time, I belonged to a Freedom Labor Union in Indianola, Mississippi. This union was on strike. I refused to go back into the fields. I told her that this was a Freedom Labor Union, and this union was on strike and I refused to return to go back to the fields. She told me that if I refused to go back to the fields and chop cotton for $3.00 a day, then she would cut my check off, and she did cut it off. I didn't go back. She cut my check off.

The Mississippi hearings contained even more horrifying examples of the use and abuse of employable mother rules. In connection with Mrs. Wilson's testimony however, it might be pointed out that federal law, both under the current Act and as would be amended under H.R. 12080, definition of "good cause" for refusing work is left to the states. Mississippi has *not* chosen to define "good cause" as including the existence of a labor dispute and strike at the site of the offered employment. At the least, a fed-

* Special Security Board: *Social Security in America*, 1937, pp. 233–234.

eral definition of "good cause," including labor disputes, ought to be promulgated under new legislation.

One might comment on the examples of wrongful decision-making under current "employable mother" rules by urging that the right to have a "fair hearing," guaranteed in the Social Security Act, is an adequate remedy for abuse. Unfortunately, the "fair hearing" is a most inadequate remedy. As demonstrated by the Arizona case cited above, the "fair hearing" is not held and decided until long after the damage is done.

Moreover, a decision as to when it is "appropriate" for a mother to be required to work and when it is not, is a decision made with regard to vague standards necessarily involving large amounts of discretion. The moment that discretion is placed in the hands of someone (the welfare worker) other than the mother, it becomes extraordinarily difficult for the mother to challenge it. This is especially true when the mother is an isolated welfare client, ignorant of the rules and her legal rights, and afraid to endanger the grant upon which she depends for the food and shelter for her children. These factors have led one of the leading legal scholar-researchers in the welfare field to conclude that the hearing system does not offer mothers protection against the employable mother rule. See Handler, *Controlling Official Behavior in Welfare Administration* (May, 1966, Calif. Law Rev.).

On what ground should the intent of the 1935 Social Security Act—that of allowing the AFDC mother to decide herself whether it is best for her to stay home and care for the children or leave them with others to go to work—be changed. Protecting the right of the mother to decide such a question is traditional within our society. When mothers, both middle class and poor, *choose* to work to advance a career for themselves and/or add to the family income, something basically different has occurred than when an impoverished mother, against her will, is *required* to leave her children with others so that she might work at exhausting, menial activity for the purpose of continuing her children's AFDC grant.

Of course, employment of mothers who have skills which will bring them substantial earnings is frequently socially desirable. However, social researchers have also found that the employment of mothers with no such skills, *who want to remain in their homes and care for their children and who go to work because of financial necessity,* puts sharp strains on family life and may cause severe damage to the children. For an analysis of such research, see Hoffman, *Effects of Maternal Employment on the Child, Child Development* (1961). For research demonstrating the importance of home care of young children as compared to custodial care, see Spitz, Rene, *Hospitalism, an Inquiry into the Genesis of Psychiatric Conditions in Early Childhood* * * * in Psychoanalytic Study of the Child. For research indicating the predictability of increased rates of juvenile delinquency by children whose mothers don't adequately supervise them, see Glueck, Unraveling Juvenile Delinquency (Commonwealth Fund, 1950); Craig and Glick, *Ten Years Experience With the Glueck Prediction Tables,* Crime and Delinquency, (July 1963); also Monahan, *Family Status and the Delinquent Child,* Social Forces, (March 1957).

Some final comments in connection with the new "work test" for mothers:

Experience with the WE&T and CWT programs is mixed. The remark of the ex-miner in Kentucky, cited earlier, that he was "taught nothing" is not unusual. The Mississippi welfare hearings, soon to be the subject of a published report, contain extensive first-hand reports of abuse in the program.

The House Committee Report (P. 105) points out that under H.R. 12080 it is possible to pay workers in community, work and training programs, including those "with private employers" *less* than is required by the minimum wage laws and the prevailing community rates on the ground that the workers are "learners." This is a dangerous approach which subjects the workers, the programs and the community labor standards to great potential abuse. Again, the Mississippi hearings offer striking examples of the reality of this danger. The "learner" exceptions ought to be removed.

It is not work requirements for mother and others on public assistance that is needed. It is genuine work *opportunities* that would radically alter the situation of the American poor. The job opportunities are desperately desired. So too is day care. Indeed, in New York City last week, mothers demonstrated because day care facilities are being closed down. *New York Times,* Sept. 13, 1967, P. 41.

Nothing in H.R. 12080, however, creates real job opportunities. *The notion is to test the recipient*—to see if she is "deserving" of our magnanimity and charity. It is a vile and degrading approach. The Elizabethans spent all their "poor law" energies developing one humiliating "work test" after another. In the middle of the American urban crisis, a crisis quite related to such degrading approaches it is time to be done with them and create a serious job opportunity program.

STATEMENT SUBMITTED ON BEHALF OF THE BOARD OF DIRECTORS OF THE TRAVELERS AID SOCIETY OF WASHINGTON, D.C., BY THE SERVICE COMMITTEE OF THE BOARD OF DIRECTORS, MRS. POTTER STEWART, CHAIRMAN

Travelers Aid stands for a strong and effective public welfare program which is directed to meeting basic human needs, and aims at the social and economic rehabilitation of all of our citizens. Several of the other provisions in HR 12080 seem to us to move in the opposite direction. For example the compulsion that all adults and youth over 16 years of age not in school must accept work or work training, waiving minimum wage requirements, seems to us to be a most serious step backward. Adults should be given opportunity and encouragement toward work but must have the right to decide that other family considerations, notably the welfare of children, should take precedence. We see the requirement of work for youth as contributing to non-pursuit of education and working against recently developing efforts to have school dropout youth resume their education.

II. A number of other aspects of H.R. 12080 suffer from even more serious shortcomings than those I have discussed regarding family planning, notwithstanding the admirable aims of those provisions. The provision regarding mandatory placement of children in day-care centers while their mothers work or obtain job training would be admirable if it were done on a voluntary basis. But as a mandatory program, it is both unnecessarily punitive and wholly impractical.

The provision is impractical because we cannot wave a magic wand and produce the quantity of buildings or equipment or trained personnel to establish acceptable day-care centers to handle anywhere near all of the children now receiving welfare payments. The provision is unwise and unnecessarily punitive because, by requiring states to establish day-care centers for all welfare children we will almost inevitably prompt creation of places where children are stored rather than cared for. We will punish the parent by depriving the children of adequate care, and in the end all society will be the losers.

According to statistics compiled by the National Committee for Day Care of Children, there are presently accommodations for about 400,000 children in day-care centers throughout the United States. (This figure refers only to facilities licensed by states generally certifying conformance with minimum health standards, and does not necessarily mean that the staff of such centers is trained to handle children or that the center has adequate facilities for play or training.) There are presently more than 1¼ million children under school attendance age now receiving public welfare. Thus simply to accommodate these children, existing day-care facilities must be increased three-fold.

I believe that an increase in the number of and improvement in the quality of day-care facilities in this country is long overdue. But we must not fool ourselves into believing that establishment of adequate centers is an inexpensive proposition—a cheap way to save welfare funds. The National Committee for Day Care of Children—experts in this matter—estimate that minimum annual cost of adequate day-care is $1200 to $1500 per child. This is the range of annual cost per child in the Children's Development Centers run by the OEO Head Start program. Using the lowest figure, of $1200 per child, we are talking about $1.5 billion each year for the 1¼ million pre-school age children now on welfare.

These cost estimates are not exaggerated or extravagant. Children—particularly preschool children—need considerable attention, guidance and affectionate relations with adults. This means that trained staff is needed, not to mention facilities, equipment, food for the children and so forth. We cannot take children from their mothers and place them—with 30, 40 or 50 other children—into bare prison-like rooms where they are warehoused, like so many cardboard boxes, all day while their mothers work in order to remain on the welfare rolls. If we do this to children in their crucial formative years, we must expect them to grow with serious and irreversible anti-social personality blights. We must expect the gravest kind of social delinquency to result as these children grow to adults. This will happen if we store children in "bargain basement" warehouses deceptively labelled as "day-care centers."

H.R. 12080 offers no assurance that this will not happen and, because this is a mandatory program, I think the bill virtually assures that in many states this will happen. The bill sets no standards of care—no teacher-child ratio, no minimum qualifications for those caring for the children, no minimum expenditures for play equipment or teaching materials—which must be met in these day-care centers. The bill simply requires states to establish something called "day-care centers." In fact, many states do not now even require licensing and inspection of day-care centers, and many of those which do prescribe only minimal sanitation standards not care or staff qualification standards. How many states will be willing to spend even the 15 to 25% matching funds required for establishing anything but "bargain basements" to warehouse children while their mothers work.

Imagine the cruel dilemma this situation would create for a mother on welfare. Should she abandon her children for 8 to 10 hours each day to a cheerless child warehouse, where incalculable harm will almost certainly be done to their growth, or should she give up the welfare payments which are essential for her to feed and clothe her children? We may save some welfare funds by forcing a mother to leave her children in a "warehouse" and work during the day. But in a few short years, society will pay a vastly greater price when the results of this deprivation—in anti-social and criminal conduct—come home to roost.

I believe this dilemma can be avoided, and our system of public welfare immeasurably strengthened by changing this program from mandatory to voluntary, so that mothers can choose whether they will work outside their homes during the day and leave their children at day-care centers. In addition, we must specify minimum standards of facility quality and child care which state day-care

centers must meet to be eligible for federal assistance. If we adopted this non-coercive approach I think a surprisingly large number of mothers on welfare would voluntarily participate. At present we have too few adequate day-care centers to test my supposition. And the present rule which deducts 100% of earnings from welfare payments is a strong incentive against work. But, with great wisdom, H.R. 12080 abandons this 100% tax on earnings. And if the bill would also make possible the funding of new child day care centers, for voluntary use, I believe that a large number of women will go into gainful employment, confident that their children are being well cared for while they work. But in many other cases, a mother's most important place is in the home attending to the needs of her children. This too is work which is vitally important to the health of our society, and this basic fact is overlooked by any mandatory requirement that a mother leave home and work during the day.

UNITED AUTO WORKERS STATEMENT BY WALTER P. REUTHER

IV. PUBLIC WELFARE AMENDMENTS

The UAW shares the feeling of concerned citizens that the public welfare system in the United States is not performing in satisfactory fashion. It is degrading to those who are dependent on it, often fails to meet minimum subsistence needs and has not achieved its objective of helping the poor to become independent and self-supporting.

While H.R. 12080 professes the desirable objectives of seeking to rehabilitate the poor and reducing the cost of public welfare, it would attempt to accomplish them by means that are repugnant and reflect a harsh and punitive attitude toward the poor.

We in the UAW give our full support to the constructive provisions of H.R. 12080, but we believe the bill would be much improved if the Senate would:

1. Eliminate the requirement that no state may have a higher precentage of children on welfare (AFDC) than it had at the beginning of this year.

2. Require all states to provide assistance programs for families with dependent children when the parents are unemployed without the additional restrictions included in H.R. 12080.

3. Restore the Administration proposal to require the states to meet their own current definitions of need.

4. Protect the right of a mother to choose, or refuse without penalty, to participate in the work and training programs.

5. Remove the incentives that H.R. 12080 would provide the states to remove a child from the care of a parent and place the child in a foster home.

6. Remove the use of the threat of the device of protective and vendor payments to force participation in the work and training program.

7. Retain the provision of H.R. 12080 for aid to the social work education program, but without the $5 million ceiling after the first year.

STATEMENT OF WILLIAM L. TAYLOR, STAFF DIRECTOR OF THE U.S. COMMISSION ON CIVIL RIGHTS

SECTION 204—COMMUNITY WORK AND TRAINING PROGRAMS

The House bill would make it mandatory for the States to provide for community work and training programs. Adults in AFDC families and children over 16 and under 21 who are not in school would be considered with respect to their appropriateness for participation in such programs. If they cannot show "good cause," any appropriate child or relative who refused to accept a work or training assignment, or refused to accept employment by the State employment service or by any employers, would have his assistance discontinued. The Commission strongly opposes this provision.

The Commission favors the establishment and expansion of programs which will provide training, meaningful work experience and remedial education designed to counteract the adverse effects of years of inadequate education, employment and training discrimination, and related denials of opportunity to which millions of Negroes and other minority group members have for so long been subjected. We endorse measures which will replace dependency with greater economic and social opportunity and which will enable disadvantaged people to attain their individual potential.

We seriously question, however, whether these desirable objectives can be achieved within a framework of compulsion and under the constant threat of denials of assistance. We support Section 204 to the extent that it would require the States to *offer* programs of work and training. But we urge the Committee to amend that Section to make it clear that the *acceptance* of the offer of work or training is voluntary.

The Commission has found in the course of its investigations that many mothers of dependent children are anxious to work and actively seek opportunities for training and employment. For these mothers the bill can be of considerable help by providing for meaningful work and training experience and by providing for adequate day care services. We also have found, however, that many mothers of dependent children feel it is more important for them to stay at home and care for their children. We believe it would be a serious mistake for the bill, by permitting the State to determine which mothers are "appropriate" for work, to deprive these mothers of the choice which rightfully should be theirs to make.

Moreover, experience has shown that the coercive approach represented by this provision not only fails to produce the desired result—economic independence and self-sufficiency—but it invites abuse, discriminatory treatment, and threats of reprisal against those who would assert their rights. The Commission's Mississippi State Advisory Committee heard testimony concerning incidents in which local welfare officials used their authority to remove needy families from the rolls as a means of preventing Negroes from exercising basic constitutional rights. Section 204 could provide such officials with even greater power over the lives of needy families.

We also recommend that Section 204 be amended to provide expressly that the training offered to any individual shall not be below the skill level of his last regular occupation. A similar provision has been established by the Secretary of Labor in connection with the Manpower, Development and Training programs. We recommend further that adequate safeguards be provided to assure adherence to appropriate training standards. The Commission's Mississippi State Advisory Committee has learned of several instances of exploitation of trainees in the work experience and training program offered under the auspices of that State's welfare department. In one instance, a woman testified that although she was supposedly being trained to learn the florist business she was required to spread gravel and later found herself assigned to work as a domestic in her employer's house. Another woman who sought training as a dietician told the Advisory Committee that she was put to work washing dishes and mopping floors in the local school. These incidents strongly suggest the dangers of exploitation and the possibility of inadequate training and meaningless work experiences unless appropriate standards are provided.

LETTER FROM UTAH CHAPTER, NATIONAL ASSOCIATION OF SOCIAL WORKERS, JAMES P. WHEELER, PRESIDENT

NATIONAL ASSOCIATION OF SOCIAL WORKERS, UTAH CHAPTER,
Salt Lake City, Utah, September 19, 1967.

Hon. RUSSELL B. LONG,
Chairman, Senate Finance Committee,
Washington, D.C.

DEAR SENATOR LONG: I have been directed as President of the Utah Chapter of the National Association of Social Workers, by the Utah Chapter's membership as its spokesman, to protest certain provisions of the pending Social Security Act amendments of 1967 (H.R. 12080), now before the Senate Finance Committee. The Utah N.A.S.W. Chapter is made up of over 400 professionally trained social workers, representing over 100 Utah community service agencies. This is to say, that virtually all of the state's major social welfare leaders and leadership are represented through the activities and official voice of the Association.

The proposed amendments have been under study for several weeks by both the Family and Children's Council of the Chapter, and the Division of Social Policy and Action. Josephine Scott Patterson, Director of L.D.S. Relief Society Social Services and Chairman of the N.A.S.W. Family and Children's Council, had petitioned for a public N.A.S.W. stand against certain aspects of the Social Security amendments on behalf of the Council. A meeting of the Chapter's general membership has vigorously supported the conclusions of the Council, the Division of Social Policy and Action, the Chapter's Board of Directors, and the release of this statement to Utah's congressional delegation and to the public news media.

You have before you the statements of the Honorable Dr. John W. Gardner, Secretary of Health, Education, and Welfare, and Dr. Wilbur J. Cohen, Under-Secretary of Health, Education, and Welfare, given before the Senate Finance Committee on August 22, 1967. You also have the August 31, 1967 testimony of Mitchell I. Ginsberg, Commissioner of the New York City Department of Social Services, who is Chairman of the National Association of Social Worker's National Division of Social Policy and Action, and Dr. Daniel Thursz, Dean of the University of Maryland School of Social Work.

We are familiar with the statements of these persons, as well as with the official position of the Child Welfare League of America, and the Utah State Division of Welfare. (Which you now have). All of these statements, we have found, speak as one voice with respect to both positive and negative features of the amendments from the professional social work point of view.

The membership of the Utah N.A.S.W. Chapter has taken no exception to the points expressed in these important materials. Where protests have been made, we protest; where commendation has been given, we commend; where questions have been raised, we question; and where alarm and concern has been shown, we show alarm and concern.

In the interest of your valuable time and the needlessness of our written duplication of what has been so expertly stated by the foregoing persons and groups, it is our official position that we concur with these statements and recommend them to you as a representative voice of those in Utah, who have over past years demonstrated a high degree of professional competency in social welfare leadership and administration.

We do desire, however, to specifically cite two provisions of the Public Welfare provisions (Title II) of the amendments as creating coercive, punitive, and discriminatory conditions, hostile to the welfare of Utah's needy children, and the promotion of sound family life. They are:

1. The provision requiring all mothers (with limited exception) on state welfare

programs to seek employment or job training as a condition for receiving public assistance.

2. The provision which would limit the number of one-parent families on welfare to their proportion of a state's child population in January 1967.

These provisions appear to be excessively harsh and punitive towards children. Children living in poverty conditions, who have no fathers in the home need the constant presence, love and attention of their mothers. To deprive this underprivileged and especially vulnerable group of children of the care of their mothers, is to unjustly punish them for circumstances beyond their control. Furthermore, to say to a destitute child that funds and services are not available for meeting his needs solely on the basis of his case having fallen into the wrong "percentage" of destitute children is to blame and punish a child for the circumstances of his birth or the desertion, death or disability of his father.

The attitude towards poverty, illegitimacy and desertion as expressed in these two provisions of H.R. 12080 militates heavily against the positive aspects of the bill. They should be amended out.

We feel so strongly concerning the erroneousness of this attitude that we would like to deal with it at length.

Probably the most often repeated story about public welfare's Aid to Families With Dependent Children Program is that it encourages illegitimacy. Welfare caseworkers hear the accusation made time and time again, and the story has gained stature by being propounded in reputable publications, often by reputable personalities.

"There are a lot of women who feel the world owes them a living, and they find AFDC just the ticket," say some critics. Others believe that many women actually go into the "business" of having illegitimate children as a profitable means of increasing their welfare allotments.

Many can't think of public welfare programs without feeling most of them should be abolished. One indignant writer to the editor of a Salt Lake City newspaper pleads, "Why should decent, hard-working people be taxed to keep such trash? It is families of this type (unwed mothers with illegitimate children) who are now receiving government help to the third and fourth generation and will continue to do so for generations to come. The government should get busy and pass legislation that would prohibit such women from receiving any welfare benefits after their second illegitimate child."

State welfare authorities are also alarmed over the rising rate of illegitimacy—3% of all live births in Utah during 1966—but are quick to refute the statement that public welfare programs are an encouragement of illegitimacy.

In associating welfare with illegitimacy the public's indignant belief far exceeds its actual knowledge. Recent surveys of the state's AFDC caseload point out that 87% of all children on welfare were born legitimately.

Of the 13% born illegitimately, the large majority or up to 90% of these children were born before application for public assistance was made. A large portion of the remaining 10% of the illegitimate births were conceived before application for public assistance. Actually, the Welfare Division only paid medical costs for about 90 illegitimate births during all of 1966.

This is an insignificant number when compared to the 5,600 families on the AFDC Welfare Program and over 23,000 total live births in Utah during 1966.

It would be impossible to prove that the possibility of future financial aid influences the unwed mother at the time of her child's conception.

There are, of course, some exceptions. It's the few cases of this type which bring criticism on the entire AFDC Program.

Most welfare caseworkers who deal with unwed mothers on public assistance regard the "business" of illegitimate children for more welfare money a myth that makes little sense—especially to the mother on welfare. In Utah, a recipient mother with two children receives a total assistance payment of $5.43 a day. ($163.00 per month)

Based upon consumer price index studies, and studies conducted by the U.S. Department of Agriculture this amount falls far below the level of income considered necessary for a minimum standard of living for three persons. The $5.43 must purchase rent ($41.00 per month) food, ($57.00 per month), clothing, personal, care, utilities and household supplies, school needs, furniture, recreation, and all other necessities of life.

For an additional child the mother receives $.70 per day and will receive less than this for a fourth, fifth, or sixth child.

Obviously, the increase in assistance money is not the motive behind having illegitimate children. Emotional insecurity and instability plus inadequate home training and poor personal judgment lie at the root of the growing rate of illegitimacy. Out-of-wedlock births are no respector of any economic or social levels, it's a problem experienced by all income and cultural groups in our society. Welfare authorities point out that the State Welfare Program ultimately becomes involved with only a small percentage—one out of every eight—of the state's illegitimate birth.

The problem is one which belongs to the whole community—to all individuals and families, all social agencies, schools, churches, professions.

Most important, every legislator should try to understand the factors that can lead to illegitimacy. Nobody, of course, can put his finger on one specific cause. But legislators should keep in mind certain points: Young people are growing up in a cold-war world that has little stability. Their unease is a reflection of worldwide unrest. Youth has never found it harder to acquire a sense of personal security. Both the home and the community are losing the ability to provide this sense of security.

Americans are radically becoming a mobile people, moving their families from town to town, from one end of the country to another. This cuts ties with relatives who might give moral and other supportive help as was more common in past decades. And, again, it tends to deprive a child of the security that comes from steadiness.

Movies, television, and magazines that emphasize sex and aggression tend to stimulate young people and place lowered moral codes before them. They are not taught the importance of accepting frustrations, and the long-term rewards of developing self-control.

One approach to the problem is in a stronger parent-child relationship and in the return to our old standards of family ties and family feelings.

In line with this, there is the problem of reaching families before trouble happens and working with parents who are not able to give their children security and affection. The proportion of this type of parent in ratio to population far exceeds the average person's estimate.

Extended parent counseling services would help, but would probably make only a small dent in the problem. Inadequate parents are difficult to reach; only a few will go to agencies for counseling or accept another person's guidance.

We have to start with the child. We should be doing much more in the schools, in public welfare programs, and in our church programs to detect maladjustment which is the danger signal of a potential illegitimacy problem. We must come to know the child and his home situation on an intimate level. Detection is needed to prevent social ills, just as it is needed with physical ills, just as it is needed with cancer.

N.A.S.W. therefore recommends more personal and family guidance resources in and available through schools, public welfare, and churches—more trained persons who could pick out potential unwed mothers and provide professional preventive and corrective casework services. Perhaps even before this, is a more basic need—the need to discover all of the "whys" of the problem. We need far more answers than we now have.

Most unwed mothers do not need public assistance and do not seek aid, either financial or professional counseling services. But the minority who do, the State Division of Welfare has a serious responsibility. If the responsibility is not met, the problem doesn't disappear, it becomes greater.

An unwed mother is a lonely unhappy person. She usually is condemned by the community for her pregnancy. Often she has no one to turn to for help, although she greatly needs help and comfort. The physical needs of an unwed mother are the same as those of the married mother—she needs shelter, food, clothing, medical care, and moral support. The married woman receives these, but the unmarried mother's needs are often met only grudgingly and usually partially so.

The married mother looks forward to the birth of her child joyously while the mother with an illegitimately conceived child is frightened and depressed. She may vacillate between the desire to keep her baby and the thought that the baby would have a better life if given away for adoption. There is a great deal of suffering for the mother without a husband. And there are those who believe she should suffer because she has done wrong; she is "bad."

No person, however harshly he might treat unwed mothers, would believe their children should be punished for the circumstances of their birth. They must be cared for on the same basis as other needy children.

The Aid to Families With Dependent Children Program is one way citizens of the state help an unwed mother and her illegitimate child. The program focuses on the welfare of the child—to keep the child with the mother on the theory that a mother's love is preferable to life in an institution or a substitute home. Only a few children in the AFDC Program have been born illegitimately. (About 13%.) County welfare offices are usually requested to help the expectant unwed mother after the fact; they work with the mother's immediate needs and do what they can to prevent further pregnancies.

The purpose of the AFDC Program is to help care for needy children in their own homes who are deprived of the support of a parent because of death, divorce, desertion, separation, or because the family breadwinner is unemployed, physically handicapped, or in an institution such as a hospital or a prison.

It is of particular importance that a mother provide a suitable and wholesome home for her children. Welfare caseworkers feel strongly about this. They are aware of the emotional damage that can result when a child is removed from his family, and a caseworker will do everything possible to help a mother correct a child neglect problem.

When a neglect situation demands it, a family may be referred to the Juvenile Court and there is the possibility that the court will order a foster care placement for the children. It's in this category that the critics of AFDC have a heyday. They will point to one mother who entertains men and throws booze parties when the AFDC check comes in and condemn the entire program.

Welfare caseworkers are the first to admit that families of this nature are not unknown. But they flatly deny that it is a common practice. These few cases are those who receive public attention, and this builds up a false image of all AFDC mothers. The presi-

dent of a bank may abscond with all of the bank's money, but it doesn't mean we should think all bank presidents are crooks.

AFDC laws require caseworkers to make regular home visits and make other contacts with families. They must determine individual social problems and move professionally to correct them. Caseworkers contact schools to determine whether a child is attending regularly and inquire about his school performance. They find out whether he appears well fed and properly clothed.

A neglectful mother finds it difficult to hide her neglect should she desire to do so. Neighbors or relatives call the Welfare Office, local officials hear about the problems; and if they are true, neighbors, relatives, and officials demand that some action be taken to correct the conditions. These incidents, however, are very rare in Utah.

In providing assistance for the unwed mother, caseworkers stress concern for the welfare of the child and respect for the dignity of the individual. It is by maintaining a mother's dignity and feeling of worth as a person that she can best be helped to help herself. To force her into the labor market when she believes a mother's place is at home by the side of her children is to destroy the dignity of motherhood in our communities.

Financial assistance is provided so that the mother and child can meet the necessary expense of living. Medical costs are met, and if the mother is in need of psychiatric help, she is referred to a clinic. Although financial aid is the most publicized part of the AFDC Program, casework and other social services is the cornerstone.

Some girls come to the Public Welfare Program in a pretty desperate condition. Their families and friends often reject them, and they don't have anywhere to turn but the Welfare Division. For most it is a last resource, since they have no other place to go for help.

Some of the practical things done by welfare caseworkers with an illegitimately pregnant girl are helping the parents and their pregnant daughter accept the reality of their situation with as little incrimination and self-blame as possible, helping the mother plan for the birth of her child, arranging for medical care, etc.

The mother may want to go to a family-care type of home pending the child's birth. She may wish to release her child for adoption, and the caseworker will help her to reach a decision and follow the necessary procedure. She may also need guidance on how to file legal action against her child's alleged father. H.R. 12080 would torpedo much of this basic service to a mother if she should happen to fall in the wrong "percentage" grouping.

While we don't condone the act that caused a girl's illegitimate pregnancy, we accept the unwed mother as a very hurt, troubled, unhappy and anxious girl who needs her family, her friends, and her community more than at any time in her past life. The last thing she and her unborn child needs at this point is to be personally judged and condemned for the difficulty they find themselves in. The proper development of the child will depend in a large measure upon the degree of its mother's stability as a human being. The punitive and coercive provisions of HR 12080 completely ignore this principle.

The AFDC Program provides for counseling when a mother is faced with daily problems too big for her to cope with. With the help of a skilled caseworker she may be saved from going into worse situations—and perhaps from becoming one of the "repeater" unwed mothers.

Families don't stay on the AFDC Program long. The average family receives assistance about 20 months. For the most part, welfare families find the means of self-support themselves and are glad to get off the welfare rolls. Many AFDC mothers marry, or seek employment as a matter of personal choice and desire.

Contrary to popular belief, only about 4% of all welfare cases in Utah represent second or third generation welfare recipients, and the percent of Utah's population on welfare rolls is at one of its lowest points. In 1940 over 9% of the population was on welfare. In 1950 it had dropped to 4.2%, and in 1966 the ratio stood at 3.6%.

During the 1965–66 fiscal year the Utah Division of Welfare opened 16,265 cases and closed 19,035 cases. Its program is rehabilitation and service oriented. HR 12080 would in its present form, throw the program into chaos. Agencies that help the unwed mother haven't caused the problem; they've inherited it. The Aid to Families With Dependent Children Program doesn't increase illegitimacy, it tries to provide for the fatherless children and families which are the result of something wrong in society.

The Utah NASW Chapter membership firmly believes that HR 12080 unless appropriately amended, is contrary to the best interests of the 18,000 Utah children now in AFDC recipient households. We understand that our State Delegation to the House of Representatives did not consult with Utah Division of Welfare leaders before voting in favor of HR 12080. We would hope that our U.S. Senators will feel it appropriate to do so.

Sincerely yours,

JAMES P. WHEELER, *President.*

LETTER FROM UTAH DIVISION OF WELFARE

STATE OF UTAH,
DEPARTMENT OF PUBLIC WELFARE,
Salt Lake City, Utah, September 13, 1967.

Re Proposed Amendments to the Social Security Act (H.R. 12080).

Hon. RUSSELL B. LONG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LONG: As Director of the Utah Division of Welfare I wish to protest certain provisions in the Public Welfare Provisions (Title II) of the pending Social Security Act Amendments of 1967 (H.R. 12080) now before the Senate Finance Committee. In taking this action I represent not only myself but the official position of the State Division of Welfare staff who have studied the new legislation and who have over the past years demonstrated a high degree of professional competency in public welfare administration.

It is our conviction that the present bill, while making additional funds available for programs such as day care, foster care, and social services for needy children in their own homes, creates coercive, punitive, and discriminatory conditions hostile to the welfare of children and the promotion of sound family life. More specifically, we cite the following two provisions as an erroneous attempt to reduce the welfare burden and to force and restrict the indigent into self-sufficiency.

1. *The requirement that all adults on assistance, including mothers and out-of-school youth over 16, engage in work and training (unless specifically exempted for exceptional circumstances) as a condition of receiving assistance.*

Under this provision children would be summarily punished because of the hesitancy of their mother to leave them in the care of others. Refusal of a mother to enter or prepare to enter the labor force of her community could mean:

A. The family being dropped from assistance.

B. The family's assistance grant would be severely reduced by eliminating the mother from calculation of the family budget.

C. The children could be removed from the home by court order and placed in foster care.

The citizens of Utah have advocated and supported, through public welfare and other legislation, the need of children to be cared for in their own homes and the necessity of a mother's presence and love. It is contrary to the best interests of everyone to force all AFDC mothers to seek employment as a condition of eligibility for public assistance. In many families the mothers should remain at home for the best interests of the children.

It is the exceptional woman, with many personal strengths, who can prove adequate to meet the basic emotional and life-preparatory needs of her children while at the same time following a full-time pursuit outside the home. This requirement of the bill would serve only to discriminate further against Utah's most vulnerable group of children—those who not only live in poverty but who are also deprived of the care, guidance, and emotional support of two parents.

MRS. ALGIE E. BALLIF,
Director, Division of Welfare.

STATEMENT BY HON. JOHN A. VOLPE, GOVERNOR, STATE OF MASSACHUSETTS

The original concept of AFDC was to keep families together. Section 201, by requiring that mothers enter the labor force, unless they can show good cause for not doing so, would negate this concept.

While mothers of school-age children should be encouraged to find employment, this should not be required of mothers of pre-school-age children.

The recommended expansion of day care services is an excellent provision. Many of the AFDC mothers could be trained to provide these services.

This appears to be the best plan for mothers who are seeking work, or who require day care for their children.

Safeguards should be provided so that no pressure is put upon mothers to leave their children in order to go to work. The wage incentive provisions of H.R. 12080 are excellent and should be most helpful in encouraging AFDC recipients to enter the labor force and increase their jobs skills, removing them from AFDC rolls at an early date.

Mr. METCALF. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a telegram addressed to me by G. E. Leighty, chairman of the Railway Labor Executives Association, on yesterday.

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

WASHINGTON, D.C.,
December 13, 1967.

Senator LEE METCALF,
U.S. Senate,
Washington, D.C.:

The Railway Labor Executives' Association representing virtually all of the railroad workers in the United States concurs fully with the position of the AFL–CIO taken in their telegram of 12/11/67 on the pending social security legislation. We ask that the social security legislation be returned to the conference committee in an attempt to develop a just solution to the problem of the Nation's retired and poverty stricken.

G. E. LEIGHTY,
Chairman, Railway Labor Executives Association.

Mr. METCALF. Mr. President, the Senator from Oklahoma, the Senator from New York, and others speaking about various provisions of this bill, discussed some of the other amendments that should be considered more carefully and more thoughtfully before the conference report was adopted. I wish to mention one especially. I have mentioned it before. That is the amendment on disability.

The Senator from Louisiana himself admits that this is an amendment which is regressive in nature. I offered an amendment in committee that would have changed the definition of disability to conform with definitions that are universally adopted in the various States by workmen's compensation commissions and by courts, in interpreting workmen's compensation laws. That amendment would have changed the definition so as to liberalize it, in part.

When we came to the floor, in the course of the debate on the bill, I offered an amendment to reject the House language and go back to the existing language in the act we had adopted in 1965. That amendment was agreed to by a substantial vote of about 2 to 1 here on the floor of the Senate.

The Senate conferees did not prevail in that, and went back to the disability program that is sought to be put into effect under the House bill.

Now, in Montana, for example, we have a provision for disability for those people who suffer silicosis, who have acquired silicosis as a result of working in the mines, and are incapacitated and unable to do any other excessive work. I know silicotics who, in walking up and down the streets of Butte and Anaconda, Mont., have to stop and rest and catch their breath at every other parking meter on the block. Yet those people, under State law and by definition of the workmen's compensation law, are unable to receive their benefits if they are under retirement age, or unable to retire with total disability when they reach the permissive retirement age, because, under the present definition, there is some work in the national economy that they might be able to do.

This was the same sort of thing that was the subject of the case I previously cited, the West Virginia decision which is incorporated in the RECORD, where the man who was a former coal miner had suffered injury and disability in the mines and was in constant pain, was unable to sit or stand or even lie down for more than a few minutes, and was employed as a dishwasher; and, since he was employed as a dishwasher, he could not qualify for total disability.

That case, the case of Leftwich against Gardiner, a Federal circuit court decision, was put in the RECORD, and was cited in the hearings.

Every State, in its compensation program, has such definitions of total disability, which are rejected by the Department of Health, Education, and Welfare under a definition of disability that is completely unfair, does not relate at all to the needs of the disabled person, and has no analogies at any other place in the law, or in the regulations of the Veterans' Administration or other agencies of the Federal Government, or, as I say, in agencies of the State governments where a definition of disability is found.

When we tried to correct this situation in 1965, we tried to take care of some of the disabled people who would lose benefits in the last years of their working lives as a result of the fact that they were so permanently disabled that they were unable to earn any social security credits.

In the conference bill we take a long step backward, a step back of 1965—even a step behind the former law.

Again, if that were the only thing objectionable in this bill, I would suggest that perhaps we could cure it by legislation the next time around.

I might mention that that Leftwich case was not appealed by the Justice Department; instead of trying to obtain correction in the courts of what they considered an erroneous misinterpretation of the definition, they appeared at the conference, and the Senate and House conferees very meekly changed the judicial decision.

Many of us offered amendments in committee. Many of us offered amendments on the floor. Many of those amendments, as I have previously pointed out, were adopted, sometimes by a vote of 2 to 1, sometimes by a vote of 3 to 1, and sometimes unanimously. All of these amendments which required an additional expenditure were rejected by the conference committee.

We got one-half of 1 percent more than the House provision for social security payments, and the conferees raised the amount from $44 to $55 when the administration was asking for a minimum of $70.

Those are almost the only real benefits that have accrued as a result of the passage of the pending conference report.

Mr. President, the bill is overfinanced. Experience will show that the financing and taxing aspects of the bill will bring in more than $4 billion over what is being brought in at the present time. Experience in the future will show that the amount of money that we are allowing for social security beneficiaries will not take care of the rising cost of living until the next social security bill is passed.

Experience will show, as we go to the States, that many of the people who are recipients of both welfare and social security will not get one dollar's worth of additional benefits under the bill.

In the 16 States in which they received a $5 increase as a result of the last social security increase, they can only receive $2.50 of benefits under the Welfare Act.

So, those experiences can be corrected. However, experience will show that beginning in July next year, hundreds of thousands of children in America will be hungry. The Senator from New York suggested that the number will be between 300,000 and 500,000.

Thousands of women will be taken away from their homes and required to go to work.

Thousands of children will be in day-care centers, with more or less competent people in charge, but they will be taken away from their homes and put under the care of strangers.

It was decided in the committee after considerable debate that mothers who are in charge of children under the age of 6 would not be required to take any job in industry.

An amendment was offered by me on the floor, and unanimously agreed to, that other people acting in the place of mothers, older sisters or aunts, would have the same exemption.

The Senator from New York then suggested that perhaps we could be even stronger, and he offered an amendment to provide for other exemptions.

Experience will show that next year these people will be hungry. We will have mothers who will be leaving their homes. We will have fathers who will not be able to draw benefits.

That is why I feel that if we could have taken the bill to conference and explained the detrimental provisions of the bill to the Members of the Senate and had additional time to discuss the matter further and read the various comments of people who do know the impact of this legislation, it might have made a difference in the vote.

I declare now that I am going to join with the Senator from New York [Mr. JAVITS] and others in the statement that this is not the end of the ball game. It is just the end of the first inning.

The Monday after next will be Christmas. Most of us will be digging out old toys and painting them and fixing them or giving them to firemen to paint and fix up for the children who will not have much in their Christmas stockings. And Santa Claus will visit them only temporarily.

A lot of us will be walking up and down the street and dropping a couple of quarters or a dollar bill into the Salvation Army pots and making other contributions for Christmas turkeys and dinners for mothers and fathers and children who are poverty stricken.

However, long after those toys are broken, long after that paint has scaled off, and long after the last Christmas turkey sandwich is gone, there will be boys and girls in America in the streets, and mothers in the homes who will be hungry and destitute and poverty stricken because we have taken this action today that requires a vote in favor of this bill tomorrow.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BYRD of West Virginia. Mr. President, I rise in support of the conference report of the Social Security Amendments of 1967. I wish to commend the members of the conference committee for the effective work they did in reaching agreement. The bill they have given us may not be all that all Senators might have wanted, but it is a good bill. It is positive, progressive legislation. I believe the Senate should approve it promptly.

A minimum increase in the level of social security payments of 13 percent is provided. The basic payment of $44 will be increased to $55, which is an increase of 25 percent.

A person receiving today's maximum

payment of $144 will get $160.50. A married couple now getting the average social security of $145 will see that figure increased to $165.

These increases were overdue, and while they still may not be as much as we would like them to be, I believe they will prove very helpful to the retired and the elderly who depend upon them.

Since July 1965, when the last social security increases were provided, the cost of living has increased some 8 percent, so that the increases we have the opportunity to provide here are actually greater than the higher cost of living.

There are approximately 24 million older citizens, widows, orphans, and disabled persons who will benefit. They will realize $3.6 billion a year in the aggregate. This will be new purchasing power in the economy. But the greatest argument in favor of providing the increases is simply that our elderly retired and other recipients need the money.

Making these benefits available to those who depend upon social security, Mr. President, should be done as soon as possible. The needed increases should not be jeopardized by resistance to the welfare aspects of the bill.

I do not believe, Mr. President, that the opposition that has been expressed to the provisions aimed at putting welfare recipients to work is soundly based. On the contrary, I think the objective is a highly desirable one.

I do not believe this body should be intimidated by any suggestions or any threats that if these welfare provisions are adopted we will have more trouble, more riots, in the cities next summer. We simply cannot afford to gear the lawmaking process to any such considerations.

There is a real chance, on the other hand I think, that persons on welfare may be helped and may be encouraged to help themselves. I think these provisions offer an opportunity for self-betterment. This is an incentive program, not a program of oppression, as some apparently believe.

May I point out that item 2 under the public welfare and health amendments section clearly states, on page 15 of the summary of the Social Security Amendments of 1967, that "any person with illness, incapacity, advanced age or remoteness from a project that precludes effective participation in work or training" would not be included in the work program; nor would—item 3—persons be included "whose substantially continuous presence in the home is required because of the illness or incapacity of another member of the household." There is no intent here to work a hardship on anyone.

I may say that I am disappointed that the conferees saw fit to drop my amendment which would have permitted voluntary retirement at age 60. I would have liked to see that provision retained in the bill.

But I make the obvious point that increasing the benefits to keep social security payments more in line with the actual costs of living is the overriding consideration now. In the future I hope that we can make other improvements.

This bill, Mr. President, as it relates to the increased benefits under the old-age, survivors and disability insurance system, is actuarially and fiscally sound, we are advised. It provides benefits for additional categories of individuals. And it improves the public assistance program and other related programs, as I have already mentioned.

Mr. President, there are far too many amendments for me to discuss separately, and I do not think that further discussion is necessary on my part, except to reiterate that the benefits provided by this bill have been kept wage related, which is the best insurance for the social security program for the future. As long as the benefits are kept wage related, I think the social security system can continue into the future as a financially responsible program as well as a humanitarian one.

Mr. MONDALE. Mr. President, I again wish to express my profound disappointment with the conference report on H.R. 12080, the Social Security Amendments for 1967.

The report is a sorry response to the increasing needs of the elderly, the disabled, the blind, and the poor. Many of its provisions are punitive and repressive. They show we have not learned from past experience.

Mr. President, I am in favor of increased social security benefits at almost any cost. Elderly people are not getting enough money to keep up with rising costs and with rising standards of living.

What does the bill do for them?

It increases their social security benefits, but only by a small amount. And that is all it does for them.

What does the bill do to hurt them?

It provides a small raise in benefits which only gives Congress an excuse for not acting on social security again for several years.

It gives local governments the continued opportunity to cancel out the effects of social security increases for recipients of old-age assistance by making a corresponding cut in welfare benefits.

It gives the low-income wage earner a disproportionate burden of the social security costs because social security taxes are not to be paid on the part of an individual's income that exceeds $7,800 a year.

This social security bill is an attempt to win the votes of a large number of Americans who will feel their representatives have done something for them. But their representatives have given them far less than they should have.

Mr. President, a good many of the Members of this body have risen to speak about the urban crisis in the past few months. We have talked at length about what can be done to develop new programs aimed at alleviating the despair and frustration rampant in our ghettos. Most of us agree that new approaches are necessary. Yet this bill takes us backward to the centuries of insensitivity to the problems of the urban and rural poor.

HISTORICAL BACKGROUND

Society since the Middle Ages has recognized a duty to assist the poor, the destitute, and the indigent.

The first legislative action taken was in 1601, in England, with the passage of the Poor Relief Act.

This legislation established the nature and techniques of governmental responsibility for the care of the poor. The 1601 act acknowledged governmental responsibility for the care of the destitute, and delegated the provisions of such aid to the smallest unit of government.

The act also established other precedents, but negative ones. It reflected the sentiment that poverty is a personal disgrace caused by individal laziness, moral weakness, or individual or personal shortcomings. This attitude characterized welfare legislation and welfare programs in the United States until the New Deal.

The great depression of the 1930's marked a major watershed in the development of public welfare policies, as it did for many other public policies. The depression brought new types of public welfare programs and the expansion of State responsibility and participation.

Likewise, as a result of the depression, the Federal Government initiated large-scale participation in welfare policies, especially in financing programs, with the adoption of the Social Security Act in 1936. For example, in 1930, 91.3 percent of all public expenditures for assistance and work programs were at the local level; the rest was paid for by the States. By 1932, the local percentage had dropped to 60 percent while the State portion had increased to 21.9 percent and the Federal Government was now financing 17.5 percent.

In 1936, the year after the passage of the Social Security Act, 77.4 percent of all public expenditures were at the Federal level, 13.4 percent at the State level, and 9.2 percent at the local level.

This, of course, was one of the most dramatic shifts from the Elizabethan poor law philosophy. The local unit of government, many times overburdened by large numbers of poor people, would no longer be the chief source of revenue for aiding the poor. Instead, Congress recognized that the problems of the poor were national in scope.

The depression also brought about a change in attitude toward the welfare recipient.

As we experienced a severe depression, people realized that it was not laziness or some inherent quality that caused a person to be poor. Rather, in many instances, poverty was a result of economic forces that individuals could not control. Programs were established to help people who fell within certain defined categories. Congress recognized that there were people who, by the very nature of their classification in a certain group, were more likely to require financial assistance in order to continue to be able to provide for themselves.

Four major categories of citizens are now recognized by Congress for receipt of special assistance: the elderly—old-age assistance; the disabled—aid to the permanently and totally disabled; the blind—aid to the blind; and dependent children—aid to families with dependent children.

Mr. President, the compromises represented by the conference report would

reverse the trend away from Elizabethan attitudes, and take us back to the 17th century. Perhaps this bill is the precursor of the reestablishment of poorhouses, debtors farms, and prisons for the indigent.

Let me explain my disappointment by discussing four aspects of the conference bill: social security; AFDC payments; the work training and unemployed fathers provisions; and the title 19 program.

I. SOCIAL SECURITY

At the outset, I want to make it clear that I favor increased social security benefits. But I do not favor this social security bill. This bill is a tax increase at the expense of the poor—a tax increase without hearings. I do not believe we should be satisfied with this bill. I believe we can do better. We must do better.

I want more social security, because I know what an increase can do for the poor in our Nation. More than a third of the poor people in this country are over 65 years of age. The only possible way of lifting this group above the poverty line is higher cash benefits from social security.

More than 23 million beneficiaries receive checks every month through social security. Social security insurance benefits now assist 18 million older people, 3¼ million children—primarily orphans—a half million widowed mothers of children or disabled or retired workers, 1½ million disabled workers and their wives, and since 1966, people who are 72 or older who otherwise are not eligible for insurance benefits.

More than 86 million workers currently are employed and paying contributions under social security. These contributions will buy them a retirement program, protection against serious disability, and life insurance if the major breadwinner in the family dies.

Mr. President, one in every nine Americans receives social security benefits in some form. These people know how far benefits have lagged behind the increases in living costs. They also know these benefits have lagged even farther behind the better living standards most Americans enjoy.

Since 1940 social security beneficiaries have been fighting a losing battle with the cost of living. Social security benefits have been increased five times during this period. But living costs have increased much faster. Neither the social security benefit increase in 1959 nor the one in 1965 matched the increase in living costs since the previous benefit increase. The 8.3-percent increase in the consumer price index in 1966 was the greatest in 15 years. And 1967 has kept a similar pace.

An example will show what this means for the average retired American. The average monthly benefit today for a worker who retired in 1954 is $76, but for him to buy the same goods and services that his benefits would have purchased 13 years ago, he would now have to be receiving $82. A 13-percent social security increase as proposed in the conference report would allow him to buy the same goods and services that he could get in 1954. But this increase does not allow him to keep up with today's standard of living. But to keep pace with wages of employed workers, he would have to receive $104, which is a 37-percent increase over the actual benefits of today.

The problems of inflation aside, the fact is that the average person on social security can barely eke out a subpoverty level of living. The poverty standard is $1,170 for a single aged individual and $1,850 for an elderly couple. The average social security beneficiary is below even the poverty subsistence level. Annually, a single aged person now averages only $1,008 and a couple $1,716.

The main retirement income protection for most elderly Americans comes from social security. Less than 15 percent of those 65 and over receive private pension payments, and those private pensions count for only 3 percent of total income for those people. Even 15 years from now, social security will still be the only pension income for 70 percent of the people. The median income, including all income sources, was $1,130 in 1966 for single persons over 65, and $2,875 for couples. Thirty percent of the elderly couples received less than $2,000 a year.

Furthermore, many people do not realize that when social security benefits go up, welfare payments are likely to go down. Many elderly people think they will get the full benefits of 13-percent increase in social security or a minimum of $55. But many of them will not get this increase.

There is a provision in the bill that the additional amount of money obtained as social security payments can be taken away if one is on welfare. The increase in social security benefits will be matched by a decrease in welfare benefits.

Many States have a practice of reducing welfare payments by the same amount as any increase in social security. An example of this was given by the distinguished Senator from Montana [Mr. METCALF] the other day when he told the story of an 84-year-old man who has been retired for a number of years. This 84-year-old man draws social security benefits of $62 a month and welfare benefits in the amount of $48 per month, a total of $110.

He writes:

> In the past, each time social security payments have been increased, my welfare check has been decreased in the same amount, I do not have enough to properly take care of myself at the present time.

This 84-year-old man, and others like him throughout the country, may very well find that their old-age assistance checks will be reduced by an amount equal to the increase under the conference bill.

Last month's Senate bill was intended to counter this situation. The bill contained a mandatory increase of $7.50 a month in welfare payments for the aged, the blind, and the disabled. This provision was intended to guarantee that the social security increase would not be knocked out for thousands of old people when local and State agencies reduced old-age assistance checks by a corresponding amount. But the conference bill does not contain that safeguard. State and local governments retain the opportunity to continue as they always have, to cancel out the effects of the social security increase.

If present social security payments allow a majority of single persons and nearly 30 percent of all aged couples to exist only under conditions of extreme poverty, why am I opposed to this increase in social security?

I am opposed to this bill because I believe we must have a better one.

One that will provide substantial benefits in cash.

One that will eliminate the opportunity for States and localities to cancel the increase by reducing old-age assistance payments.

One that is not coupled with welfare restrictions that hamstring inadequate programs.

We are fighting a war on poverty. The elderly comprise one-third of the poverty group in America. A bill that truly helps them is a victory in the war. If we settle for a lesser bill, if we compromise our position, it will be a long while before the Senate again has a chance to help the poor and the elderly.

There is another reason for my concern about the conference report. As the conference bill stands, the Social Security Act is overfinanced. The cost of the benefits in the House version was $3.2 billion, while the cost in the Senate version was $5.8 billion. The conference bill costs $3.6 billion.

The conference bill will produce a surplus of $1.850 billion in calendar year 1968. The Senate committee level of benefits would have produced a surplus of $1.230 billion, and the version passed on the Senate floor would produce a far smaller surplus.

The conference report cuts benefits by $2.2 billion when there is no decrease in payroll taxes. This item is a bill which is actually a back-door tax measure.

The cost to the taxpayers is the same in the conference bill as it was in the early Senate bill, but the benefits are far less. The Federal Government gets to keep approximately $620 million which it would not have had otherwise. This definitely appears to be a method to increase the tax burden of Americans without commensurate benefits.

We may need a tax measure to dampen inflationary pressures in our economy. However, without hearings, and without adequate benefits, I do not believe that American wage earners should pay such hidden tax.

But this is not all. The American taxpayer may also find himself faced with an increase in local real estate or property taxes as a result of this bill. Such a tax might very well be levied by local governments to meet the increase in welfare expenses which they will face, as a result of decreased Federal participation in financing of welfare programs under this bill.

There is a further reason for my negative feelings about the bill—the wage base provisions.

"The poor pay more." Usually this phrase refers to consumer practices. Strangely, under the conference social security bill, the poor pay more.

This happens because the conference report allowed a wage base of $7,800 to replace a sliding scale the Senate had proposed. Social security taxes are paid on earnings up to the limit set in the wage base. People who earn more money than the wage base figure, do not pay social security taxes on the excess salary above, in this case, $7,800.

Consequently, those who earn under $7,800 pay a larger share of their income for social security benefits than those who earn more than $7,800. The social security taxes themselves have to be higher when there is a lower wage base, because the cost of the program remains the same but the wages available for taxing are limited.

The original social security wage base in 1935 was $3,000. When the program began, about 95 percent of the persons in the program had their full earnings covered. For the same percentage of Americans today to have their full earnings covered, the wage base would have to be increased to around $15,000.

Because of the failure to raise the taxable wage base to reflect increased earnings of workers, there has been an erosion in the adequacy of benefits in relation to earnings. Large numbers of workers are not receiving benefit protection related to their full earnings.

It is imperative that the program cover the total earnings of the larger majority of workers so that their retirement benefits, which are based on covered earnings only, will be related to what they actually earned. If an unduly low ceiling is placed on the benefits paid to moderate- or high-wage workers, they will be forced to suffer drastic reductions in their living standards when they retire.

The $7,800 base proposed by the conference committee would increase to about two-thirds the proportion of workers whose full incomes are covered. But this proportion is projected to fall to about one-half again by 1974.

The administration and the Senate proposed to finance social security by a three-step increase in the taxable wage base to $7,800 in 1968, $9,000 in 1971, and $10,800 in 1974.

Such a higher wage base would improve the relation between a worker's actual earnings and his eventual social security benefit while providing additional income to improve the program further. In past years, increased coverage partially made up for the decreasing proportion of taxable payroll.

But social security is now virtually a universal program, and the possibilities of expanding coverage in the future are few. The sliding Senate scale would have kept about two-thirds of the payroll covered by a wage base through 1974.

Additionally, a sliding wage scale would allow a lesser increase in the social security tax rate.

The administration proposed to finance the social security benefits in two ways. There would be an increase in the scheduled contribution rates on each party of 0.1 percent on January 1, 1969, and an additional 0.05 percent on January 1, 1973, for a total increase of 0.15 percent. In addition, there would be the three-step increase in the taxable wage base.

The House improvements require a higher tax rate because of the lower wage base; the eventual social security contribution rate with a wage base of $7,800 will be about 0.25 percent unless the number of benefits financed by the program are cut or steps are taken to eliminate the present and projected surpluses in the fund.

If the wage base remains relatively static while earnings rise, social security contributions will be an ever-decreasing proportion of the total national payroll.

Higher benefits will require a higher tax on the decreasing portion of income. Since the tax rate is uniform, low-wage workers bear a greater cost burden when the wage base is frozen.

If the Senate will reconsider the Social Security Act, some revisions can be made in these financing provisions.

Finally, I find the social security provisions unacceptable because of the treatment given to Senate increases for special groups.

The Senate introduced a series of amendments or modified House provisions to allow an increase in benefits for individuals aged 72 and over, for disabled widows and widowers, for those who chose reduced insurance benefits at age 60, and an increase in the amount an individual can earn and still be eligible for benefits.

None of these amendments were reported out of the conference.

The Senate increased the amount of special payments to certain individuals aged 72 and older who have no coverage or whose coverage is insufficient to qualify for regular benefits. The Senate provided increases of $50 for single persons and $25 for a spouse in this category.

The conference bill gave $40 for a single person and $20 for a spouse, an increase of $5 and $2.50 respectively from the House measures.

The Senate wanted to provide benefits for disabled widows and widowers at any age at a benefit rate of 82½ percent of the spouse's primary insurance amount. Again, the conference committee modified the Senate amendment to bring it in line with the House bill. The House, and conference version, provided benefits for disabled widows and widowers age 50 or over with benefits ranging from 50 to 82½ percent of the spouse's primary insurance amount depending on the age at which benefits begin.

The Senate's amendment to provide for payment of reduced old-age, wife's, husband's, widower's, and parents' insurance benefits beginning at age 60 was deleted by the conference.

Under the existing provisions of section 203 of the Social Security Act, if the beneficiary earns $1,500 or less a year, no benefits will be withheld; if he earns more than $1,500 in a year, $1 in benefits will be withheld for each $2 in earnings between $1,500 to $2,700, and $1 in benefits will be withheld for each $1 of earnings above $2,700. The House bill increased the annual $1,500 and $2,700 cutoff points to $1,680 and $2,880, respectively. The Senate amendments increased the cutoff points to $2,400 and $3,600 under the old social security law, no benefit is withheld for any month in which the beneficiary earns $125 or less in wages and does not engage in self-employment. The House raised the monthly figure to $140 and the Senate increased it to $200. In conference, the Senate receded.

In dollars and cents the social security benefits coming from the conference compromise are an across-the-board increase of 13 percent. The House had approved a general increase of 12.5 percent while the Senate raised the figure to 15 percent.

The minimum monthly benefit coming from the conference was $55. The current minimum monthly benefit is $44. The House had approved a raise to $50, while the Senate version approved a raise to $70.

The numbers involved in these compromises clearly indicate that the conference committee leaned heavily toward the more conservative House version on the increase in social security benefits. In fact, it is a little difficult to call the result a compromise.

My record in the Senate is one of favoring increased social security benefits.

I voted for the Senate bill which provided an across-the-board increase of 15 percent in social security benefits and which would have raised the minimum monthly benefit to $70.

I cosponsored an amendment which would have raised the minimum monthly benefit to $100.

I am in favor of social security, in favor of increased benefits, in favor of eliminating burdensome restrictions. But, Mr. President, I am not in agreement with the regressive provisions of this bill.

Let me read you a letter I received yesterday from Mr. C. J. Obert, of Minneapolis, Minn. It reflects the opinions of the elderly of this Nation:

> A funny thing happened to the new Social Security bill from the Senate to the House. This bill was not even recognizable after the mutilating the House gave it.
>
> I'm sure I'm speaking for all the Senior Citizens in your home state when I ask you for help in this *very* important bill to us.

II. AFDC PAYMENTS

I have said the conference report takes us back to the days of the "Poor Laws."

This is true especially of the "freeze" on the number of eligible children for Federal AFDC participation.

The conference bill places a limit on the extent of Federal financial participation in the AFDC program. It states that the Federal Government will set a maximum contribution which will be equal to the proportion of all children in the State under 18 who are receiving aid to families with dependent children as a result of the continued absence of a parent as of January 1, 1968.

I am opposed to this section of the bill for five separate, but related reasons:

First, it is based on unproven assumptions.

Second, it leaves unresolved problems.

Third, it transfers to the States responsibilities which should be shared by the Federal Government.

Fourth, it may be unconstitutional.

Fifth, the amendment clearly is punitive.

Unproven assumptions: Those supporting this measure assumed it would reduce the growth of the AFDC program, illegitimacy and broken homes. There is little likelihood the freeze will produce this result.

One cannot get something for nothing. We do not solve the problem of increased crime by limiting the number of police a city can have. We do not reduce fires by limiting the number of fire engines. Similarly, we cannot diminish illegitimacy and broken homes simply by reducing the financial assistance available to children of these homes.

The assumption of this provision is that AFDC children are receiving aid because of their mothers' illicit behavior with other men.

Evidence shows that curtailing AFDC payments does not end illegitimacy. Many States have used the "suitable home" policy to deny assistance to families where illegitimacy had occurred.

Edward B. Sparer, in his testimony before the Senate Finance Committee on H.R. 12080, discussed this point. He reported that the State of Mississippi conducted a study on the effect of AFDC cutoff for the denial of eligibility on the grounds that a "suitable home" was lacking because of illegitimacy.

This study shows a vast increase in incidence of illegitimate births "following the families' exclusion from AFDC." This quote would seem to counter the arguments raised in the committee report.

The committee report implies that illegitimacy is a simple problem. We know it is not.

Illegitimacy is caused by poverty, lack of educational opportunities, lack of training and job opportunities, poor housing, and all those other factors that produce the psychology and sociology of the poor. To counter these conditions, the family must have adequate financial assistance.

If the committee had really been concerned with the problem of illegitimacy and family disintegration, it would have provided for a large increase in welfare benefits in order to give security to the family.

It would have provided for a mandatory AFDC–UP program in every State in the Nation to allow the unemployed father's family to be eligible for financial assistance.

It would have provided a dramatic program of family planning counseling and intensified counseling services to discourage promiscuity and dissertion.

Unresolved problems: The concept of a "freeze" does not take into consideration that there are factors other than illegitimacy and family breakup that contribute to the increase in the number of AFDC recipients.

There are, in fact, three areas completely outside the control of the public agency which may cause a dramatic increase in the number of AFDC recipients. They are: First, increased awareness of eligibility and changes in scope of program; second, migration and natural increase in population; and, third, changes in the economy.

INCREASED AWARENESS OF ELIGIBILITY AND CHANGES IN SCOPE OF PROGRAM

In a recent article in the New Republic, the then New York City Welfare Commissioner, Mitchell Ginsberg, is quoted as stating that there are nearly as many eligible families off the welfare rolls as there are on them.

If New York is any indication of the situation in the rest of the country, we could double the number of welfare recipients in each community if people were made aware of their eligibility.

Many private groups are now attempting to inform the poor of their rights under eligibility provisions for welfare. These same groups are also testing in the courts some of the restrictions which have prevented many families from receiving benefits.

Residency requirements are being challenged in California and other areas. If residency requirements are declared unconstitutional, hundreds of thousands of additional families will be eligible for assistance. These families will be eligible because of a change in the scope of the program, not because of an increase in illegitimacy or in family breakup.

Thus, by increased awareness of welfare programs and changes in the definition of program eligibility, there is a potential for relief rolls to swell.

MIGRATION AND NATURAL INCREASE IN POPULATION

Federal participation formulas are based on the percentage of children on welfare contrasted with the number of children in the State. There is no allowance for States experiencing large amounts of in-migration of poor families.

Thus, the State's hardest hit will be those that attract the poor to their large industrial cities and ghettos. States least affected by the freeze will be those that are losing their population of poor families.

The impact may be seen by looking at percentage increase in the number of recipients for selected States from May of 1966 to May of 1967. While the national increase was 10.4 percent, the fast-growing States of the West and industrial Northeast showed much higher percentages. In contrast, States in the Midwest showed increases less then the national average.

Those States which suffered heaviest impact: Wisconsin, 27 percent; Washington, 14.3 percent; Virginia, 13.3 percent; Vermont, 18 percent; Rhode Island, 14.1 percent; Oregon, 17.6 percent; New York, 22.4 percent; Nevada, 26.8 percent; Massachusetts, 15.8 percent; California, 18.9 percent; Colorado, 13.2 percent; Delaware, 16.4 percent; Florida, 17.4 percent.

Those States where the impact was the least include: West Virginia, minus 6.5 percent; South Carolina, minus 7.3 percent; North Carolina, minus 1.2 percent; Missouri, plus 1.5 percent; Alabama, minus 0.4 percent; Iowa, plus 0.4 percent; Louisiana, plus 5.9 percent.

Again this is a situation that is beyond the control of the locality. It is caused by economic and social forces which make one area of the country more attractive than another.

It has implications, however. Clearly, faster growing and industrial States will bear the brunt of the loss of support funds in this legislation. Moreover, if the residency requirements are declared unconstitutional, the impact will be even greater.

CHANGES IN THE ECONOMY

The "freeze" in this report assumed we will have the same level of economic prosperity that we are now experiencing. But if we suffer a recession or a depression, our welfare system will not be able to respond.

The number of families eligible for Federal aid has been set. Those added to the need list would have to be treated in a different manner, since there is no room for them under the proposed ceiling.

In the past, the welfare program has been used to offset declines in disposable personal income. It will no longer be available for this function under the provisions of the conference report.

Instead, we will be forced to enact emergency changes in the legislation to lift the freeze and pump additional money into the pocketbooks of our low-income consumers.

Mr. President, I feel that the so-called freeze on AFDC children neglects some important economic considerations.

The Finance Committee in the Senate gave consideration to these economic considerations and we agreed on the floor to the committee's recommendation. However, the House overlooked these recommendations and insisted that the concept of a freeze be included in the conference bill.

Effect on the States: The system of categorical aids established in the 1930's marked the beginning of the flow of Federal funds to the cumulative pot of moneys available to finance welfare programs at the local level. Under this legislation, the States run the program with grants from the Federal Government.

For many States, Federal funds make the difference between meeting standards of "need" as they define them, or providing no help at all. For all States, Federal funds help redistribute economic burdens so that more of those requiring financial aid may receive it.

By limiting the extent of Government participation, the freeze leaves the States with these unpleasant alternatives:

First. They can deny new applicants with the explanation that there is not enough money to cover the cost of assistance.

Second. They can change the eligibility requirements, by excluding persons according to new residency requirements or new waiting periods for absent parents.

Third. They can assume the full financial burden themselves for AFDC children above the "freeze" ceiling.

It is clear that these options trap the States. Few have the financial resources to support the public services they now maintain, much less the addition of further welfare expenses. The property tax can be stretched only so far. Thus,

States and localities will be left with only three choices, each of which is punitive, restrictive, and goes against both the philosophy of welfare services, and commonsense.

Possible unconstitutionality of the law: The freeze provides Federal statutory authority for arbitrary exclusions from welfare programs.

If a State attempts to act upon the new Federal statute by denying aid to eligible children in excess of the permitted number, is this a violation of the equal protection clause of the 14th amendment? Critics of the freeze claim that it is.

Lawrence Speiser, Director of the Washington Office of the American Civil Liberties Union, said in testimony before the Senate Finance Committee:

> We believe that the freeze in federal participation in aid to families with dependent children program is unconstitutional and denies equal protection of the law.

If a State grants aid to some needy citizens and not to others, such determination must be made on a more reasonable basis than "first come, first served." Establishing an arbitrary limit on the number of persons who may benefit from a law is indefensible, irrational, and inconsistent with Democratic principles and the Constitution. The 14th amendment requires that there be reasonable and not arbitrary standards for determining which individual falls within each class. *Brown* v. *The Board of Education*, 342 U.S. 483; *Yick Wo* v. *Hopkins*, 118 U.S. 356, 369; *Colorado and Santa Fe Ry.* v. *Ellis (Alice)*, 165 U.S. 150, 155.

The distinction drawn between needy children on the welfare rolls before the freeze as contrasted with those who may or may not be eligible after a certain date seems irrational. How can a State classify a child ineligible because of the freeze, especially, when that child meets every substantive test met by another child who is granted aid?

There are any number of reasons why the percentage of children in a jurisdiction receiving AFDC benefits may increase. A State is then faced with a choice of excluding some by means of tightened eligibility standards or denying aid arbitrarily to those who have applied after the cutoff figure has been reached.

Many States will feel pressure to trim their existing welfare rolls and follow a rigid policy of allotting vacancies on the roll. When assistance is arbitrarily denied and the persons affected are as fully qualified as other persons receiving assistance, the question of equal protection of the laws can be raised.

The freeze provisions may also affect the right to travel, which is a constitutional and protected right. If an indigent person cannot move to another section of the country because he then will not be eligible to receive certain welfare rights, his right to travel has been inhibited.

A legislative provision that gives rise to the constitutional question of equal protection of the laws can in one sense be said to be punitive. The entire tenor of the conference report's welfare provisions is one of punishment.

The limitation of Federal participation to children of deserting fathers is a punitive measure. It is a measure which blames children for the sins of their parents.

This legislation represents the kind of attitude which can incite riots. Thirty to 40 percent of the people in Watts and Harlem are touched by existing welfare programs at any given time. The national average length of stay on the welfare rolls is less than 2 years—20 months to be precise—so people on welfare compromise a constantly changing group. The potential number of those who may be affected by changes in the welfare system, therefore may far exceed 40 percent. Any tinkering with welfare strikes at the heart of urban areas.

About all the residents of big city ghettoes need is another indication of congressional lack of concern for their problems. I believe that if we pass the social security bill with welfare provisions that have "punishment" written all over them—a bill that excludes so many, and destroys the hope of thousands more—we will be showing that very lack of concern.

We will be accomplices in the creation of conditions that invite urban destruction.

III. WORK-TRAINING PROVISIONS

Two years ago, the President warned:

> Unless we work to strengthen the family and to create conditions under which most parents will stay together, all the rest—schools and playground, public assistance, and private concern will never be able to cut completely the circle of dispair and deprivation.

The unemployed fathers and work and training provisions show our inability to comprehend the evidence, and act accordingly.

We know that welfare laws in many cities require that unemployed fathers in families otherwise entitled to AFDC must leave their families if wives and children are to receive public assistance. And we know what this has meant—increases in the welfare caseloads, and the breakdown of family structure.

Approximately 265,000 children were on AFDC this past May, for example, because of the unemployment of the father. By far the largest part of the AFDC growth over the past 15 years has been because of the absence of the father from the home.

Programs for unemployed fathers could help alleviate these problems. Only 22 States have so far taken advantage of the permissive legislative authorization; less than half of our States have programs to permit the unemployed father to stay at home with his family while he is investigating opportunities for work and training.

We listen to the evidence; we see the necessity for united families. We then refuse to act.

The conference report deletes the Harris amendment, which would have made mandatory an AFDC–UF program. Fathers in 28 States will still be required to desert their families in order to assure that their children have food and shelter until they are able to find employment.

In fact, the conference report worsens the situation for unemployed fathers. The reinstated House amendment excludes fathers who do not have six or more quarters of work in any 13 calendar quarter period within 1 year prior to applying for aid. This makes it impossible for States to reach those fathers who need help most—the hard-core, long-term unemployed.

Moreover, we force fathers who have jobs and lose them to penalize their children. The House amendment, retained in the conference bill would exclude the children of fathers receiving—or qualified to receive—unemployment compensation, from eligibility for AFDC payments.

We know the kinds of jobs ghetto fathers can get, janitors or bus-boys, with no job security; "last-hired first fired" assembly line work. Unemployment compensation payments are miniscule compared to the financial needs of families. If he loves his family, how can the unemployed father risk taking a job when he knows that if he loses it, his children may go hungry?

In fact, the conference report contradicts the bill's general emphasis on work for the whole family, in another provision. Under the Senate amendments, the first $50 of the total monthly earnings plus one-half of the remainder for families receiving AFDC would have been exempted. The House amendment reduces this to $30. If our intention throughout the entire measure was to encourage families to take jobs that will help them get off the welfare roles, why did we slash this important work incentive?

As if this were not enough, however, we also go on to punish mothers.

As Edward V. Sparer points out, a distinction has always been drawn in these programs between able-bodied men and mothers, with respect to work and training.

> It is generally accepted as part of the structure of present federal and state welfare laws that the able bodied are required to accept work . . . A different situation exists with regard to mothers of young children on AFDC. The intent underlying our present Social Security Act is that the right to make the decision as to whether such mothers should work or not should not be taken away from poor mothers just as it has not been taken from other mothers in our society . . . H.R. 12080 would reverse the purpose of AFDC.

I do not believe there are valid generalizations in the field of welfare with regard to the merits or demerits of employment of mothers. Our experience is too limited; the results too contradictory. For many, work and training may be the answer. Experience with the OEO title V programs has demonstrated that in some cases work and training can lead to increased self-sufficiency. For others, however, leaving the home only increases family problems.

There is even some evidence that it may harm the children directly. Two psychiatrists, Drs. Frederick Solomon and Chester M. Pierce, assert that welfare children whose mothers are forced to work may reach adulthood mentally retarded or emotionally disturbed.

These psychiatrists are not quacks. They are members of a committee established by Congress in 1965 to study mi-

nority group children as part of the Joint Commission on Mental Health of Children. These physicians hold that depriving children of full-time attention by their mothers and substituting "institutional" day-care centers for children under 3 years of age could do lifelong damage to their mental and emotional health.

Dr. Solomon sent me a telegram I wish to quote:

> We beseech you to filibuster if necessary to defeat the welfare amendments to the Social Security bill. The mental growth of thousands of infants and children will be gravely affected by the absence of their mothers in compulsory work or training. Day care for children under age 13 is highly experimental and likely to be extremely dangerous if applied broadly. We feel the freeze on ADC payments is also unspeakably cruel. Your courage on this issue now will be justly rewarded by an easy conscience later.

Many factors affect a person's readiness for work or training at any given point in time. One is the mental, physical, and psychological ability to perform the expected work. Another is attitude. A third is family circumstances. A fourth is ability to pay the incidental expenses involved. Unless all four of these elements are in order, severe harm may result.

An illustration may help: Mrs. X is the mother of four children, aged 16, 12, 6, and 2. She is receiving public assistance. The one training course established in her area this month is a home health aide course. Mrs. X has not finished high school has no health training and can barely read and write.

She explains her anxieties to the social worker. She has not been in school for a long time; she does not know anything about health; she lacks the money for transportation and is worried about the children—the 2-year-old is often ill, and the oldest son is having trouble in school.

The social worker listens to a few sentences, and then cuts her off. "What does this woman mean," she thinks. "Home health aide training is a snap. She's just trying to get out of work."

Somehow Mrs. X manages to struggle through the class. She cannot find a job immediately, but after 3 months is employed. She finds to her dismay, however, that home health aides are employed only on a part-time basis.

Even working as many hours as the scheduler will give her, she still is netting only about $50 per week. And then there are the weeks when the 2-year-old must be taken to the clinic across town. That takes a full day each time.

There are conferences at her son's school with teachers, trying to keep him from becoming a dropout. The home health agency does not pay for cleaning her uniform, or for lunches. At the end of 3 months Mrs. X sees that she cannot possibly make ends meet. But there is nothing she can do to remedy the situation. Her social worker declares her "able-bodied"; State regulations fail to include the family or financial considerations.

Mr. President, these stories and worse are destined to be repeated across the country, because of the bill's language on the work-training program.

The Senate amendments would have made work-training an effective concept by combining training incentives with voluntary participation. People who should know, including Secretary Gardner of the Department of Health, Education, and Welfare, agreed that this was the way to create an effective program.

It is true that the conference report represents a considerable improvement over the original House program. The report calls for new work-incentive programs to be administered by the Department of Labor for AFDC recipients referred by welfare agencies. Programs would include employment, training or subsidized special work projects.

But the language of the conference report still permits welfare officials to force mothers to work. It specifically deletes the Senate exemptions for mothers and other relatives who care for preschool children or children under 16 attending school, and takes from the State the ability to set up other exclusions.

This could be interpreted as a mandate to punish the poor.

We all have listened to the stories of arbitrary behavior by social workers and public welfare officials. Unfeeling, sometimes punitive behavior is held to be an all-too-frequent occurrence. Many hold that the public welfare system as a whole fosters dependency and denies basic human and constitutional rights.

Edward V. Sparer cites what he calls the "incredible" lengths some State welfare regulations reach:

> Georgia regulations on the one hand require mothers to obtain full-time work whenever the welfare department deems it appropriate; on the other hand, the welfare department must, under the Georgia "employable mother" regulation, discontinue aid whenever the mother obtains a full-time job, no matter how little she earns. . . . The Washington, D.C. rule, as I understand it, goes even further. Under the D.C. rule, a mother who is deemed able bodied and available for work is subject to AFDC termination even though she has not obtained a job!

Secretary Gardner warned the Congress about the dangers of the House work-training provisions:

> If determinations are made according to rigid formulas inflexibly applied, if lack of imagination and foresight characterize action at the decision level, then the result can only be grief for the individuals and families involved, and defeat of the purposes of the program.

There is much controversy about the nature and the extent of the abuses. One thing is clear, however. Whatever tendencies there are toward negative results, are escalated to near certainty by the compromise bill.

But there are other reasons for my objections to the bill's treatment of work and training.

If we had wanted an effective work and training program for welfare families, we would not have reduced the training incentives.

The Senate amendments would have made it attractive to gain additional skills and financially possible for welfare recipients to participate. A payment of $20 per week would have given mothers, fathers, and older children the funds to pay for increased costs attendant to being away from home—lunches bought at school rather than prepared at home, dry-cleaning of uniforms required for training, additional transportation costs.

The $30 per month of the compromise, on the other hand, would be a training disincentive in many instances. A payment of $7 per week cannot possibly cover the combination of costs facing a family member who must be away from home during the day—transportation, lunches bought at cafeterias, training materials, and the like.

Equally onerous is the reduced Federal participation in supporting work-training programs.

The compromise amendment would reduce the Federal share of program costs from 90 percent to 80 percent.

The shift doubles the burden on the States from 10 to 20 percent. What are the States to do? The effect on administration may be disastrous. As we all know, the conference bill says that mothers who cannot or do not wish to work have a grace period of 60 days, in which they can still get their AFDC checks, if they receive counseling. But suppose there is not enough money to hire additional caseworkers and counselors needed to handle the increase in work? Suppose the mother cannot get an appointment to see the counselor within 60 days. The mother's welfare check will be cut off. She will be punished for something she could do nothing about.

Many criticisms could be leveled even against the original Senate bill. It does not deal with the problem of creating meaningful jobs and adequate income. It does not create new careers for the poor. And it does not even guarantee placement.

All of these points are well taken. But the fact remains that while the Senate bill may not have been perfect, the House provisions were a disgrace. The conference report is little better.

The poor have always gotten the short end of the stick. Now they are to be beaten with it.

IV. TITLE 19

Let me now turn to title 19, and what the conference report and bill would do to medical care for the needy.

Poverty and ill health reinforce one another. The poor cannot afford the kind of health care they need to escape dependency, disease, and dispair. Illness means they cannot take advantage of opportunities for education, training, and work. As one of the OEO health program administrators put it:

> Without intervention, the poor get sicker, and the sick get poorer.

The title 19 program promised one kind of needed intervention—money. Under this legislation, those receiving cash assistance were to be eligible for help in meeting medical expenses. But also, the medically indigent—those able to pay for food, clothing, and shelter, but unable to pay for medical care—were to become eligible, if the State so desired. So far, 29 States have established these

programs. By January 1, 1970, 54 jurisdictions may have programs in operation.

I am proud to say that Minnesota has an approved title 19 plan. The title 19 program in this year alone is expected to benefit nationally, 8 million Americans, two-fifths of them 65 and over, and one-half children and youth under the age of 21. Yet, in this year, when so many are gaining access to good health, House surgeons cut the heart out of the title 19 program.

The House bill limits Federal participation in title 19 programs to those whose income is less than 133 percent of the highest amount ordinarily paid families of similar size under the State aid-to-dependent-children programs. Wilbur Cohen talked about the results in the hearings on the House bill. He said:

> The limitation will effect the programs in operation in 14 States, and will severely restrict the future development of the program to meet the medical needs of persons who lack sufficient resources to pay for them.

A table was introduced, showing the cut in Federal funds that would flow to the 14 States. We all know what drastic reductions in Federal funds will mean. Recent statements by Mayor Lindsay, of New York, and others indicate that there just is not money to cover these costs in local budgets. Reduction in Federal participation for most localities will probably mean cutting down on the amount of medical care for the poor.

Mr. Cohen discusses another effect:

> The House limitation will destroy the concept of medical indigence in a number of states.

He gives illustrations showing how families eligible for cash assistance can find themselves ineligible for medical assistance, because many States do not pay the full percentage of need. He said:

> In Indiana, for example, a family of four is eligible to receive assistance if their income is less than $271.40 per month, yet the highest amount that can be paid in assistance is $103. The House bill would mean that this family could receive cash assistance if their monthly income is up to $271.40, but medical assistance only if their income is below $137, about half of the eligibility level for cash payments.

For another example:

> In Texas, a family of four with income below $163.95 could qualify to receive cash assistance . . . Yet, unless the family income is below $124, its members would not be eligible for medical assistance

Mr. President, this is a false economy, in terms of dollars and of people.

People who are not well and cannot work cost taxpayers money—unemployment insurance, welfare assistance, and the rest. And if they live in families, these costs simply multiply.

Let me tell a story to illustrate my meaning. I know of a family in one of our large eastern cities. Father, mother, four children, aged 22, 15, 11, and 1 year. Family is off welfare right now primarily because of the medicaid program. Before this program this one family had cost all of us a very great deal. The father had had a nervous condition which could be controlled by medicine. Much of the time, he could not afford that medicine, however. When he lost jobs, he had to go on unemployment insurance. When that ran out, welfare was the only answer.

The family dreaded illness requiring hospitalization, because it always caused the same trauma to the family. The general hospital could only keep patients for a certain length of time. Patients sent home required constant home care. Since this family was not eligible for the health department's home-care program free, someone had to stay home to care for recuperating family members.

Usually this was the mother. But if mother was ill, or if she had to take one of the children to the clinic to wait in line all day, one of the school-age children would have to stay home.

The oldest child had missed so much school because of this that he never had completed high school. As a dropout, he was destined to the same treadmill of low paying work that had trapped the school-dropout father.

On and on the family saga went until last year. Almost 12 months ago, their State put a title 19 program into operation, which included this family among the medically indigent eligible for care.

Father now can get the medicine and stay on his job. Mother now can secure a home health aid to provide real care to family members coming home from the hospital. And the children can stay in school.

The savings both in dollars and in human terms has been enormous. Yet, checking their income levels against the House-sponsored formula shows this family will be cut off medical assistance. That is the meaning of the 133-percent formula.

Mr. President, as I said before, this is one of the worst pieces of legislation I have seen in a long time, but it is consistent with other bills that have been coming out of conference with the House.

We have given in too often to the House on legislation. I am tired of being told that we in the Senate must accept reduced appropriations, restrictive amendments, and unnecessary legislation in order to gain House support for the continuation of programs the voters want.

We gave in on rent supplements. In the end, we appropriated only one-fourth the amount requested by the administration and voted by the Senate.

We gave in on the poverty bill. We accepted the Green amendment and reduced authorizations in order to continue this program for another 2 years.

We gave in on metropolitan development. In the appropriation bill for the Department of Housing and Urban Development, we accepted language that eliminated the metropolitan expediter program and may eliminate the "204" program which requires areawide review of cities' applications for Federal aid when these projects affect other cities.

We gave in on model cities. The appropriations nowhere matched the need existing in the 63 cities approved for the model city grants.

We gave in on reapportionment. There we resisted, and forced the House to reevaluate its position.

Right now we must decide on social security. We are being forced to accept or reject a bill which provides a measly increase in benefits, restricts the welfare family, and ignores the need for effective work incentives. We cannot recommit, we cannot amend, we have to accept or reject.

Mr. President, I for one, am tired of being told that I must vote for this bill or be on record against the program.

I think the people of this country are too sophisticated to interpret a "no" vote on this conference report as a vote against increased social security benefits. Instead they will support efforts to defeat the bill and drive to pass a better bill at the beginning of next session.

I do want to make it clear that I am not accusing any other distinguished Member of this body of conscious duplicity. As one who has just completed a conference on meat inspection legislation and as a member of the conference committee on food stamps, I know that the Senate position must be compromised to get a bill out of conference. But I feel this bill is too important to the poor, the aged, the sick, the disabled to give in as completely as we did.

Therefore, Mr. President, I urge my colleagues to join me in defeating this conference report, because it is a bad bill and because the provisions of the Senate-passed version were nearly ignored in Congress.

We can no longer be a Congress of 20/20 hindsight. The time for action is not next session, but now.

Mr. President, my remarks include what I consider to be 18 grave objections to the conference report.

I ask unanimous consent that a summary of my objections be printed in the RECORD. I also ask that a sample of letters and telegrams sent to me in opposition to this proposed legislation be printed in the RECORD.

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

[From the office of Senator WALTER F. MONDALE, Dec. 14, 1967]

OBJECTIONS TO CONFERENCE REPORT ON H.R. 12080, SOCIAL SECURITY AMENDMENTS FOR 1967

1) A 13% increase in Social Security benefits is totally inadequate. The average person on social security can barely eke out a living; the average social security income is below the poverty level. Social Security beneficiaries have been fighting a losing battle with the cost of living since 1940, and neither the 1959 increase nor the 1965 increase in benefits matched the increase in living costs. To keep pace with the wages of employed workers, Social Security benefits would have to be increased 37%. The 15% increase voted by the Senate was barely adequate; a 13% increase will only momentarily ease the economic pinch on the elderly, and it will be another three or four years before Congress will again increase benefits.

2) Thousands of older people who are receiving welfare assistance in addition to social security, will get no increase at all because their welfare aid will be reduced by whatever amount their Social Security check is increased. The Senate voted a mandatory $7.50 welfare increase to offset this reduction; however, it was rejected in conference.

3) The Conference proposal represents a backdoor tax increase. Taxpayers will have to pay the same for the Conference bill (which proposes benefits costing $3.6 billion) as they would for the Senate bill (which

proposed benefits costing $5.8 billion). Thus the tax burden on American taxpayers is increased without hearings and without providing commensurate benefits. We may need a tax increase, but I do not believe American citizens should have to pay such hidden taxes as this represents.

4) Local real estate and property taxes may have to be increased in many states in order to make up for decreased federal participation in welfare programs and new restrictions on uses of federal aid funds.

5) Lower-income taxpayers will have to pay a larger share of their income in Social Security taxes than those who earn over $7,800 a year. This occurs because the Conference Report adopted a proposal that Social Security taxes be paid only on the first $7,800 of income and rejected the Senate's sliding scale proposal. Thus people who earn over $7,800 a year do not have to pay Social Security taxes on the amount of income in excess of $7,800.

6) The Conference Report rejects or reduces additional Social Security increases for special groups. The Senate had proposed additional benefits for disabled widows and widowers, individuals 72 years of age and older, and those who chose reduced benefits at age 60.

7) There are insufficient increases in the amount an individual can earn and still be eligible for full Social Security benefits. At present, a Social Security beneficiary can earn only $1,500 a year without having part of his benefits withheld. The Senate proposed increasing this limitation to $2,400, but the Conference refused to go beyond the $1,680 figure proposed by the House of Representatives. This represents an increase of only $180 rather than $900 as suggested by the Senate.

8) The Conference Report arbitrarily limits the extent of federal participation in Aid to Dependent Children programs by placing a "freeze" on the number of American children who can be fed, clothed and housed with federal funds. This is like trying to reduce fires by limiting the number of fire engines. It fails to provide for increases in AFDC needs resulting from increased awareness of eligibility, migration from state to state, and economic declines.

9) Restricting the amount of federal assistance to needy children forces the states to either 1) deny aid to new applicants; 2) reduce the number of families being helped by imposing harsh new eligibility requirements; or 3) assume the full burden themselves for any assistance provided children in excess of the freeze ceiling. These options trap the states. Few states have the financial resources to support the public service they now maintain, much less the addition of further welfare expenses. The property tax can be stretched only so far; thus the only choice open to states and localities will be those which are punitive, restrictive and counter to the philosophy of welfare and common sense.

10) The "freeze" raises constitutional doubts because it authorizes states to deny aid to families which meet existing eligibility requirements. Providing statutory authority for arbitrary exclusions from welfare programs may violate the 14th Amendment guaranteeing all citizens equal protection of the laws. If a state grants aid to some needy citizens and not to others, such discrimination must be made on a more reasonable basis than "first come, first served." Establishing an arbitrary limit on the number of persons who may benefit from a program is irrational, indefensible, and inconsistent with Democratic principles and the Constitution.

11) Deletion of the Senate amendment extending aid to children of unemployed fathers nationwide is clearly punitive. This provision would hold families together by permitting an unemployed father to stay at home rather than forcing him to leave so that his children will be eligible for aid on grounds of desertion. At present, aid to children of unemployed fathers is a voluntary program in effect in only 22 states. Unemployed fathers in the other 28 states and the District of Columbia must still desert their families in order to feed them.

12) Rather than extending the aid to children of unemployed fathers program nationwide, the Conference Report places additional restrictions on AFDC programs by excluding children of fathers who have not worked in the previous year or for at least 18 of the prior 52 months, and fathers who are eligible to receive unemployment compensation. This would appear to make it impossible to help the families of both the hard-core, long-term unemployed and the regular worker who becomes temporarily unemployed due to economic forces beyond his control.

13) The Conference Report would permit state or local welfare officials to force mothers to accept jobs or participate in training programs without consideration of the effect on children in the family. While such authority is discretionary it is fraught with possibilities for abuse. At worst, it would permit local welfare officials to deny assistance to minor children if their mother refused to accept a particular job—regardless of wages, working conditions and other factors.

14) Senate safeguards against abuse of work-training requirements for mothers were rejected by the Conference Committee. The Senate safeguards included exemptions for mothers and other relatives who care for pre-school children or children under 16 attending school, and authority for states to establish other exclusions.

15) The Conference Report drastically reduces training incentives for welfare recipients. The Senate had authorized payments of $20 a week for recipients participating in training programs to cover personal expenses such as transportation, maintenance of uniform or work clothes, and eating away from home. This was reduced to about $7 per week by the Conference Report.

16) The Conference Report also drastically reduces work incentives for welfare recipients and their children. The Senate version would have allowed a family on welfare to keep the first $50 of earned income each month plus 50% of whatever was earned above that amount, without a reduction in welfare payments. This was cut to $30 and 30% in the Conference Report.

17) The State share of work-training programs is doubled, going from 10% to 20% of the total, while the federal share is cut from 90% to 80%. This will further burden local tax resources and will increase pressure on state and local welfare officials to adopt more restrictive policies and procedures.

(18) The Conference Report limits the amount of federal participation in state medicaid programs under Title 19 through use of a formula based on the amount of state funds spent to help needy children and their mothers under AFDC. This will have the effect of drastically limiting medicaid assistance in states with Title 19 programs.

WASHINGTON, D.C.,
December 11, 1967.

Senator WALTER F. MONDALE,
Washington, D.C.:

The conference report on the social security bill is repugnant to human needs and dignity. Social security benefit levels are totally inadequate, and the work-training requirements imposed on mothers by the conference report are unconscionable. The welfare benefit freeze will impose heavy tax burdens on local communities and adjustments in old-age assistance and welfare standards may deprive the poorest of our retired citizens of any income increases at all. On behalf of more than six million members of the Industrial Union Department, AFL-CIO, I urge you to vote against the social security conference report and subsequently to instruct conferees to insist on the provisions of the Senate bill.

WALTER P. REUTHER,
President, Industrial Union Dept., AFL-CIO.

WASHINGTON, D.C.

Senator WALTER F. MONDALE,
Washington, D.C.:

Urge your support for two key public welfare amendments to H.R. 12080 the Social Security Amendments of 1967 eliminated by Senate-House conferees on the bill. Although Senate had eliminated the AFDC freeze and liberalized work requirements for mothers with children on assistance, the conference maintains the particularly punitive provisions passed by the House.

CHARLES SCHOTTLAND,
President, National Association of Social Workers.

WASHINGTON, D.C.,
December 8, 1967.

Senator WALTER MONDALE,
U.S. Senate Building,
Washington, D.C.:

Dismayed by punitive ADC bill out of conference. Please help restore Senate amendments or kill bill.

GORDON BUYSE.

WEBSTER GROVES, MO.,
December 10, 1967.

Senator WALTER MONDALE,
Senate Office Building,
Washington, D.C.:

As former director, Minnesota Public Welfare, and as former dean, school social work, Washington University, I urge you to work for rejection of conference committee report on aid to families with dependent children. It would take us back to punitive practices resulting in suffering innocent children. Has no merit. Congratulations on article in Progressive last summer.

BENJAMIN E. YOUNGDAHL,
Washington University.

NATIONAL PRESBYTERIAN HEALTH & WELFARE ASSOCIATION OF THE UNITED PRESBYTERIAN CHURCH IN THE U.S.A.,
New York, N.Y., December 7, 1967.

Senator WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: On behalf of the National Presbyterian Health and Welfare Association, may I take this opportunity to thank you for your action in the Senate on November 21st. Your vote supporting Amendment No. 425 of Bill H.R. 12080 was greatly appreciated by members of our Association.

The Association, representing over 400 service units in the fields of child care, health services, services to the aging, neighborhood centers, and institutional chaplains, was distressed with some of the coercive features of H.R. 12080.

It is hoped that the House-Senate Conference Committee, following their discussions, will present a bill which is supportive of a progressive welfare policy to meet the many challenges which face us in the area of health and welfare today.

Yours very truly,
ARTHUR M. STEVENSON, Jr.,
President.

NEW YORK, N.Y.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington D.C.:

In view coercive discriminatory provisions H.R. 12080 with respect public assistance (AFDC) as reported conference committee,

urge vote against bill or return conference with instruction retain Senate provisions.

REV. REINHART B. GUTMANN,
Executive Secretary, Division of Community Service, Executive Council, Episcopal Church.

MINNEAPOLIS, MINN.
December 12, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington D.C.:

Local 932 UAW retirees chapter membership of 200 respectfully request you to reject conferees report on social security in favor of the bill passed by the Senate.

Respectfully,
G. FRED NILSSON, *Chairman.*

AUSTIN, MINN.

Senator WALTER MONDALE,
Senate Office Building,
Washington, D.C.:

Mower County Welfare Board opposes curtailment of AFDC funds on Federal level as per current considered legislation. We urge your opposition.

HAROLD MICKELSON,
Director.

BELTRAMI-CASS WORK & TRAINING PROJECT,
Cass Lake, Minn., December 11, 1967.

Hon. WALTER MONDALE,
U.S. Senator,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: Those of us with the Beltrami-Cass Work Experience and Training Project wish to express our dissatisfaction and concern over the 1967 Social Security Amendments as reported out by the House-Senate Conferees.

We feel that some provisions are retrogressive in nature and are in violation of the original intent of the Social Security Act which was to strengthen family life.

We refer specifically to the so-called "freeze" on the number of AFDC children for which the Federal Government will provide funds. The ultimate result of this legislation will be of a punitive nature. It will penalize the poor everywhere, but especially in those states that experience financial difficulty in meeting the costs of assistance.

We are also opposed to the work training provision for AFDC mothers. Unfortunately, some states may use their discretionary option to "force" mothers into such programs with the express, (or overt) purpose of reducing their AFDC caseloads. This apparent emphasis on costs, instead of on people and their problems is distressing to all of us who are daily confronted with the deprivation experienced by these people.

We urge you to oppose the joint provisions for these reasons. We would urge you to support only those amendments which would give the states additional resources, and would enable them to work more effectively in alleviating the many needs of our impoverished peoples.

Thank you.

Yours truly,

PAIGE CHRISTENSEN.
MRS. SANDRA DAVIS.
MRS. DORIS HAVUMAKI.
JOS. C. HELFTER.
DENNIS JOHNSON.
MRS. LOUISE KOLSTAD.
VERNE TOLLEFSON.

DECEMBER 11, 1967.

Hon. WALTER MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: There are portions of the 1967 Amendments to the Social Security Act which are not only discouraging, but also contradictory to previous legislation passed in our country. Those of us who are familiar with the problems and pressures of the families receiving public assistance are fully aware of the injustices which will result from the proposed amendments.

If a "freeze" is placed on the number of children eligible for Aid to Families with Dependent Children whose payments could be financed by the Federal Government, it may well result in the malnutrition, disease and abandonment of many children. If persons in destitute situations are denied the assistance which would enable them to provide a minimal subsistence for their families, the ultimate reaction would be devastating to them and to our society. Many local areas of our country do not have the financial wealth to assume the costs of public assistance now covered by the Federal Government.

I am against the Amendments as they are proposed by the current legislation. It is essential that we enact more liberal welfare provisions which take into consideration the social, emotional and physical needs of the destitute persons in our own country.

Respectfully yours,
MRS. SANDRA DAVIS.

DECEMBER 12, 1967.

Hon. WALTER MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: From all that I have heard of the 1967 Amendment to the Social Security Act I hope that you will vote against this amendment.

The part regarding rejection of support to some AFDC mothers particularly disturbs me. Why should some children be provided for and others refused sustenance?

This is a sample of sloppy thinking and improper legislation.

Respectfully yours,
JOS. C. HELFTER.

DECEMBER 11, 1967.

Senator WALTER F. MONDALE.

DEAR MR. MONDALE: We appreciate your efforts with regards to the Social Security program benefits.

We only want you to carry along to the committee our thoughts.

It didn't take the Congress very long to vote themselves a nice raise a few years ago but they argue and stall and delay a program that will aid people who are really hurting these days.

We are not looking for a handout. We have worked for years, paying taxes and living as good grass roots U.S. citizens and feel as though, at the present time, we are the forgotten people.

I would like two questions to be answered provided you have the answers.

First. When will the new 13% raise come to us.

Second. We would like to be able to earn a bit more on part time work. Have you any information as to a raise in what amount one can earn per year.

Rest assured Mr. Mondale you will continue to receive our support and the complaints we have given in no way point the finger at you.

Best of luck.

Sincerely,
THEODORE R. MENGES.
MINNEAPOLIS, MINN.

MINNEAPOLIS, MINN.,
December 8, 1967.

Hon. WALTER MONDALE,
U.S. Senator,
Washington, D.C.

DEAR SIR: This letter is to protest against the miserable Social Security bill, just passed.

I know that my protest means very little. But as your constituent, I have the right. I do not think it fair to raise Legislators salaries, Govn. employees, army personnel and what have you. You spend money for everything conceivable but not for those on the bottom of the social security rung.

The Democrats will have a hard time to peddle their wares in the next election. This inflation is the Democrats own doing. That really hurts. You know, no human can live on the minimum, set by this bill.

Yours truly,
FREDERICK H. REINKE.

WASHINGTON, D.C.,
December 13, 1967.

Senator WALTER MONDALE,
Senate Office Building,
Washington, D.C.:

Public assistance and welfare provisions of 1967 social security amendments approved by conference committee represent major retreat from gains won over many years. Freezing of rolls on aid to dependent children and compulsory work programs are punitive and regressive in effect and would work hardship not only on the poor but on state and municipal welfare resources. We commend you for your leadership in urging that Senate stand by its version of bill.

ARTHUR S. FLEMING,
President, National Council of Churches.

NEW YORK, N.Y.,
December 13, 1967.

Hon. WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.:

We urge the Senate to reject the report of the conference committee on the 1967 social security amendments. The medievalism of the public welfare provisions far outweighs any gains to be realized from increases in OASDI benefits. We have a deep concern for the plight of the elderly but the additional hardships to be imposed by the bill on already deprived children and families render this bill an unsound public program. The conferees should be instructed to approximate the bill passed by the Senate, and to reject the inhumane and regressive House bill. Our committees on aging, on family and child welfare and on health join us in urging you to return the proposed bill to the conference committee.

JOHN H. MATHIS,
Chairman, Committee on Public Affairs, Community Service Society of New York.

NEW YORK, N.Y.,
December 11, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.:

Please reject conference report on H.R. 12080. Title II irremediably endangers and deprives millions of children.

JOSEPH H. REID,
Executive Director,
Child Welfare League of America.

WASHINGTON, D.C.,
December 11, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.:

The Executive Committee of the Leadership Conference on Civil Rights urges you to vote against the conference report on the social security bill. What started out as a social security measure has become an instrument of social insecurity. It generates pressure to break up families. Under this bill fathers would abandon their families and mothers would be forced to leave their children and go to work. The war on poverty is becoming a war on the victims of poverty. Cities now wracked by terrible crises would be faced with the intolerable choice of leaving poor people destitute or trying to provide for them out of funds they do not have. This is a shocking and regressive bill. We urge you to send it back to conference and in-

struct the conferees to insist on the Senate provisions.

ROY WILKINS,
Chairman, Executive Committee, Leadership Conference on Civil Rights.

NEW YORK, N.Y.,
December 12, 1967.

Senator WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.:

We support and are encouraged by your efforts to return bill H.R. 12080 to the House-Senate Committee for further review. We urge you to ask the Senate conferees to uphold the humane intent of the welfare provisions in the Senate bill (amendment 425).

ARTHUR M. STEVENSON, Jr.,
President, National Presbyterian Health & Welfare Association.

WASHINGTON, D.C.,
December 12, 1967.

Senator WALTER F. MONDALE,
Washington, D.C.:

Farmers Union Board calls upon the Senate to reject the Social Security conference report.

Farmers Union feels that the conference report might push welfare concepts backward 20 years. Farmers Union continues to support the plan to give work and training opportunities for low income people instead of welfare as contained in the Senate version which was rejected by the conferees.

Farmers Union is deeply disappointed that the Social Security conference report failed to give significant increases in Social Security payments above a cost of living increase. There is little question that the bill will leave many millions on Social Security with total incomes below the poverty level, and future generations without adequate retirement incomes.

Farmers Union regrets that the drug lobby was successful in eliminating the generic drug provision from the bill, which would save an estimate of $100 million in taxes each year.

Farmers Union urges that the Social Security bill be reworked by the Congress early next year.

TONY T. DECHANT,
President, National Farmers Union.

MIAMI BEACH, FLA.,
December 11, 1967.

Senator WALTER F. MONDALE,
Washington, D.C.:

AFL–CIO considers conference report on social security absolutely inadequate. Most of Senate provisions designed to improve House bill have been abandoned. Benefits for OASDI recipients would barely exceed already increased costs of living. Retreats on welfare provisions enacted by Senate are travesty on America's image as compassionate and humanitarian nation. We urge every Senator to vote against this deplorable attack on poor and underprivileged and request another conference to secure passage of an adequate social security bill.

GEORGE MEANY,
President, AFL–CIO.

NEW YORK, N.Y.,
December 12, 1967.

Senator WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.:

We support the social security bill originally passed by the Senate and welcome your efforts to reject conference committee report. Shameful quota on number of children aided must be eliminated. Conference acceptance of limitations on medicaid, forced work procedures, and new burdens on States and localities should be reversed.

FAY BENNETT,
Executive Secretary,
National Sharecroppers Fund.

WASHINGTON, D.C.,
December 11, 1967.

Senator WALTER F. MONDALE,
Washington, D.C.:

The National Association of Social Workers is deeply concerned about restrictive welfare provisions in conference report on H.R. 12080—the Social Security Amendments of 1967—compulsory work requirements on mothers with small children and the AFDC freeze must be eliminated. Respectfully request that you not approve conference report but refer it back with request that new conferees be appointed.

CHARLES I. SCHOTTLAND,
President,
National Association of Social Workers.

WASHINGTON, D.C.,
December 12, 1967.

Senator WALTER MONDALE,
Senate Office Building,
Washington, D.C.:

We beseech you to filibuster if necessary to defeat the welfare amendments to the social security bill. The mental growth of thousands of infants and children will be gravely affected by the absence of their mothers in compulsory work or training. Day care for children under age 3 is highly experimental and likely to be extremely dangerous if applied broadly. We feel the freeze on ADC payments is also unspeakably cruel. Your courage of this issue now will be justly rewarded by an easy conscience later.

FREDERICK SOLOMON, M.D.,
Medical Committee for Human Rights.

NEW YORK, N.Y.,
December 12, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.:

The Board of Social Ministry, Lutheran Church in America, is opposed to the regressive public welfare measures embodied in the conference report on the social service amendments of 1967. We support you in your efforts to keep the substance of the Senate bill.

CEDRIC W. TILBERG,
Secretary for Program and Leadership.

WASHINGTON, D.C.,
December 13, 1967.

W. MONDALE,
Senate Office Building,
Washington, D.C.:

ADA opposes the social security amendments conference report. The report's provisions repudiate needs and dignity. ADA urges you to vote against the conference report and to vote for the previously passed Senate social security provisions.

Very respectfully,

LEON SHULL,
Director, Americans for Democratic Action.

WASHINGTON, D.C.,
December 13, 1967.

Hon. WALTER F. MONDALE,
Washington, D.C.

DEAR SENATOR MONDALE: Social security conference report falls short of our recommendations. Twenty-three million older Americans however need all possible assistance. Trust you will take their needs into consideration when voting.

CYRIL F. BRICKFIELD,
Executive Director, National Retired Teachers Association, American Association of Retired Persons.

WASHINGTON, D.C.,
December 13, 1967.

Senator WALTER F. MONDALE,
U.S. Senate, Washington, D.C.:

The Railway Labor Executives' Association, representing virtually all of the railroad workers in the United States concurs fully with the position of the AFL–CIO taken in their telegram of December 11, 1967, on the pending social security legislation. We ask that the social security legislation be returned to the conference committee in an attempt to develop a just solution to the problem of the Nation's retired and poverty stricken.

G. E. LEIGHTY,
Chairman, Railway Labor Executives Association.

BAGLEY, MINN.,
December 12, 1967.

Hon. WALTER F. MONDALE,
Senator for Minnesota,
U.S. Senate, Washington, D.C.:

Wish to support your floor fight on pushing for liberalization of social security bill. Minnesota and Clear Water County will suffer from conference committee bill. Concerned about AFDC freeze, forced employment, medicaid cutback.

JOHN F. JELSTUL,
Director,
Clear Water County Welfare Department.

LONG ISLAND CITY, N.Y.,
December 12, 1967.

Senator WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.:

The 1,500 members of the Senior Citizens Club of Bakers Union Local Three, Long Island City, N.Y., urge you to do everything possible that the "punish-the-poor social security bill" does not become law. For this bill to become law would be a disgrace to all Americans. We wholeheartedly endorse and support the social security bill passed by the Senate.

SEYMOUR RASKIN,
Secretary.

ST. PAUL, MINN.,
December 12, 1967.

Senator WALTER MONDALE,
Washington, D.C.:

The 350 members of Ford Local 879 retirees chapter urge you to reject conference report on social security in favor of bill as passed by the Senate.

PHILLIP J. PADDEN,
Chairman.

ST. PAUL, MINN.,
December 1, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.:

The Ramsey County Welfare Board at its meeting on 11–28–67 voted to urge support of a new provision in H.R. 12080 Social Security Amendments of 1967, which would utilize services of Internal Revenue Service to locate runaway fathers and encourage them to make payments to their abandoned children in compliance with court orders. IRS would collect from individual or employer an amount equal to Federal share of court order, if less, if parent refuses payment.

Miss RUTH L. BOWMAN,
Executive Director,
Ramsey County Welfare Board.

SIOUX FALLS, S. DAK.,
December 12, 1967.

Senator WALTER MONDALE,
Senate Office Building,
Washington, D.C.:

Know of hearty professional support for your coalition of Senators Mondale, Kennedy, Morse, Kennedy, Harris, Hartke, and Metcalf regarding Senate position on 12080 ADC provisions. Better that the 1967 social security amendments perish than that we regress to the punitive era of the English poor laws of 1600.

ROBERT MABBS,
National Association of Social Works Commission, Social Actions for Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

[From the Minneapolis Tribune, Dec. 10, 1967]

BY LIBERALS—SENATE WELFARE FIGHT ORGANIZED

(By Jack Wilson)

WASHINGTON, D.C.—A group of Senate liberals held a strategy session Saturday to organize their fight to remove "restrictive and repressive" changes in welfare programs from a bill to increase Social Security benefits.

The group, which included Sen. Walter F. Mondale, D.-Minn., admitted it faces a dilemma. The parliamentary situation is such that by opposing restrictions on programs for aid to dependent children, the unemployed and the aged, the senators would endanger the rest of the bill, which boosts Social Security payments to retired persons.

They agreed to take the risk. Sen. Robert F. Kennedy, D.-N.Y., said "No bill at all is better than this."

Mondale called the bill "One of the worst pieces of legislation I've seen in a long time. The only responsible thing we can do is fight to reject it."

The bill in its present form was the product of a conference committee that met to adjust differences between the House and Senate versions of the Social Security-welfare measure. The Senate version was more liberal than the one that passed the House, and some senators were suggesting that the Senate members of the conference committee had given in to the House on every basic point without receiving any concessions in return.

The group that met yesterday included, in addition to Mondale and Robert Kennedy, Sens. Wayne Morse, D-Ore.; Edward M. Kennedy, D-Mass.; Fred Harris, D-Okla.; Vance Hartke, D-Ind.; and Lee Metcalf, D-Mont.

They cited several specific objections to the conference committee bill, among them:

The bill authorizes state officials to force mothers to take jobs or risk losing their Aid to Dependent Children payments. This would mean that if a mother refused to accept a job, no matter what the wages, that welfare officials found for her, she and her children could be cut off the welfare rolls.

"This is nothing but a way of reinstituting slavery," Mondale said.

Another controversial provision in effect would require states to limit the number of children receiving aid. The number of children eligible for Aid to Dependent Children next Jan. 1 would be balanced against the number of children in the state, and from then on the number receiving aid could not exceed that proportion.

The Senate bill originally provided that children of unemployed fathers should be eligible for aid payments. At present this is optional, and only 22 states have adopted such programs.

The House threw out the Senate provision and further limited the program by saying children of an unemployed father should not be eligible unless he had had "a substantial connection" with the labor force. This would eliminate young fathers still looking for their first jobs."

The conference report also provides that the children are not eligible if the father gets unemployment compensation—regardless of the amount—or has applied for it.

Incentive provisions of the Senate bill designed to encourage persons on welfare to find jobs were reduced by the conferees.

The Senate bill would have allowed a family on welfare to keep the first $50 of earned income each month, plus 50 per cent of whatever was earned above that amount, without a reduction in welfare payments. The conferees cut this to $30 and 30 per cent.

In addition the Senate bill proposed to permit welfare clients in certain work training programs to keep up to $87 per month of their pay without suffering loss of welfare. The conferees cut this to $30 per month.

DECEMBER 11, 1967.

DEAR SENATOR MONDALE: Regarding enclosed clipping from the Sunday paper I like to express my great dismay, because the provision to include widows regardless of age under the disability provision under Social Security was deleted.

I came to the United States in 1947 from Berlin, Germany. Was married, had a daughter in 1948 and became disabled with polio in 1950. Spent eight months in a local hospital and was sent home in a wheelchair. In 1957 my husband died very suddenly. I was left with many bills, a mortgaged house, very little money, a nine-year-old daughter, and still disabled.

We were covered under widows and survivors Social Security. I could not hold onto the house and had to move into public housing in 1960, where I still live.

My widows pension under social security was cut of March 1, 1965. I was told by that "sweet" lady at the Social Security department that I would just have to wait around 'til I reached age 62 when I could get any other benefits.

My daughter is a student at the University of Minnesota. Last year she received a scholarship and an Education grant. For her sophomore year the grant was denied because she gets $93.20 a month from Social Security. The University insisted that the money should be spent only for her tuition and books, et cetera. But the money goes for food, rent, clothes and things like that.

I have tried since my daughter started high school six years ago to get some help and training from various departments like Voc. Rehab. and the "War on Poverty" (New Couriers) without any luck. They have taken my applications, talked to me and then it was always, "Don't call us, we will call you. . . ." Nothing constructive ever happens. By now I am so discouraged I would just as soon lay down and vegetate, but I must go on and help my daughter get through college. With a college degree she will never have to worry about the same things I had to. I could hold down a good paying job despite my handicap if I had some sort of degree.

If I was covered under Social Security now I could still earn a few extra Dollars without worry that it would be taken away from me. That's what's wrong with our so-called "Welfare" legislation, handouts through highly unsuited so called "Welfare" people, but not constructive, timely programs that would encourage people to help themselves.

Just read the last paragraph on the enclosed clipping. Locally through "Indoors Sports, Inc." we pressed for that legislation, had it passed and now what. It is so discouraging. Since my Social Security was cut I receive a very small amount of money monthly through Aid to the Disabled, but what humiliation and the people that dole this out are impossible. One has to learn to wheedle and beg for needed extras. I refuse to do so under any circumstances. I wish there was a way out. So please throw your weight behind some of the incentive measures and improve Welfare legislation.

Sincerely,

URSULA G. KOZAK.

MINNEAPOLIS, MINN.

P.S.—Without this money Carol would not be back at the University. I am a member of the 5th district Federation of Womens Clubs.

U. K.

"A sophomore at the University of Minnesota, Carol Kozak, 19, center, received a scholarship check for $250 from Mrs. E. Hane Carlson, 37 Park Lane, Fifth District president. It was her second scholarship. At left was her mother, Mrs. U. G. Kozak, 630 Bryant Av. N."

THE FEDERATION OF PUBLIC SERVICE EMPLOYEES No. 8,

St. Paul, Minn., December 11, 1967.

Senator WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: The City and County Employees Local #8, AFL-CIO are disappointed with the Social Security Bill agreed upon by the House and Senate Conference Committees.

Hope you can have it improved on the Senate Floor. Hold to the $70.00 monthly minimum if possible.

Yours very truly,

CARL D. GASTINEAU,
Legislative Chairman.

CITIZENS PROTEST SOCIAL SECURITY BILL

WASHINGTON, D.C.,
December 11, 1967.

Dear Senators and Congressmen:

At a national conference in Washington last week, delegates from all parts of the country who have responsibilities in administering social welfare programs responded with shock and dismay when the Joint Senate-House Conference Committee reported out H.R. 12080 Thursday evening, December 7. Clearly the Conference Committee did not understand the injurious implications of this legislation to people on public assistance. On Friday, December 8, during intervals between workshops, a great many delegates discussed what could be done to protect the gutting of so many of the forward-looking provisions that had been incorporated into the Senate bill. A spontaneous groundswell of protest prompted the four individuals listed below to call a meeting that afternoon, after the official conference sessions had ended, to consider what action might be taken. Five hundred individuals appeared in the Palladium Room at the Shoreham Hotel at five p.m. to express their concern. Many of those were on their way home that night and will be getting in touch with their Senators and Representatives from there.

One of the actions agreed to was that a petition be circulated among the delegates at the final session of the conference on Saturday, December 9. The petition language and names of the signatories accompany this letter. The 227 signatures from 29 states and the District of Columbia and the Virgin Islands represent largely persons who are directly concerned with the application of welfare programs in their communities and who therefore are keenly aware of the problems that the drastic deletions by the Conference Committee will impose.

We hope you will take full cognizance of the deep concern expressed in this spontaneous gesture, unorganized though it may be, as you consider further how you will vote on the Conference Report on H.R. 12080.

Sincerely yours,

MRS. PHILLIP THORSON.
GERALDINE ARONIN.
CHARLES LANSBERRY, Jr.
IRIS GORDON.

ST. CLOUD, MINN.,
December 13, 1967.

HON. WALTER MONDALE,
U.S. Senate Office Building,
Washington, D.C.:

We are concerned about the House Senate Conference Report on Social Security. We hope you are. The freeze on AFDC recipients and the force element in the work-training program ought to be eliminated. Since it is totalitarian in spirit and in direct opposition to values of family life. Placing limitations on amount of Medicaid payments is asking the poor not to get as sick as the rich. Please oppose the Conference Report and return to

committee to join results more in line with the Senate version, H.R. 12080.

RICHARD J. LEISEN,
Catholic Charities and Family Service Director.

COMMITTEE OF CONCERNED CITIZENS—PETITION SIGNED AT SHOREHAM HOTEL, WASHINGTON, D.C., SATURDAY, DECEMBER 9, 1967

We, the undersigned—a group of concerned individuals—do hereby register our protest against the decision made by the House-Senate Conference Committee which destroyed the positive results of the Senate sponsored amendments to HR 12080.

We believe that the Senate proposal requiring welfare aid be given to families of unemployed fathers living at home, exempting work training programs for mothers of small children, adding to the benefits for Medicaid, providing for subsidy of work programs, and especially eliminating the freeze on the number of children receiving aid, plus other constructive amendments, are sound and beneficial to the basic public welfare system.

We believe that by deleting these Senate amendments not only will the welfare program be severely affected, but so will all other programs that have been established to combat poverty.

California: John P. Florey, Elizabeth MacLatchie;
Delaware: Irene K. Simpler, John Berenguer, Donn E. Jannel;
Florida: Barbara S. McCubbin, Margaret H. Jack;
Georgia: Charlou Seegar;
Hawaii: M. G. Fox;
Illinois: Isabel B. Waddy, Frank G. Blumb, William H. Waddy, Bob Mondlock, Joan Mondlock, William H. Roberson, Vivian O'Malley, Elease I. Reed, Ann Simons, Wm. H. Robinson, Thomas D. Hunt, Winnona Carter, Vivian Sasin, David L. Daniel;
Kansas: Ruth Casey, Miriam P. Harper, Joyce E. Reed, Harriet Burroughs, Elizabeth Lovgood;
Maine: Beatrice M. Chapman;
Maryland: Geraldine Aronin, Linda Millison, Nathan Miller, Bette Stein, George E. McDowell, Marit Thorson, Delores B. Ruffin, Elizabeth A. Riley, Milton Wittman, Walter R. Dean, Jr., Charles Lansberry, Jr., John O. Isaac, Virgil Hampton, Wayne D. Swartz, E. Wheeler, Robert Lansdall, Raleigh C. Hobson, Felton Gogau, Margaret Woodward, Louise Rainer, Barbara U. Mikushi, Gracie E. Goode, Monk S. Harvey, William E. Harvey, Lloyd A. Anderson, Robert H. Cohen, Jennie M. Jenkins, Inge Barron, Edmond D. Jones, Freddie L. Jones;
Massachusetts: Daniel I. Cronin, Gertrude P. Feder, Ernestine R. Friend;
Michigan: Michael Mahow;
Minnesota: Mary Ann Banas, Joe Brewins, Joe Gaertner, Mrs. J. G. Scott, Raymond T. Brien, Richard H. Giberla, John Fjelstul, Eb Lipschultz, Joyce Luoma, Frank J. Widerski, Mrs. F. Widerski, Don Fisher, Eugene Powell, Gordon W. Burpe, Verne Follepar, Mays Newhouse;
Missouri: Martha Hughes, Judith L. Dubbs, Robert W. Chester, Ralph E. Pumphrey, Robert Lawyer;
Nebraska: C. A. Paterson;
Nevada: Markin S. Sonju, Mark Brand;
New Hampshire: Kathleen Neerile, Barbara Hanus, Elmer C. Rudey;
New Jersey: Arleen Kenney, Wilbur F. Pick, M. L. Cornease, Rose C. Thomas, Wynetta Bryant, Connie Brady;
New Mexico: John G. Jasper;
New York City: Elizabeth Wickenden, Gwendolyn Nurse, Myrtle M. Joseph, Elizabeth Twilley, Virginia P. Hyde, Minerva Critchlow, Madlyn Screiber, W. Budd Dorpet, Gusta Stuger, Judith Mendell, Martin Silberstein, Jane Saltzman, Totaro Okada, V. Demby, Elizabeth Bayroad, Josephine Ryan, Edith S. Baxter;
New York: Katherine M. Ahearn, Jannette S. Force, Ruby Lowmer, Florence Gitten, Catherine M. Manning, Huldah Marsh, Mary Millicent Hopkins, Myrtle B. Horrington, Natalie Wiley Brown, Lucy K. Longhart, Marguerite Freval, Frieda Luck, Elton H. Golden, Louise Nelson;
North Carolina: Annie May Pemberton, Myra F. Milchman, Frances B. Long, Augusta M. Cooper, Rebecca Peebles, Virginia Pfohl, Margaret M. Stirk, Mrs. Thelma Doby, Katherine Barrier, Patricia Hill, Josie M. Pittman;
North Dakota: Barbara Stein, Mrs. W. R. Hovell, Henry Stimsodt, Miss Nora Johnson, Estelle I. Krick;
Ohio: Elizabeth Tuttle, Esabelle A. Hadley, Hilda K. Gilbert, Arnett Wright, Judy Fanning, Marian Ramsay, Bob Moor;
Pennsylvania: Thomas Gallagher, Samuel C. Freson, Joseph I. Nicholson, Helen Abbatico, Jean E. Moore, Shirley D. LeBlanc, Elizabeth Welton, Patricia Tomlinson, Deane Crongard;
Rhode Island: Amity E. Rein, John J. Affleru, Phimer Gottschalk;
South Dakota: Carol E. Anderson;
Utah: Melvin Pobanz, Olga E. Ballif;
Virginia: Richard E. Morrison, Ann Emmon, Betty J. Wright, Bernice Amspohn, Clara M. Stirk, Pauline A. Rogers;
West Virginia: Gene Ann Snyder, Ann B. Sullivan, Dorothy Allen, Elizabeth Sharkey;
Wisconsin: John S. Patten, Esther Frolat, W. E. Kurtz, Max Wald, Helen de Bardeleben, Helen MacDonald.
District of Columbia: Elizabeth Long, B. A. McIntos, Marjorie M. Farley, Linda D. Lovell, Harriet Gruger, Beatrice L. Garrett, Edna H. Hughes, George Sitgraves, Myrtle Wolf, Inabel B. Lindsay, Alan Ane Taussend, Victoria C. Sims, Richard Ackerman, Anna W. Schneider;
Virgin Islands: Helen C. Owens, Joycelyn Excarxacion;
Unidentified by State: Zigmund Gabruk, Irene H. Jacobson, Judith A. Evelancy, Patricia Milligan, Lisa Gooden, Katherine Sullivan, John Barnett, W. Howard, D. A. Thomas, Howard Kaplan, Grace Hechlenard, Mary A. Craig, Margaret D. Ward, Eugene Leyellotto, Mary Chance, Audry Pittman, I. S. Longuh, Isabelle Axenfeld, Ruth C. Argento, Alicetine K. Bell.

DEAR MR. MONDALE: Our choice for the Senate.

A funny thing happened to the new Social Security bill from the Senate to the House.

This bill was not even recognizable after the mutilizing the House gave it.

I am sure I am speaking for all the Senior Citizens in your home State when I ask you for help on this very important bill to us.

C. J. OBERT.

MINNEAPOLIS, MINN.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 14397) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. KIRWAN, Mr. WHITTEN, Mr. EVINS of Tennessee, Mr. NATCHER, Mr. FLOOD, Mr. BOW, Mr. LAIRD, Mr. MINSHALL, and Mr. LANGEN were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 10595) to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities, and it was signed by the Acting President pro tempore.

THE UNITED STATES SHOULD BREAK DIPLOMATIC RELATIONS WITH FASCIST GREEK USURPERS

Mr. YOUNG of Ohio. Mr. President, the dread portent of the hour is not apparent at the moment. These are black days for Greece. The recent flight of King Constantine of Greece from Athens to Rome has at last clarified the moral and constitutional situation in Greece. It is now crystal clear to the world that General Patakos and his fellow conspirators in the junta which overthrew the constitutionally elected Greek Government are in rebellion against the Crown. Their regime is patently illegal and should be treated as such by the United States and Greece's other NATO allies.

So long as the King gave his reluctant sanction to the Fascist junta after last April's coup they had some vague claim to legitimacy. Now, it is obvious that they are usurpers. In his effort to overthrow the junta the King has in effect dismissed the comic opera government of the Fascist colonels and generals.

I strongly urge that President Johnson and Secretary of State Rusk immediately recall our Ambassador to Athens, withdraw recognition from the ruling junta and immediately stop all economic and military assistance to their criminal regime. Furthermore, it must be stated in the strongest terms possible to the tyrants now ruling Greece that they will face most dire consequences if they should proceed to engage in a bloodbath and savage repression of the more than 3,000 political prisoners now incarcerated in their concentration camps.

Mr. President, if some ragtag group, including some Communists, had taken over Athens in the darkness of night, surely Secretary of State Dean Rusk and the Department of Defense would have sent in some of our planes and airborne troops to protect American lives, as they stated they had done at the time of the Dominician Republic crisis. And yet, what difference is there in the way the tyrants, whether Fascists or Communists, rule? The Facists now govern Greece by decree. They arbitrarily arrest some citizens, deny them their rights, confiscate their money and property, and without written charges, or any charges whatsoever, throw them in jail or send them to detention centers in islands around Greece. The tactics of that Fascist regime are no different than they would have been had the Communists taken over.

The Fascist clique now ruling Greece

has suppressed personal freedom, established control over press and radio, abrogated the constitution and canceled free elections. To date we have accepted these actions. There have been no expressions of profound concern from the administration, no special ambassadors dispatched to Athens, no threat of intervention in behalf of the Greek people to choose their own form of government, no exertion of pressure through economic or military aid to restore constitutional government in Greece. If instead of rightwing generals, a ragtag group of leftwing extremists and Communists had staged a coup d'etat and established a Communist government or quasi-Communist government in Greece, without doubt officials of our State Department and our Defense Department would have immediately taken measures to oust them. The Fascists deserve no less.

It is clear to all that those colonels and generals have no intention of restoring constitutional government to Greece. Greece, the cradle of democracy, has gone Fascist. Patakos is a Greek Mussolini. It is also clear that these ruthless power seekers are now free of the few restraints they had accepted prior to the King's exile.

To continue to recognize this criminal regime would be a blight on our honor. It is my understanding that the Government of Great Britain earlier today refused to recognize the junta and was reconsidering the entire scope of relations between London and Athens. Certainly, Mr. President, our Government should do no less. In fact, we should take leadership in making every effort possible to restore freedom to Greece.

MODIFICATIONS AND REVISIONS IN THE INTERSTATE HIGHWAY SYSTEM

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 913, H.R. 13933.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 13933) to amend title 23, United States Code, to authorize modifications or revisions in the Interstate System.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, on page 3, after line 12, insert a new section, as follows:

SEC. 2. Section 129 of title 23, United States Code, is amended by adding a new subsection (f) at the end thereof:

"(f) Whenever the Secretary, upon the request of any State, finds that any toll road, bridge, or tunnel which heretofore has been designated as a part of the Interstate System is no longer capable of meeting the standards adopted for the improvement of projects located on the Interstate System without substantial construction, reconstruction, or improvement, which inabilities to meet such standards are, in part, due to changes in the standards required by law and when the Secretary also finds that such toll road, bridge, or tunnel constitutes a high accident location which cannot be corrected without substantial construction, reconstruction, or improvement, he may permit Federal participation in the acquisition of such toll facility as improved right-of-way, on the condition that tolls will be removed at the time the facility is acquired. In no event shall the Federal share of the cost of acquisition of such facility exceed 90 per centum of the average market price of the outstanding bonds for the year immediately preceding the State's request that such acquisition be undertaken."

Mr. RANDOLPH. Mr. President, I ask to strike section 2 of the bill, beginning on line 13, page 3. This language will not be needed, since the problem to which it is directed can be handled by other means.

The PRESIDING OFFICER. The question is on the committee amendment. [Putting the question.]

The committee amendment was rejected.

Mr. RANDOLPH. Mr. President, the interstate highway program has been in progress for more than 11 years. The system was originally authorized in 1944 and laid out in 1947. It has become apparent that certain projects cannot be undertaken within the completion schedule established in 1956. These projects are all in urban areas where difficult corridor location problems make decisions almost impossible.

At the same time, within the same States, there are alternate nonurban corridors which could be included on the system but because of the 41,000-mile limitation contained in the Federal Highway Act of 1956, these projects cannot be undertaken. H.R. 13933 will permit substitutions of projects upon the meeting of certain well defined conditions.

In general the bill amends section 103 of title 23, United States Code, to authorize an additional 200 miles. Let me emphasize that this is not a 200-mile extension of the Interstate System. The Committee on Public Works is well aware of the fact that there is a need for extending the mileage of the Interstate System. There are currently pending before the committee eight bills to achieve such a result. The committee will undertake consideration of legislation to accomplish an extension of the system during the next session of the 90th Congress.

The 200 miles which this bill authorizes may only be used to facilitate modifications or revisions in the interstate road program. Two hundred miles are needed because there are only 25 miles presently undesignated remaining out of the original 41,000.

In order for a State to take advantage of the provisions of H.R. 13933, it must be prepared, first, to deactivate a portion of the currently authorized system within the State which is not essential to the completion of a unified and connected Interstate System; second, give assurances that the deactivated portion will not be constructed as a toll facility; and third, be able to construct the substitution at or below the amount of money the deactivated project would have cost under the 1965 cost estimate.

The legislation will provide States with the flexibility to better serve the needs of traffic and at the same time will not increase the cost of the system. In order to qualify, a State must be prepared to give up something. This bill does not provide for an outright increase but merely grants permission to make a substitution and provides the additional miles necessary to make the substitution meaningful.

Mr. President, I want the record to reflect that this legislation which came over to us from the House was considered by the Public Works Committee of the Senate and there was unanimous agreement within the committee that the measure should be passed in the Senate, as it has previously been passed in the House.

Now, Mr. President, I am glad to yield to my distinguished friend from Iowa who has an interest in this legislation.

Mr. MILLER. I appreciate my colleague's yielding to me for a question or so.

I think that he has very definitely stated some of the conditions for the additional mileage that would be authorized. I wonder whether he would mind repeating why it is necessary to have the additional 200 miles authorized for the Interstate System?

As I understand it, the State must surrender some portion of an interstate segment in order to obtain the money that would otherwise have been spent on that segment for other uses in the State; but I do not understand, yet, why there is the 200 additional miles authorized by the pending bill for that purpose.

Mr. RANDOLPH. Perhaps the best way I can answer the question is by example: In New Jersey, they propose to deactivate an 8-mile segment in that State. The estimated cost of that project is approximately $100 million.

Under this legislation, that deactivated 8 miles would be replaced by 40 miles, but the 40 miles would be constructed for a total sum of approximately $60 million rather than the original cost estimate of $100 million.

Senators WILLIAMS and CASE, both of New Jersey, expressed agreement on the plan to deactivate a road and construct the new segment to be fitted into the Interstate System. New Jersey is a very specific case to which we can point as to the reason for the extra mileage. The substitute project requires extra mileage to make a complete connection. The 8 miles alone would not be sufficient to serve the needs of the area involved.

Mr. MILLER. So that the extra or new 40 miles will become a part of the Interstate System in New Jersey, and it will actually cost less than the original short segment.

Mr. RANDOLPH. Yes; $40 million less.

Mr. MILLER. In order to give flexibility, there must be extra mileage, which is going to be there, but without the extra cost?

Mr. RANDOLPH. The Senator from Iowa explains the matter very clearly.

Mr. MILLER. There is no possibility of a State obtaining this extra 200 miles unless it surrenders a segment. So it is

a quid pro quo. As the Senator from West Virginia points out, in the case of New Jersey there is actually a saving.

Mr. RANDOLPH. There would be. I mention that because the legislation originated, in part, with the problem in New Jersey. There is also a situation in California which can be handled by H.R. 13933.

Perhaps the RECORD should indicate that we are not certain how many States will come under this bill, but we think there are a number which could use it to solve problems.

Mr. MILLER. Mr. President, may I ask a further question of the Senator from West Virginia?

Mr. RANDOLPH. Yes.

Mr. MILLER. What is going to happen to the saving in the case of New Jersey? Would it be available for use in the Interstate System? We all know, as a matter of fact, that the Interstate System has, over the years, increased in cost above the cost estimates. Would it be the Senator's thought that this money would revert to the Interstate System fund?

Mr. RANDOLPH. Yes.

Mr. MILLER. For use in another State?

Mr. RANDOLPH. Yes.

Mr. MILLER. In implementing that Interstate System?

Mr. RANDOLPH. Yes.

Mr. MILLER. May I say to the Senator from West Virginia that I think the bill is needed. I think it is going to fit very properly into the intention of Congress, but I know we have to have legislation in order to meet these contingencies.

I appreciate very much the Senator's willingness to bring this matter before the Senate at as early a date as he possibly could. I think the committee is to be commended. So is the chairman.

Mr. RANDOLPH. I thank the Senator for his comments. I know he follows these matters very closely. Frankly, I wish he were back on the committee, where he gave attention to these matters. I appreciate his joining the chairman of the committee in support of this legislation.

Mr. President, I desire no more time.

Mr. DOMINICK. Mr. President, I support the flexibility which is provided in the current bill H.R. 13933 to authorize an additional 200 miles for the Interstate Highway System. This flexibility is needed in several States, among which is the State of Colorado.

Mr. President, I want to point out that the additional 200 miles being proposed to be added to the Interstate System shall be accomplished without any additional cost over that which has already been budgeted. Actually in some areas the cost of adhering to the requirement in the Interstate Highway Act that the highway shall connect by the most direct route possible the metropolitan centers of one State with those of another is greater than that of an alternative route which would provide an equal or better highway a few miles longer but at a substantial savings in cost to the taxpayers. Such is the case with respect to Interstate 70 between Dillon and Booth Creek, Colo.

Under existing law the proposed route which follows U.S. 6 west of Denver to Dillon would then proceed west from Dillon, under the Gore Range via a twinbore tunnel under the Gore Range and join U.S. 6 again east of Booth Creek. the 16.5-mile route from Dillon through the Red Buffalo Tunnel until it rejoined Route 6 near Booth Creek would pass through the Gore Range-Eagles Nest Primitive Area with considerable disruption to the wildlife and primitive state of the southern tip of this primitive area. The cost of this 16.5 miles of highway has been very conservatively estimated as being in excess of $63 million. However, improvement of an alternate route, the present Route 6 which is 10.6 miles longer, would require an expenditure of approximately $22 million to bring it into conformity with Interstate Highway standards. There are factors other than distance which recommend the alternate route. First, the Red Buffalo Tunnel route would enter the tunnels at an elevation higher than any elevation to be found on the alternate route. On both sides of the tunnel the driving conditions would be comparable. On the Red Buffalo route the grades of 7.5 percent would be substantially above that found on the alternate U.S. 6 route.

Mr. President, I have recently traveled the proposed route through the primitive area on horseback and on the following day flew over the route by airplane to survey the area. I am firmly convinced that improvement of the existing U.S. Highway 6 to Interstate standards would result in an equal or superior scenic route at an earlier time, and at substantially less cost to the taxpayers. Therefore I believe we should take advantage of it. The present bill which authorizes additional mileage to the Interstate Highway System will be of benefit in reaching that decision. I therefore fully support this legislation.

Mr. COOPER. Mr. President, I would like to comment briefly on the pending measure, H.R. 13933.

While the bill has been passed by the House of Representatives, and approved by the Committee on Public Works on which I serve, I think it important that it should not serve as a precedent. The subject of any additional mileage for the Interstate System, or of any change in the criteria for the designation of interstate routes as approved by the committees in 1955, should be very carefully considered by the House and Senate Committees on Public Works, and testimony received at thorough hearings.

Some flexibility should be accomplished, to accommodate changes since the interstate routes were first designated, to protect historic areas and parks, to reduce the high cost of some urban routes, and to avoid disruptive effects on the life of these areas. But attempting to deal with these questions through special legislation runs the risk of its substitution for proper administrative determinations under the law.

The correct way, it seems to me, is for the committees to consider the problems involved—as our committee under the leadership of Senator RANDOLPH is doing in its hearings on the impact of highway planning, design, and location on the growth of urban areas, and as it will do next year in considering the highway program to follow the interstate program, including urban highways.

I will support this bill, which I believe includes certain safeguards and relies on proper administrative determinations. But I do want to point out that it must not be considered a precedent for intervening in or substituting for administrative decisions in this vital program, which has such far-reaching effects and which is a costly program.

The PRESIDING OFFICER. The bill is open to amendment.

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

The bill was ordered to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question now is, Shall it pass?

The bill (H.R. 13933) was passed.

Mr. MILLER. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. RANDOLPH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H.R. 3031. An act for the relief of Mr. and Mrs. Christos Photinos-Svoronos;

H.R. 5575. An act for the relief of Panagiotis Paulus;

H.R. 6326. An act for the relief of Chrisanthe Savas Karatapanis;

H.R. 7427. An act for the relief of Maria Kolometroutsis; and

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

The message also announced that the House had passed a bill (H.R. 10397) for the relief of Nguyen Van Be (James Be Roellig), in which it requested the concurrence of the Senate.

THE COPPER STRIKE

Mr. MANSFIELD. Mr. President, this statement is in behalf of my distinguished colleague, the Senator from Montana [Mr. METCALF] and myself.

After a meeting with the Secretaries of Labor, Defense, and Commerce, first, we wish to express our great disappointment that the four major copper producers could not find it possible to go along with the creation of the factfinding board and our appreciation to the union for its acceptance.

Second, we do not see the possibility of a creation of a presidential factfinding board.

Third, there is no possibility that Taft-Hartley will be invoked because the supply of copper precludes the national emergency factor.

Fourth, it is our belief that the national stockpile will not be touched.

Therefore, it appears that the only way this matter can be settled is not through Government intervention but only, as we have stated repeatedly, by the unions and the producers getting together on a daily around-the-clock basis. In the last analysis the strike will have to be settled in this manner. We have been assured by Mr. William E. Simkin of the Federal Mediation and Conciliation Service—incidentally, Mr. Simkin was at the meeting today—that he will use the whole resources of his office and will be ready to participate in the settlement of these disputes. Each day's delay means only more misery for the miners and the smeltermen and it is our hope that both the companies and the unions will take immediate measures to get together, get down to business, and start negotiations at long last—and for the first time.

Perhaps the recent proposal by Phelps Dodge, which we understand has been turned down by the steelworkers, ought to be reopened, because we understand that for the first time, an offer of consequence has been made by one of the major producers and we would hope that this possibility would be explored further so that a possible pattern could be set for an eventual settlement.

IDLE THEORIES, IDLE MEN

Mr. MANSFIELD. Mr. President, the miners and companies alike have paid a heavy price for 5 months of inactivity during the current national copper strike. There is urgent need for a new initiative to get the strike negotiations off dead-center.

A front-page article in the December 11 issue of Barron's Weekly, entitled "Idle Theories, Idle Men," sums up the state of the impasse in the following words:

> Like most manmade disasters, the copper strike apparently defies attempts to fix responsibility. Management and labor, which can't even agree on the dollar-and-cents value of their respective bids and offers, thrust the burden of guilt on each other, while government vainly seeks to find some middle ground. The truth is that all hands must share the blame.

Mr. President, the article sheds additional light on a murky situation, and I ask unanimous consent that it be printed at this point in the RECORD.

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

IDLE THEORIES, IDLE MEN

The production and sale of copper, once a more-or-less run-of-the-mill affair, lately has been anything but business-as-usual. Eighteen months ago, at the height of the record-breaking shortage, thieves were stealing cable right out of the ground, and copper wire off telegraph lines and telephone poles. Last spring, the Federal Bureau of Investigation arrested several principals in a New York City trading firm on charges of conspiracy to blow up a railroad bridge in Zambia, second largest producer of the red metal, and thereby to rig the world market. Since mid-July, finally, over 50,000 workers in 12 states have been pursuing the longest and costliest walkout in the industry's history. For the first time since the protracted steel dispute of 1959, the Executive Council of the AFL-CIO last week voted to set up a special strike fund; it also vowed to keep the bosses from "starving the strikers into submission."

In an age of enlightenment in labor relations, where muscle is supposed to be flexed only at the bargaining table and nobody goes hungry, the copper strike increasingly resembles the bad old days of dog-eat-dog. The shutdown has cost producers an estimated three-quarters of a million tons of output to date, while exacting upwards of a quarter-billion dollars in excessive costs from consumers. In several Western states (notably Arizona, Montana and Utah, where 7%-10% of the work force is idle), it has slashed tax revenues and forced the imposition of emergency levies. Perhaps worst of all, it has brought financial hardship to thousands of miners and their families and the local businessmen with whom they trade.

Like most man-made disasters, the copper strike apparently defies attempts to fix responsibility. Management and labor, which can't even agree on the dollars-and-cents value of their respective bids and offers, thrust the burden of guilt on each other, while government vainly seeks to find some middle ground. The truth is that all hands must share the blame. By joining forces with a rival union and insisting on industry-wide bargaining, the United Steelworkers (AFL-CIO) are making a grab less for money than for power. By refusing to invoke the Taft-Hartley Act, Washington in effect has sanctioned a strike that is doing great harm to the U.S. balance of payments. Management—which, after all, should know better—has the most to answer for. In a futile effort to keep a lid on prices, domestic copper producers for years have persisted in charging less than the traffic will bear. Thus they have encouraged massive hoarding, which has tended to delay a quick settlement; spurred exaggerated market moves abroad and distorted supply and demand at home; and otherwise undermined their own best interests (as well as those of their workers). The quest for counterfeit price stability, in short, has yielded economic chaos.

In recent years chaos in copper has taken many forms. For example, since 1964, when quotations on the world market climbed above those of U.S. producers, there has been not one copper price but several. In this country prices have grudgingly inched up a cent or two at a time, from 30 cents per pound to 38 cents. At least once Washington browbeat the industry into rescinding a two-cent rise. Meanwhile, elsewhere—notably on the London Metal Exchange, where African, Chilean and Canadian mines sell their output—the lid blew off. At the peak of the shortage last year, copper in London fetched over 90 cents per pound, or perilously close to the point at which it would have begun to pay to melt pennies. Even prior to the U.S. strike in mid-summer, when the market was showing unmistakable signs of weakness, the world price never fell below 44 cents a pound.

The fancy premiums threatened at one point to trigger a crime wave. Thefts of scrap metal or anything with a sizable copper content soared, as noted, while telephone, telegraph and electric utilities began reporting the suspicious disappearance of wire and cable. Since demand for anything priced too low is theoretically unlimited, scarcity also led producers to ration their output; under the quota system which they adopted, only old customers could buy copper and in quantities no greater than those of 1963, the base year. A few, in consequence, enjoyed handsome windfalls, while many—notably the fastest-growing—paid heavily. Since 1963, Belden Corp., which makes a varied line of electrical wire, cable and cord, has stepped up its consumption of copper by nearly 65%. As an executive wryly told the National Association of Purchasing Agents last week: "We had to turn elsewhere for that added portion . . . we have been living with a blended copper cost situation for sometime."

Less good-humored customers have grown either sullen or downright mutinous. Nearly two years ago, the chairman of British Insulated Callender's Cables pointedly cited a "pronounced swing" toward aluminum in his company's products. Last year Alcan Aluminum made a $12 million capital gain "from the sale of large copper bus conductors which were replaced by aluminum." Last month American Telephone & Telegraph Co., which ranks second only to the U.S. government as a copper buyer, announced that a 2½-year effort to substitute the lighter, cheaper metal had met with success. "For the first time," said AT&T, "our experiments have made us confident that aluminum cable will be used ultimately to replace copper in many uses."

Industry pricing policy also must bear much of the blame for the bitterness and length of the present strike. True, as noted, the unions have done their worst to exacerbate matters. The last-minute merger (on July 1) between the Steelworkers and the Mine, Mill & Smelter Workers allowed organized labor for the first time to confront employers with a united front. In an effort to exploit its advantage, labor has been seeking to impose an industry-wide pattern upon many different kinds of mining operations. Hence the strike has become less a dispute over wages, hours or working conditions than a holy war. "It's an ideological thing now," said one union man.

It's also the inevitable result of past mistakes. For artificially low prices encouraged a wave of inventory-building, the extent of which has amazed all the experts, public and private alike. Thus, when the walkout began on July 15, Secretary of Commerce Trowbridge predicted: "It will take within three-to-five weeks until we reach rock-bottom of our supply." In mid-September a top sales executive of one leading producer remarked: "The entire pipeline will start to dry up by late this month." Now, five months and 750,000 tons later, only a few manufacturers of auto radiators and other parts requiring special grades of metal have suffered from shortages. By insulating management from both political and economic pressures, the unsuspected over-supply doubtless has prolonged the dispute. By helping to persuade labor that copper prices are a one-way street, industry policy has worked to the same end. Three years ago Barron's warned: "Future (wage) pacts, either at Kennecott or its competitors, undoubtedly will come higher and harder." We never figured on a five-month strike.

While the cost has been high some good may come of it. Perhaps it's been a chastening experience for the militant union leadership, which faces hard bargaining in coming months with makers of cans, aluminum and steel. It also may have taught management something useful about the workings of supply, demand and price. Industrial statesmanship has proven inferior to the free market. Businessmen had better stick to business.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 9 a.m. tomorrow.

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

NGUYEN VAN BE (JAMES BE ROELLING)

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that

the Chair lay before the Senate a message from the House of Representatives on H.R. 10397.

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

The LEGISLATIVE CLERK. A bill (H.R. 10397) for the relief of Nguyen Van Be (James Be Roelling).

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that the bill be considered as having been read the second time.

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

Mr. KENNEDY of Massachusetts. Mr. President, I object to further proceedings on the bill.

The PRESIDING OFFICER. Objection having been heard to further proceedings, under rule XIV the bill will go to the calendar.

AMENDMENT OF IMMIGRATION AND NATIONALITY ACT—ALIEN COMMUTER (GREEN CARD) SYSTEM

Mr. KENNEDY of Massachusetts. Mr. President, on behalf of myself, the Senator from Texas [Mr. YARBOROUGH], the Senator from New York [Mr. JAVITS], the Senator from New York [Mr. KENNEDY], the Senator from Michigan [Mr. HART], and the Senator from New Jersey [Mr. WILLIAMS], I introduce, for appropriate reference, a bill to amend the Immigration and Nationality Act.

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

The bill (S. 2790) to amend section 212 of the Immigration and Nationality Act, introduced by Mr. KENNEDY of Massachusetts (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KENNEDY of Massachusetts. Mr. President, this amendment adds a new subsection to section 212 of the Immigration Act, which lists the grounds for exclusion of aliens and waivers of inadmissability. The amendment is geared specifically to regulating more effectively the influx into the United States of Nationals from Canada and Mexico under the so-called alien commuter system administered by the immigration and naturalization service.

This system—a creature of administrative ingenuity without a statutory base—permits Canadian and Mexican workers who have been lawfully admitted to the United States for permanent residence, and who hold alien registration receipt cards—commonly known as "green cards"—to reside in Canada or Mexico and regularly commute across the border to places of employment in the United States.

For reasons difficult to understand, commuters have never been routinely identified in the operating reports of the Immigration Service and consequently there is no accurate count of their current number.

Sample counts have been taken from time to time, however—the last on January 11 and 17, 1966. At that time, at least 54,375 commuters entered the United States, of whom 43,687 entered from Mexico. I ask unanimous consent that two tables showing a breakdown of this count be included in the RECORD at the conclusion of my remarks.

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

(See exhibits 1 and 2.)

Mr. KENNEDY of Massachusetts. Mr. President, most observers believe the number of commuters is significantly higher than the January 1966 sampling would indicate. In all likelihood, this sampling simply reflected the number of commuters on a given day. But the total number of those who move on a continuing daily basis, or on a weekly or monthly basis is unknown.

As a result, some officials estimate the total number of commuters as being close to 100,000. I am extremely hopeful that a census of the commuter movement currently underway by the immigration service will produce needed and definitive information in this area of concern.

Regardless of the numbers involved, however, there is no doubt that the commuter movement adversely effects the wages and working conditions of our own citizens and residents, especially those living in the cities and towns along the Mexican border—in Arizona, California, New Mexico, and Texas. The commuter movement from Mexico is a factor contributing to the grinding poverty, high unemployment, and low wages in the border areas.

The facts are in the record of hearings I participated in earlier this year in Starr County, Tex., as a member of the Labor and Public Welfare Subcommittee on Migratory Labor. They are in the record of hearings I conducted in Washington last October as acting chairman of the Judiciary Subcommittee on Immigration. They are in the record of hearings conducted in California by Representative JOHN V. TUNNEY. They are in reports filed with the Select Commission on Western Hemisphere Immigration, established by the Immigration Act of 1965, and in additional surveys made by the Department of Labor, various unions, and other public and private agencies.

What are the facts, Mr. President? Let us examine briefly two matters of concern in border areas—high unemployment and depressed wage rates.

Border areas consistently have higher rates of unemployment than do interior areas. In many cases, the rates are very much greater.

The rates available in 13 border areas for the first 6 months of this year are typical of annual figures available since 1957. Last June, for example, in none of these 13 areas was the unemployment rate lower than the average rate for the State. Twelve of these border areas were in Texas—the unemployment rate in seven of the Texas areas was more than double the statewide rate of 3.7 percent. In one area, Crystal City in Zavala County, the rate was much greater—11.3 percent.

In 1966, in only one of 19 border areas for which data were available, was the unemployment rate lower than the average rate for the State.

Over the last 10 years, available data permitted 138 comparisons of annual average unemployment rates in border areas with those at the State level. In 129 cases, border area rates were higher than the State average.

It is a deplorable situation—an indication of severe economic depression—that unemployment rates exceeding 10 percent are common in such Texas communities as Laredo, Eagle Pass, Zapata, Brackettville, Cotulla, Crystal City and in El Centro, California.

The influx of commuters from Mexico is contributing to the high unemployment rates in border areas.

These commuters are a significant part of the work force in many communities. In some areas their number nearly equals the number of unemployed American workers. In El Paso, where unemployment is currently some 35 percent greater than the State average, the estimated number of commuters in 1966 was more than double the number of unemployed. In El Centro, Calif., where the unemployment rate is currently 13.1 percent, the estimated number of commuters in 1966 was nearly double the number of unemployed. There is every reason to believe the situation has not changed for the better. If anything, it has been aggravated by the frequent use of commuters as strikebreakers.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks statistical summaries of unemployment rates in border areas over the last 10 years, and an additional table on unemployment and alien commuters in 1966 for selected border areas.

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

(See exhibits 3, 4, and 5.)

Mr. KENNEDY of Massachusetts. Mr. President, aside from the commuter influx contributing to high unemployment in border areas, it also contributes to depressed wage rates. Industry by industry, county by county, the pattern is the same—earnings in border areas are lower than average earnings in the State. This is true in more than 90 percent of those cases where available information has made a comparison possible.

Although the most definitive date available is based on nonfarm weekly wage rates in 1965, the Department of Labor informs me that the situation remains unchanged. The average weekly nonfarm wage in Imperial County, Calif., is $20 less than the average in the State as a whole—in Santa Cruz County, Ariz., it is $29 less—in nine of the Texas border counties it is at least $25 less, and often more.

The differential is even greater in wage rates for farmwork—especially in the lower Rio Grande Valley of Texas. A year ago, hourly wages in the valley averaged approximately 75 cents—some 22 cents less than the 97 cents average at the State level. As a result of the new farm labor coverage of the Fair Labor Standards Act, there has been a sharp increase in farm wage rates in the valley,

and the gap between farm wages in this area and the State as a whole is beginning to narrow. Currently it is some 16 cents—the differential between 89 cents in the valley and $1.05 at the State level.

But this is belated progress—because for at least 10 years, not only have farm wages in the valley been low, they have also failed to show the gains recorded elsewhere in the State. In 1956 the hourly wage in the valley was 84 percent of the State average—it had dropped to 77 percent by 1966.

Today, largely as a result of the new farm labor coverage of the Fair Labor Standards Act, the ratio has climbed to some 85 percent.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks a statistical summary of average weekly earnings of nonfarm workers in border areas during the first quarter of 1965, and a second table listing average hourly wage rates for seasonal farmworkers in Texas border areas.

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

(See exhibits 6 and 7.)

Mr. KENNEDY of Massachusetts. Mr. President, to illustrate further the contribution of commuters to depressed wage rates in border areas, I will refer to the results of a special survey conducted in 1961, by the Department of Labor in Laredo and El Paso. The survey concerned the jobs held by commuters, the wages received, and the availability of domestic workers for these jobs. Again, the situation has changed little from the time the survey was made, in fact, there is reason to believe it has worsened.

The survey indicates that, although commuters were employed in most occupations and industries, they were heavily concentrated in the garment industry, hotels, restaurants, and retail trade and service establishments.

In the Laredo survey, the Department of Labor contacted a sampling of firms employing some 3,000 workers—of whom 438 were easily identified as commuters.

The survey team reported that additional workers were suspected of being commuters, but could not be readily identified.

The Laredo survey revealed at least two things. First, that a large number of unemployed American workers had the same occupational skills as alien commuters—this in a community where unemployment was heavy—11.3 percent. For example, the two garment firms in the sampling employed 88 commuters as sewing machine operators. Files of the Texas Employment Commission contained applications from 156 unemployed American workers with this same occupation.

Second, the survey shows that firms employing alien commuters paid lower wages than did firms employing American workers. This was not the exception—but a very common pattern, for 19 occupations where sufficient data were available. Moreover, there were cases where a single firm employing both commuters and Americans would pay the commuters less than the Americans similarly employed.

And finally, the average wage paid by those firms employing only American workers was 38 percent higher than the average wage paid by those firms employing commuters as well.

The El Paso survey produced similar results.

I should add here some recent information compiled by the Department of Labor which greatly adds to the seriousness of the wage problem.

The common pattern of low wages in the border areas has led to a high incidence of minimum wage law violations. The Department reports that in fiscal year 1967, 20 percent of the violations in the four border States occurred in counties contiguous to the Mexican border. Yet, these counties had only 6 percent of the nonfarm work force in these four States.

Mr. President, I ask unanimous consent to include in the RECORD at the conclusion of my remarks a table listing occupational wage data obtained in the Laredo survey and a brief summary of the survey in El Paso.

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

(See exhibits 8 and 9.)

Mr. KENNEDY of Massachusetts. Mr. President, distressingly poor working and living conditions are rampant in areas of our country along the Mexican border. In large measure this is imposed upon our own residents because of the presence of a readily available and low-paid alien work force—which undermines the standards American workers generally enjoy throughout the rest of the country. I would be remiss in my comments, however, if I did not also indicate there are other factors at work.

Many of the border areas face serious problems apart from the influx of commuters. There is no strong economic base. The border areas are largely rural—agriculture is the major industry.

Until recently, farmworkers have been excluded from social legislation designed to protect most other workers in our economy. And even now, despite such changes as the extension of the Fair Labor Standards Act to agriculture farmworkers still receive far from equal treatment. Wages are low—and partly because new machinery and new patterns of production have been introduced in agriculture, a labor surplus situation exists.

As a result, industries attracted to border communities are usually in the low-wage category. The kinds of jobs available in the border areas are not the better jobs found elsewhere in the American economy.

Moreover, Mr. President, border residents are often of Mexican decent—or recent immigrants from Mexico. They have suffered, and continue to suffer economic and social discrimination—a vicious and evil discrimination because of their national origin, and a more subtle discrimination, but no less evil—arising out of the fact that Mexican Americans are often poverty stricken, poorly educated, unable to speak English, and seldom able to compete for jobs and opportunities in a society dominated by Anglos.

The influx of commuter workers from Mexico, to compete with our own workers for the limited number of jobs available is compounding an already serious situation—and, understandably producing bitter resentment among the severely disadvantaged American workers in the border areas.

In these days of increased agitation by the disadvantaged who find they have no redress of grievances, the commuter issue could well develop into an explosive situation with grave local and international consequences. I believe this urgent problem demands the very active concern of the administration and the Congress. It demands an orderly pursuit of justice and fairplay. Some measure of relief is needed promptly.

Mr. President, a major thrust of our immigration laws has always been to protect the working conditions and job opportunities of American workers. As it currently operates, the 40-year-old commuter system—not provided for in these laws but directly related to them—does not carry out this objective.

It is true that current applications for commuter status are covered by the labor clearance provisions of the Immigration Act of 1965. But once an applicant is given permanent residence status as a bona fide immigrant—once he receives his green card—for all practical purposes he holds in his hand a permanent work permit for employment in the United States.

I do not believe aliens should be given the unique privilege of being considered bona fide immigrants for purposes of employment in the United States—when they choose to reside across the border and fail to become immigrants in the sense contemplated by the law—and, more importantly, when their employment in this country is so clearly detrimental to the economic conditions, the job opportunities, and the collective-bargaining efforts of American workers.

The bill I introduce today does not end the commuter system, but it does refine its current operations.

The bill simply says that each commuter alien must be regularly certified every 6 months by the Department of Labor; that his presence in the United States to seek or continue employment does not adversely affect the wages and working conditions of American workers similarly employed. The bill provides for the revocation of a commuter alien's labor clearance, if he violates administrative regulations, such as a ban on strikebreaking, prescribed by the Department of Labor and the Immigration Service to carry out the purpose of this bill.

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

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

The bill introduced by Mr. KENNEDY of Massachusetts is as follows:

S. 2790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 212 of the Immigration and Naturalization Act is amended by adding at the end thereof a new subsection as follows:

"(j) Any alien lawfully admitted for permanent residence whose principal, actual dwelling place is in a foreign country contiguous to the United States and is returning from a temporary stay in such foreign country to seek or continue employment in the United States shall be admitted into the United States only if the Secretary of Labor has determined and certified to the Attorney General within six months prior to the date of admission that the employment of such alien will not adversely affect the wages and working conditions of workers in the United States similarly employed, and if such certification has not been revoked on any ground. The provisions of this subsection shall be applicable to any aliens lawfully admitted for permanent residence, whether or not such aliens were so admitted prior to or on or after the date of enactment of this subsection."

Mr. KENNEDY of Massachusetts. Mr. President, I believe the enactment of this bill will contribute much to a permanent solution of the seemingly endless problems posed by the influx of workers from Mexico. Several years ago we were faced by the so-called problem of "wetbacks." This was replaced by the more sophisticated problem of braceros. Today we are faced with commuters.

The commuter system grew up in recognition of the special relations which we have had over the years with neighboring countries. The control of this system provided in my bill is a reasonable one—so that hopefully, the United States and Canada and Mexico, can continue to enjoy the mutual benefits of these relations, while at the same time curbing the adverse affects of the commuter system, including the exploitation of the commuters themselves.

I am extremely hopeful that Congress will act on the bill early in the next session.

EXHIBIT 1

ALIEN COMMUTERS

State	Total	In agriculture
Total	53,329	19,822
Northeast region [1]	4,527	2,169
Maine	2,571	2,015
New Hampshire	8	8
New York	1,466	10
Vermont	482	136
Northwest region [2]	6,161	
Alaska	1	
Michigan	6,074	
Minnesota	30	
Montana	2	
Washington	54	
Southwest region [2]	42,641	17,653
Arizona	5,691	3,195
California	16,609	10,464
New Mexico	17	13
Texas	20,324	3,981

[1] Jan. 17, 1966.
[2] Jan. 11, 1966.

Source: Immigration and Naturalization Service.

EXHIBIT 2

NUMBER OF MEXICAN ALIEN COMMUTERS

Major points of entry	Jan. 17, 1966 [1]		Jan. 11, 1966 [1]		May 17, 1963 [1]	May 8, 1963 [1]	January 1960 [2]	Jan. 24 to Feb. 1, 1960 [1]	Mexican estimates [3]
	Total	In agriculture	Total	In agriculture					
Texas:									
Brownsville	2,032	226	2,552	619	1,796	1,729	135		3,500
Hidalgo	1,163	805	1,000	511	366	532			
Roma	208	187	146	125	89	108			
Laredo	2,581	175	2,239	209	2,490	2,382	3,000		
Eagle Pass	1,604	536	2,195	901	1,586	1,037	1,400		
Del Rio	513	99	489	82	237	314	400		
Fabens	274	219	267	207	307	316			
Ysleta	248	137	266	115				111	
Cordova	2,932	80	3,455	164				2,273	
Santa Fe Street Bridge (El Paso)	8,592	590	7,605	944	13,492	13,332		10,884	15,700
Arizona:									
Douglas	418	96	470	93	307	288			
Naco	127	20	134	19	202	134			
Nogales	1,614	108	1,392	53	1,464	1,854	1,132		
San Luis	4,234	3,583	3,654	3,024	1,239	1,038			
California:									
Calexico	7,616	6,468	8,098	7,324	4,692	5,342	183		
San Ysidro	9,281	3,967	8,460	3,134	5,855	5,374	15,000–20,000		15,000
Minor points of entry	250	161	219	129	87	101			
Grand total	43,687	17,457	42,641	17,653	34,223	33,867			

[1] Special I. & N.S. surveys on dates indicated.
[2] U.S. State Department estimates based on U.S. consulate reports.
[3] Programa Nacional Fronterizo: Tijuana, B.C.; Ciudad Juarez, Chih.; and Matamoros, Tamps, Mexico, 1962. The Mexican figures probably include commuters who are U.S. citizens residing in Mexico.

EXHIBIT 3

UNEMPLOYMENT RATES IN BORDER AREAS, JANUARY–JUNE 1967

State and labor market area	Counties	1967					
		June	May	April	March	February	January
California		5.4	4.9	5.3	5.7	6.0	5.5
San Diego	San Diego	5.3	4.6	4.9	5.1	5.2	5.0
El Centro	Imperial	(1)	(1)	13.1	(1)	(1)	(1)
Texas		3.7	2.7	2.6	2.7	3.0	3.0
Border areas:							
El Paso	El Paso	5.0	3.8	3.7	3.8	4.0	3.9
Brownsville-Harlingen-San Benito	Cameron	7.3	6.2	6.3	6.0	5.8	5.9
Laredo	Webb	10.6	7.4	9.0	9.0	9.9	11.4
McAllen	Hidalgo and Starr	6.8	5.6	5.6	6.3	6.2	6.3
Del Rio	Val Verde	5.6	(1)	6.1	(1)	8.8	(1)
Eagle Pass	Maverick	9.3	(1)	7.9	(1)	12.8	(1)
Zapata	Zapata	9.8	(1)	11.7	(1)	14.4	(1)
Areas close to the border:							
Brackettville	Kinney	8.8	(1)	8.5	(1)	8.5	(1)
Carrizo Springs	Dimmit	(1)	(1)	7.0	(1)	(1)	(1)
Cotulla	La Salle	7.8	(1)	4.4	(1)	12.4	(1)
Crystal City	Zavala	11.3	(1)	10.7	(1)	14.3	(1)
Hebronville	Jim Hogg	7.3	(1)	6.0	(1)	7.6	(1)
Raymondville	Willacy	7.7	(1)	4.3	(1)	5.2	(1)

[1] Information not available.

Source: Bureau of Employment Security, U.S. Department of Labor.

EXHIBIT 4

BORDER AREA UNEMPLOYMENT RATES ANNUAL AVERAGES, 1957-66

State and labor market area	Counties	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957
California		5.0	5.9	6.0	6.0	5.8	6.9	5.8	4.8	6.4	4.2
San Diego	San Diego	5.2	7.2	7.5	7.7	7.9	7.5	6.4	3.9	4.8	3.1
El Centro	Imperial	9.6	10.1	9.6	9.2	9.0	8.6	(1)	(1)	(1)	(1)
Texas		3.2	4.2	4.8	5.4	5.3	6.0	5.3	4.6	5.3	4.0
Border areas:											
El Paso	El Paso	4.4	5.8	6.0	6.2	5.5	5.6	4.9	3.4	3.9	4.0
Brownsville-Harlingen-San Benito.	Cameron	6.4	7.6	8.5	9.1	9.7	(1)	(1)	(1)	(1)	(1)
Laredo	Webb	9.6	11.3	11.9	12.0	10.1	9.1	9.4	9.2	8.6	9.3
McAllen	Hildalgo and Starr	6.1	7.0	8.0	8.6	9.0	(1)	(1)	(1)	(1)	(1)
Del Rio	Val Verde	6.2	7.7	9.2	9.1	9.4	10.0	8.0	8.5	6.0	9.2
Eagle Pass	Maverick	11.2	14.4	14.7	15.1	13.8	12.4	9.5	11.4	10.4	14.4
Zapata	Zapata	11.0	12.8	12.6	14.3	13.1	12.4	13.1	12.2	6.7	6.9
Areas close to the border:											
Brackettville	Kinney	7.7	8.6	11.7	10.5	12.2	11.2	9.9	8.6	10.4	9.8
Carizzo Springs	Dimmit	10.6	7.1	7.0	6.7	(1)	(1)	(1)	(1)	(1)	(1)
Cotulla	La Salle	10.0	12.2	12.3	13.2	11.8	8.4	7.4	8.2	11.7	9.7
Crystal City	Zavala	12.5	12.3	13.3	12.9	13.6	6.7	7.4	7.7	8.6	4.5
Hebronville	Jim Hogg	9.5	11.5	11.8	10.1	10.6	10.9	9.3	9.8	10.6	10.2
Raymondville	Willacy	9.1	9.1	9.5	10.2	10.0	(1)	(1)	(1)	(1)	(1)
Arizona		3.8	5.1	5.1	5.0	5.1	5.8	4.7	4.7	5.7	3.9
Tucson	Pima	4.1	6.2	6.5	5.8	4.9	5.7	5.1	4.8	6.0	4.1
Douglas and Bisbee	Cochise	3.1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Nogales	Santa Cruz	5.0	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Yuma	Yuma	5.1	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

[1] Information not available.

Source: Bureau of Employment Security, U.S. Department of Labor.

EXHIBIT 5

BORDER CITIES—UNEMPLOYMENT AND ALIEN COMMUTERS, JANUARY 1966

City	Unemployed U.S. residents		Alien commuter	City	Unemployed U.S. residents		Alien commuters
	Number	Rate			Number	Rate	
Brownsville-Harlingen-San Benito, Tex	3,020	6.2	2,032	McAllen-Pharr-Edinburg, Tex	4,190	6.9	1,163
El Paso, Tex	5,050	4.8	11,772	El Centro, Calif	3,675	10.7	7,616
Laredo, Tex	3,365	12.6	2,581	San Diego, Calif	22,300	5.2	9,281

Source: Unemployment data from The Texas Labor Market, Texas Employment Commission, and labor market reports of the California Department of Employment; alien commuter data from I. & N.S. survey, Jan. 17, 1966.

EXHIBIT 6

THE BORDER COUNTIES—AVERAGE WEEKLY EARNINGS OF NONFARM WORKERS, JANUARY-MARCH 1965

Area	Total nonfarm	Selected industries							
		Mining	Contract construction	Manufacturing	Transportation, communication, and public utilities	Wholesale trade	Retail trade	Finance, insurance, and real estate	Services
Border States	$103	$117	$121	$125	$117	$121	$74	$101	$82
Border counties	91	132	116	122	106	98	68	94	66
California	113	147	142	132	128	131	83	106	92
Border counties	107	151	140	147	122	120	79	102	74
San Diego	107	152	140	147	122	122	79	102	75
Imperial	93	122	134	124	107	107	77	85	71
Arizona	94	139	124	117	115	108	68	97	67
Border counties	87	145	114	112	106	86	67	94	66
Yuma	74	101	102	84	110	57	74	90	61
Pima	88	145	117	116	108	104	67	96	67
Santa Cruz	65	(1)	70	53	85	82	61	87	45
Cochise	101	(1)	(1)	117	104	82	60	86	67
New Mexico	89	125	97	106	104	105	62	89	84
Border counties	78	85	92	138	82	97	60	78	61
Hidalgo	69	(1)	(1)	(1)	93	88	57	73	47
Luna	73	(1)	109	78	87	86	57	82	43
Dona Ana	80	85	86	165	79	100	61	78	64
Texas	87	126	91	108	98	107	60	91	61
Border counties	67	101	79	73	90	82	53	80	49
El Paso	76	94	85	78	113	103	60	85	54
Hudspeth	68	70	89	----------	(1)	----------	48	(1)	15
Jeff Davis	76	(1)	(1)	----------	(1)	68	31	(1)	38
Presidio	53	(1)	54	(1)	60	50	50	87	35
Brewster	52	(1)	78	(1)	67	74	44	75	37
Terrell	67	(1)	26	(1)	111	(1)	53	54	36
Val Verde	57	(1)	87	(1)	79	67	49	74	42
Kinney	58	----------	38	----------	(1)	(1)	32	(1)	37
Maverick	48	104	70	(1)	64	92	39	70	34
Webb	53	79	67	60	62	66	48	67	39
Zapata	54	86	(1)	----------	64	(1)	23	64	31
Starr	68	102	(1)	----------	68	43	38	68	35
Hidalgo	59	107	68	62	81	62	50	72	46
Cameron	58	111	71	65	58	70	49	78	48

[1] Data not published to avoid disclosing information from individual establishments.

Source: Based on data published in 1965 County Business Patterns, U.S. Department of Commerce. Average weekly earnings computed by dividing quarterly payroll by March employment by 13. Result rounded to nearest dollar.

EXHIBIT 7

TEXAS BORDER AREAS—AVERAGE HOURLY WAGE RATES FOR SEASONAL FARM ACTIVITIES, MID-NOVEMBER 1966-65

Area	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956
State of Texas	$0.97	$0.87	$0.78	$0.76	$0.73	$0.56	$0.55	$0.56	$0.52	$0.58	$0.51
Lower Rio Grande Valley	.75	.65	.60	.58	.59	.43	.43	.43	.43	.43	.43
Rio Grande Plains	.77	.73	.68	.68	.67	.49	.46	.46	(1)	.50	.47
Trans-Pecos	.83	.82	.71	.71	.71	.50	.50	.50	.50	.50	.50

[1] Information not available.

Source: Office of Farm Labor Service, Bureau of Employment Security, U.S. Department of Labor
Based upon reports prepared by the Texas Employment Commission.

EXHIBIT 8. OCCUPATIONAL WAGE STRUCTURE—LAREDO, TEX., JUNE 1961 [1]

Industry and occupation	Average wage rate (per week): Firms employing only domestic workers	Average wage rate (per week): Firms employing domestic and alien commuter workers
Hotels and motels:		
Cook	$58	$34
Maid	20	17
Hallboy	25	20
Waiter	[2] 15	[2] 18
Busboy	[2] 25	13
Bartender	58	46
Bellboy	[2] 15	[2] 16
Drugstores and related firms:		
Cashier	27	12
Stock clerk	52	40
Fountain girl	16	[3] 23
Drug clerk	77	55
Grocery and related firms:		
Cashier	24	24
Stockboy	35	20
Produceman	45	35
Butcher	65	52
Warehouseman	37	31
Miscellaneous retail firms:		
Porter	53	35
Warehouseman	73	21
Stockman	53	45

[1] Data were collected in the survey concerning the different rates paid each occupation in each firm. For some occupations monthly rates were reported; these were converted to weekly rates by dividing the monthly rate by 4.33. The number of workers paid each rate was not reported in all cases, making it impossible to compute an average rate weighted by the number of workers paid each rate. The average rates shown in the table represent the average of the highest and lowest rates paid. These averages correspond quite accurately with the weighted averages computed for the few occupations where data were reported for each worker.
[2] Plus tips.
[3] Plus $3 meal allowance.

EXHIBIT 9

Following is a summary of the El Paso survey results:

Eleven construction firms. Six firms employed only U.S. residents; five employed alien commuters. Two-thirds of the firms employing only U.S. residents paid the union scale. Only 20 percent of the firms employing commuters paid the union scale. The lowest rates were paid by the non-union firms that employed commuters.

Four retail dry goods stores. Three firms employed alien commuters. They paid lower wage rates than the firms that employed only U.S. residents.

Four wholesale and warehouse firms. Three firms employed alien commuters. The firm employing only U.S. residents paid the highest wage rates.

All sample firms in the following industries employed alien commuters: garment manufacturing (11 firms); restaurants (five firms); meatpacking (three firms); and laundries (four firms). Of interest is the fact that in the one laundry where wage rate data were supplied for both alien commuters and U.S. residents, the commuters were paid less than $.50 per hour while the U.S. residents were paid about $.80 per hour.

Insufficient wage and employment data were obtained to make any comparison for seven *transportation and storage* firms; two *cotton processors;* and three *hotels and motels.*

In several industries, *refineries* (four firms); *miscellaneous manufacturing* (seven firms); and *miscellaneous* firms (five establishments), there was no difference in the rates paid by firms employing alien commuters and those employing U.S. workers. One refinery, two miscellaneous manufacturing, and two of the other miscellaneous firms employed commuters.

Six other *retail trade* firms were included in the sample, but meaningful comparison could not be made because the nature of their operations and the occupations of the workers they employed were too dissimilar.

Mr. President, I want to mention at this point that I have had an opportunity to talk with Ambassador Telles, a former mayor of El Paso and a former Ambassador from the United States to Costa Rica, who was recently appointed by the President to the Rio Grande Valley Development Commission. He has the responsibility of looking at the various economic and social problems along the Mexican-American border, and to make recommendations toward solving these problems, which, hopefully, will be acted upon by our wonderful friends south of the border in Mexico, as well as acted upon by the United States.

I have had an opportunity to talk with Ambassador Telles about the commuter problem, and he demonstrates a deep concern and sensitivity to the question. He also feels it appropriate that Congress moves ahead in its legislative function. I am also aware of the fact that the commuter question was brought up not long ago when President Johnson had an opportunity to meet with the distinguished President of Mexico. It was a matter at least discussed at the Foreign Minister level in conversations which took place at that time. Although no ready solution to the commuter problem resulted from the conversations, nonetheless, our good friends in Mexico are becoming increasingly aware of the very deep concern which many of us in this country have for the problem, and expressed a willingness to help in pursuing a solution in the best interests of both countries.

As I mentioned earlier in my remarks, the problems resulting in part from the commuter system were dramatically presented to me earlier this year, in a very personal way, when the Migratory Labor Subcommittee had an opportunity to visit Rio Grande City and hold 2 days of hearings. During that period of time, the subcommittee had the good fortune to have in attendance the distinguished senior Senator from Texas [Mr. YARBOROUGH] who has an understanding of the area and its problems which many of us who represent different constituencies deeply respect. I see him in the Chamber at this moment.

Mr. YARBOROUGH. Mr. President, will the Senator from Massachusetts yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. YARBOROUGH. It was a great privilege to participate in the hearings on the Migratory Labor Subcommittee held in Rio Grande City in Edinburg, Tex., this year, where the problem was one of those that influenced the whole question of poverty along the border.

The hearings in Rio Grande City, in Starr County, were held in one of the 11 lowest income counties in the Nation, where a number of foreign families earn a total of $300 a year—not $3,000, but only $300.

I know that the distinguished Senator from Massachusetts, as a member and acting chairman of the Immigration Subcommittee of the Judiciary Committee has been studying the problem for a considerable length of time before that.

I want to ask the Senator this question: What does the legislation being introduced today do to open-border policy where people can freely cross an open border and not be restricted in crossing it, where trade flows, such as in the United States-Mexico border?

Mr. KENNEDY of Massachusetts. This is a worthwhile question. Let me reiterate my feeling that this legislation in no way will serve to close the border with Mexico. The open border is based upon a longtime understanding and the marvelous feeling of friendship and cordiality which exists between our two countries, and I feel there is no reason to believe the enactment of the bill being introduced today would in any way jeopardize the open-border policy. Certainly it is not intended to end the commuter system.

As I mentioned earlier in my remarks, what the bill would do, is simply take the sense of Congress on labor clearances for incoming aliens, which was included in the 1965 Immigration Act, and provide essentially the same standard on a periodic basis to permanent resident aliens who choose to live outside the United States, but who regularly commute to places of employment across the border. As I said earlier, I feel this is a reasonable approach to an outmoded system which adversely affects American workers and exploits so many Mexican nationals as well.

I am very hopeful that, as our good friends in Mexico become increasingly aware of the importance of this difficult situation and the high degree of priority

we place on finding a remedy, some kind of adjustment will be worked out, along the lines suggested in the bill, in a feeling of cooperation, so that there will be no misunderstanding and the border will continue to evidence a spirit of cordiality.

Mr. YARBOROUGH. I thank the Senator from Massachusetts for that clarification.

I have one other question: Does the bill ban or end the use of green cards? Does it end or ban the use of commuter alien labor?

Mr. KENNEDY of Massachusetts. In no way does it ban the use of green cards or terminate the commuter system.

What it would attempt to do is to provide that holders of green cards will not use what is a continuing privilege in such a way as to depress working and living conditions within the United States. That is really the only point to which this legislation is directed.

I feel this is important, not only to continuing good relations with Mexico, but also with our friends in Canada. I should indicate, however, there are few difficulties, if any, along the border with Canada.

Mr. YARBOROUGH. Mr. President, I am pleased to be a cosponsor of the measure introduced today by the Senator from Massachusetts [Mr. KENNEDY] which would require commuter aliens—the so-called green carders—to be regularly certified every 6 months by the Department of Labor that his presence in this country to seek work does not adversely affect the wages and working conditions of American workers.

I think the colloquy I have had with the distinguished Senator from Massachusetts clarifies the matter and helps also to put the legislation in proper focus.

My State has faced a long history of poverty and disadvantage along the Texas-Mexico border. Unfortunately, my State has not enacted a minimum wage law and many of the jobs along the border are not covered by the Federal minimum wage law. Some of the wages paid in this area are astonishingly low and because of this fact the area is very poor in many instances.

The alien commuter system has only aggravated this unfortunate situation, by creating extensive unemployment among American workers who are displaced by commuters willing to work for lower wages because they do not live in this country.

This often causes bitter relations along the border—a bitterness which we cannot diplomatically afford. Great progress has been made in our relations with Mexico. I mention the Chamizal Treaty as one example. This progress should not be upset with bitterness among the local people because their jobs are taken away by alien commuters who live in Mexico.

Also, it should be emphasized that we are not ending the commuter system, as mentioned by the Senator from Massachusetts. We will still allow workers to come across the border. All this amendment seeks to do is prevent such commuters from causing unemployment in this country because the commuters are taking American jobs. Furthermore, it is to give an accurate inventory of how many green card holders there are and where they are.

For years I have tried to find out how many green card holders there are. The answer has depended on whom you talked to. However, there have been estimates that the total number of commuters is close to 100,000. Someone testified that a total of 54,300 commuters entered across the border in any 1 day. In the Inter-American Conference held in El Paso, Tex., on the 27th and 28th of October of this year, some people testified that there were more than 400,000 holders of green cards. It is all an estimate. There is no registration.

This bill, requiring a reissuance of green cards every 6 months, will soon give us an accurate inventory of how many green card holders there are, and how they affect American employment.

For these reasons, I enthusiastically support the amendment introduced today by the distinguished Senator from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. President, I appreciate the comments of the Senator from Texas. Certainly, he has an understanding about the commuter problem which many of us deeply respect.

I want to bring to the attention of the Senator from Texas that this afternoon, at a meeting of the Western Hemisphere Commission established by the Immigration Act of 1965, it was decided to hold hearings on January 26 and 27 in El Paso. The hearings will concern themselves with the commuter problems.

So there is an increasing interest in this problem. I know the Senator from Texas has long been interested in it. I know he agrees with me that what we are attempting to do is develop legislation which will benefit our friend across the border as well as improve the lot of American workers who exist on the Texas side and all along the border to California.

I appreciate the comments of the Senator from Texas and also his support.

Mr. YARBOROUGH. I thank the Senator.

The PRESIDING OFFICER. Is there further business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The 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.

SOCIAL SECURITY AMENDMENTS OF 1967—CONFERENCE REPORT—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the vote on the conference report tomorrow morning, instead of taking place at 11 a.m., take place at 11:30 a.m., because of commitments some Senators have made for 10:45 a.m., which they cannot cancel.

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

ADJOURNMENT TO 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 35 minutes p.m.) the Senate adjourned until tomorrow, Friday, December 15, 1967, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate December 14, 1967:

IN THE AIR FORCE

Brig. Gen. Tom E. Marchbanks, Jr., FV669752, U.S. Air Force Reserve, for appointment as Chief of Air Force Reserve and major general, Air Force Reserve, under the provisions of section 8019, title 10 of the United States Code.

POSTMASTERS

The following-named persons to be postmasters:

FLORIDA

Edwin C. Wilhelm, Clarcona, Fla., in place of H. C. Dann, retired.

GEORGIA

Lura M. Long, Cataula, Ga., in place of B. A. Tarvin, retired.

ILLINOIS

John H. Harry, Crescent City, Ill., in place of Louis Sloter, retired.

IOWA

Robert L. Toomer, Delhi, Iowa, in place of J. H. Engel, retired.

KANSAS

Ellsworth V. Bryan, Jr., Cimarron, Kans., in place of M. C. Webb, deceased.

Wilmer G. Boothe, Hillsboro, Kans., in place of A. H. Penner, retired.

NEW YORK

William T. Flansburg, Lima, N.Y., in place of W. E. Slattery, retired.

Stanley Darszewski, Springville, N.Y., in place of R. J. Smith, retired.

PENNSYLVANIA

John W. Erb, Cheltenham, Pa., in place of J. J. Lynch, retired.

Clara M. Fehlman, Pittsfield, Pa., in place of M. A. Swanson, retired.

CONFIRMATION

Executive nomination confirmed by the Senate December 14, 1967:

U.S. DISTRICT JUDGE

John T. Curtin, of New York, to be U.S. district judge for the western district of New York.