SENATE—*Thursday, January 25, 1968*

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

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

God of our fathers, in all the commotion and contentions of the bewildering present, with its constant demands, we would turn aside for this dedicated moment to seek the quiet assurance of Thy presence.

By tasks too difficult for us, we are driven unto Thee for strength to endure and wisdom to interpret rightly the signs of these testing times.

Save us from demanding of others a higher standard of conduct than we demand of ourselves.

So, hearing and heeding the divine summons, may our compassion, wide as humanity, help to heal the open sores of the world as we serve the present age, our calling to fulfill.

In the dear Redeemer's name. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, January 24, 1968, be dispensed with

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

ATTENDANCE OF SENATORS

The following additional Senators attended the session of the Senate today: Hon. BIRCH BAYH and Hon. JOSEPH S. CLARK.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on January 24, 1968, the President had approved and signed the joint resolution (S.J. Res. 132) extending the dates for transmission of the Economic Report and report of the Joint Economic Committee.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

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

MESSAGE FROM THE HOUSE

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

H.R. 1340. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; and

H.R. 5605. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 306) to increase the amounts authorized for Indian adult vocational education.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on Interior and Insular Affairs:

H.R. 1340. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; and

H.R. 5605. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. 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.

INTERNATIONAL GRAINS ARRANGEMENT OF 1967—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive A, 90th Congress, second session, the International Grains Arrangement of 1967, transmitted to the Senate today by the President of the United States, and that the Arrangement, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

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

The message from the President is as follows:

To the Senate of the United States:

Today I submit to the Senate for its advice and consent the International Grains Arrangement of 1967.

This Arrangement is another step forward in our overall effort to strengthen and stabilize our farm economy, to improve our balance of payments, and to share our abundance with those in need.

The Arrangement is an outgrowth of the Kennedy Round of trade negotiations. It was agreed to last August at the International Wheat Conference in Rome. It has already been signed by most of the countries that are major exporters and importers of grain.

The Arrangement is in two parts: the Wheat Trade Convention, which will provide new insurance against falling prices in the wheat export trade—and the Food Aid Convention, which will bring wheat exporting and wheat importing nations into partnership in the War on Hunger.

THE WHEAT TRADE CONVENTION

The Wheat Trade Convention will help to stabilize prices in world commercial trade.

It sets minimum and maximum prices for wheat moving in international trade at levels substantially higher than those specified in the International Wheat Agreement of 1962. This will give our farmers additional protection against price cutting in world markets.

At the same time, the Arrangement includes provisions to insure that our wheat will be priced competitively in world markets; and that no exporting member country is placed at a disadvantage because of changes in market conditions.

Importing countries also receive protection and benefits under the Convention. In periods of shortage importing member countries will be able to purchase their normal commercial requirements at the established maximum price. After this requirement has been met, exporting member countries will be free to sell above the maximum price.

America's wheat farmers have supported the pricing provisions of previous wheat agreements. I am confident they will welcome the stronger price assurances of this Arrangement.

THE FOOD AID CONVENTION

The Food Aid Convention marks an important new international initiative in the assault on hunger throughout the world.

The countries participating in this Convention—both exporting and importing nations—undertake to establish a regular program of food aid over the next three years.

The program calls for 4.5 million tons of grain to be supplied each year; 4.2 million tons are already subscribed.

The U.S. will supply 1.9 million tons in grains—under the authority of the Food for Freedom program.

Other countries will supply 2.6 million tons—either in the form of grain or its cash equivalent.

This new program is a major joint effort to supply wheat and other food grains to needy nations on a continuing basis. It will help the developing nations of the world meet their food deficits while they work to expand their own food production. As these countries prosper and grow, many will become cash customers for agricultural products.

I enclose, for the information of the Senate, the report of the Secretary of

State on the International Grains Arrangement.

I urge the Senate to give it early consideration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 25, 1968.*

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON EXPERIMENTAL, DEVELOPMENT, TEST, AND RESEARCH PROCUREMENT ACTION

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on experimental, development, test, and research procurement action, for the 6-month period ended December 31, 1967 (with an accompanying report); to the Committee on Armed Services.

REPORT ON PROJECT TO BE UNDERTAKEN FOR THE NAVAL RESERVE

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on a project to be undertaken at the Naval Air Station (NARTU), Lakehurst, N.J.; to the Committee on Armed Services.

PROPOSED AMENDMENT TO THE FEDERAL CIVIL DEFENSE ACT OF 1950

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

RECAPTURE OF CERTAIN HYDROELECTRIC PROJECTS

A letter from the Chairman, Federal Power Commission, transmitting, pursuant to law, recommendations concerning recapture of 22 projects the licenses of which have already expired or will expire by 1971 (with accompanying papers); to the Committee on Commerce.

REPORTS ON FOREIGN ASSISTANCE PROGRAM

A letter from the Director, Congressional Liaison, Agency For International Development, Department of State, transmitting, pursuant to law, President Johnson's annual report to the Congress on the foreign assistance program for fiscal years 1966 and 1967 (with accompanying reports); to the Committee on Foreign Relations.

REPORT OF VETERANS' ADMINISTRATION ON DISPOSAL OF FOREIGN EXCESS PROPERTY

A letter from the Deputy Administrator, Veterans' Administration, transmitting, pursuant to law, a report on its activities in the disposal of foreign excess property (with an accompanying report); to the Committee on Government Operations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvement in the Army's supply system to insure the recovery of repairable spare parts, Department of the Army, dated January 23, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of substantial annual savings available through elimination of uneconomical shipments of military parts and other material, Department of the Air Force dated January 22, 1968 (with an accompanying report); to the Committee on Government Operations.

REPORT ON DISPOSAL OF MATERIALS, BUREAU OF LAND MANAGEMENT

A letter from the Associate Director, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, a report of negotiated sales contracts made for disposal of materials during the period July 1 through December 31, 1967 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT ON ALIENS CONDITIONALLY ENTERING THE UNITED STATES

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on aliens conditionally entering the United States, for the 6-month period ended December 31, 1967 (with accompanying papers); to the Committee on the Judiciary.

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 and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

THE HOUSE OF REPRESENTATIVES RESOLUTIONS OF THE COMMONWEALTH OF MASSACHUSETTS

The PRESIDENT pro tempore laid before the Senate resolutions of the House of Representatives of the Commonwealth of Massachusetts, which were referred to the Committee on Commerce, as follows:

RESOLUTIONS MEMORIALIZING THE CIVIL AERONAUTICS BOARD TO APPROVE THE APPLICATION OF THE NORTHEAST AIRLINES, INC., RELATIVE TO SERVING ADDITIONAL POINTS

Whereas, The Massachusetts House of Representatives is concerned with air transportation services provided to the citizens of the Commonwealth; and

Whereas, Said Massachusetts House of Representatives is also concerned with the economic well-being and growth of industries located in the Commonwealth, particularly those industries which employ substantial numbers of citizens of this Commonwealth; and

Whereas, Northeast Airlines, Inc. is a corporation organized and existing under the laws of the Commonwealth and having a principal place of business at Logan International Airport in East Boston in this Commonwealth; and

Whereas, The said Northeast Airlines, Inc. has always striven, sometimes under adverse circumstances, to provide the best air transportation service possible to the citizens of this Commonwealth for a period exceeding thirty years; and

Whereas, The said Northeast Airlines, Inc. is the sole air carrier which provides air transportation services between certain communities within this Commonwealth and from certain communities in this Commonwealth to other communities in Northern New England, to the other major centers of commerce and government on the middle Atlantic seaboard and to the vacation areas of Florida, all with modern and convenient jet and turbine powered aircraft; and

Whereas, The said Northeast Airlines, Inc. provides employment for approximately 2300 citizens of this Commonwealth at its principal place of business at Logan International Airport in East Boston in this Commonwealth; therefore be it

Resolved, That it is the conviction of the Massachusetts House of Representatives that continuation and expansion of the air transportation services which the said Northeast Airlines, Inc. is authorized to render has been, is, and will continue to be, of great benefit to the Commonwealth; be it further

Resolved, That the Massachusetts House of Representatives respectfully urges the Civil Aeronautics Board to approve the petition of the Northeast Airlines, Inc. to serve additional points; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the Chairman of the Civil Aeronautics Board, the presiding officer of each branch of Congress and to the members thereof from this Commonwealth.

House of Representatives, adopted, January 18, 1968.

WILLIAM C. MAIERS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

S. Res. 225. Resolution to make a study of all matters within the jurisdiction of the Committee on Armed Services; referred to the Committee on Rules and Administration.

By Mr. SYMINGTON, from the Committee on Armed Services, without amendment:

H.R. 5789. An act to authorize the disposal of platinum from the national stockpile and the supplemental stockpile (Rept. No. 952).

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, without amendment:

S. Res. 222. Resolution to provide for the study of migratory labor; referred to the Committee on Rules and Administration.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO STUDY THE ORIGIN OF CERTAIN RESEARCH AND DEVELOPMENT PROGRAMS—REPORT OF A COMMITTEE

Mr. HARRIS, from the Committee on Government Operations, reported the following original resolution (S. Res. 227); which was referred to the Committee on Rules and Administration:

S. RES. 227

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standings Rule of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1968, through January 31, 1969, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the operations of research and development programs financed by departments and agencies of the Federal Government, including research in economies and social science, as well as the basic sciences, biomedicine, research, and technology;

(2) review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities; and

(3) examine existing research information operations, the impact of Federal research and development programs on the economy and on institutions of higher learning, and to recommend the establishment of programs to insure a more equitable distribution of research and development contracts among such institutions and among the States.

SEC. 2. For the purposes of this resloution, the committee, from February 1, 1968, to January 31, 1969, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $87,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. CLARK, from the Committee on Labor and Public Welfare:

Elizabeth Jane Kuck, of Illinois, to be a member of the Equal Employment Opportunity Commission.

BILLS INTRODUCED

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

By Mr. MONTOYA:

S. 2871. A bill to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. CANNON:

S. 2872. A bill to change the day for holding elections for Members of Congress and for appointing electors of President and Vice President; to the Committee on Rules and Administration.

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

By Mr. GRUENING:

S. 2873. A bill for the relief of Celedonia Ramirez Perez to the Committee on the Judiciary.

CONCURRENT RESOLUTION

ESTABLISHMENT OF A JOINT CONGRESSIONAL COMMITTEE TO REEXAMINE THE OBJECTIVES AND NATURE OF THE FOREIGN ASSISTANCE PROGRAMS

Mr. SCOTT submitted a concurrent resolution (S. Con. Res. 54) to establish a joint congressional committee to reexamine the objectives and nature of the foreign assistance programs and the relationship of such programs to vital United States interests, which was referred to the Committee on Foreign Relations.

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

RESOLUTION

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO STUDY THE ORIGIN OF CERTAIN RESEARCH AND DEVELOPMENT PROGRAMS

Mr. HARRIS, from the Committee on Government Operations, reported an original resolution (S. Res. 227) authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. HARRIS, which appears under the heading "Reports of Committees.")

SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

Mr. MONTOYA. Mr. President, I introduce today, for appropriate reference, a bill which will go a long way toward insuring that the children of this Nation receive an adequate diet.

The basic national school lunch legislation combined with that of the Child Nutrition Act of 1966 have enabled us to reach out to children throughout the country in a variety of ways—as long as they were enrolled in a school situation.

But, we still cannot reach preschool children in private, nonprofit preschool programs; we cannot reach children during the summer months unless they are enrolled in summer school and the school keeps the cafeteria operating.

This bill which I am introducing today will remedy this shortcoming. I ask unanimous consent that an analysis of the measure which I have prepared be printed at this point in the RECORD. I also ask unanimous consent that the bill be printed in full following the analysis.

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

The bill (S. 2871) to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes, introduced by Mr. MONTOYA, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The analysis, presented by Mr. MONTOYA, is as follows:

ANALYSIS OF AMENDMENT TO NATIONAL SCHOOL LUNCH ACT

NEED FOR AMENDMENT

The National School Lunch Legislation combined with the Child Nutrition Act of 1966 have enabled the Department of Agriculture to reach children as long as they were enrolled in a school situation.

The above legislation *does not* extend the lunch program to *pre-school* children in private, nonprofit pre-school programs, *nor* to children during the *summer months* unless they are enrolled in summer school and the school keeps the cafeteria operating.

PURPOSE OF AMENDMENT

The amendment would establish a *pilot* program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for service institutions such as:

(1) child day-care centers;
(2) settlement houses;
(3) recreation centers; and
(4) "other" similar institutions which provide day care for children, and which draw attendance from areas in which poor economic conditions exist.

This amendment would not only reach the school- and pre-school children not now receiving adequate lunches but would also reach children engaged during the summer months in recreational programs such as day camps and youth centers—not including full-care, live-in institutions or camps.

ADMINISTRATION OF PROGRAM

("Special Food Service Program for Children")

(1) The administration is patterned throughout on the National School Lunch and Child Nutrition Acts.

(2) Administration will be handled through the State educational agency.

(3) The same standards for meals will be used as in the lunch and breakfast programs.

(4) Participating agencies will agree to serve nutritionally balanced meals in order to qualify for assistance.

(5) Meals will be served at reduced price or free to those who cannot afford the full price—just as in the lunch and breakfast programs.

(6) In situations of extreme need, the States may pay up to 80% of the operating costs—just as in the breakfast program.

(7) State agencies may use up to 25% of their apportioned funds to provide equipment to get a food service started or to expand on existing food service.

(8) If a State educational agency cannot see its way clear to undertaking the administration of this program, the Department of Agriculture will take agreements with eligible applicant institutions and supervise their operation under the program.

FUNDING OF PROGRAM

It is contemplated that the program would be operated initially on a pilot basis reaching approximately 100,000 children the first year at a cost of $4.5 million.

The bill (S. 2871) was ordered to be printed in the RECORD, as follows:

S. 2871

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 3 of the National School Lunch Act (42 U.S.C. 1752) is amended by striking out "section 11" and inserting in lieu thereof "sections 11 and 13".

SEC. 2. Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by

inserting "except section 13" immediately after "Act," where it first appears.

SEC. 3. The National School Lunch Act is amended by adding at the end of the Act the following new section:

"SPECIAL FOOD SERVICE PROGRAM FOR CHILDREN

"SEC. 13. (a) There is authorized to be appropriated $8,000,000 for each of the three fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, to enable the Secretary to formulate and carry out a pilot program to assist States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit food service programs for children in service institutions. For purposes of this section, the term 'service institutions' means private, nonprofit institutions or public institutions, such as child day-care centers, settlement houses, or recreation centers, which provide day care for children from areas in which poor economic conditions exist.

"(b)(1) Of the funds appropriated for the purposes of this section for any fiscal year, the Secretary shall reserve 2 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, and American Samoa. Guam, Puerto Rico, the Virgin Islands, and American Samoa shall each be paid an amount which bears the same ratio to the total of such reserved funds as the number of children aged three to seventeen, inclusive, in each bears to the total number of children of such ages in all of them.

"(2) From the remainder of the funds appropriated for any fiscal year, the Secretary shall pay to each State such sums as he deems appropriate, but not more than $50,000, as a basis grant. In addition, the Secretary shall allot to each State from the funds remaining after the basic grants have been made an amount which bears the same ratio to such remaining funds as the number of children in that State aged three to seventeen, inclusive, in families with incomes of less than $3,000 per annum bears to the total number of such children in all the States. For the purposes of this paragraph, the term 'State' does not include Guam, Puerto Rico, the Virgin Islands, and American Samoa.

"(c)(1) Funds paid to any State under this section shall be disbursed by the State educational agency to service institutions, selected on a nondiscriminatory basis by the State educational agency, (A) to reimburse the service institutions for the cost of obtaining agricultural commodities and other foods, and (B) for the purposes of paragraphs (2) and (3) of this subsection. The costs of obtaining agricultural commodities and other foods may include the cost of the processing, distributing, transporting, or handling thereof. Disbursement to participating service institutions shall be made at such rate of reimbursement per meal as the Secretary shall prescribe.

"(2) In circumstances of severe need where the rate per meal established by the Secretary is insufficient to carry on an effective feeding program, the Secretary may authorize financial assistance not to exceed 80 per centum of the operating costs of such a program, including the cost of obtaining, preparing, and serving food.

"(3) Not to exceed 25 per centum of the funds paid to any State may be used by the State to assist service institutions by paying not to exceed 75 per centum of the cost of the purchase or rental of equipment, other than land and buildings, for the storage, preparation, transportation, and serving of food to enable the service institutions to establish, maintain, and expand food service under this section.

"(d) The withholding of funds and their disbursement to service institutions shall be carried out by the Secretary under circumstances comparable to those provided for in section 10 of this Act.

"(e) Notwithstanding the provisions of any other law, balances of funds appropriated for the purposes of this section and unobligated at the end of any fiscal year shall remain available for obligation during the first three months of the following fiscal year.

"(f) Service institutions to which funds are disbursed under this section shall serve meals consisting of a combination of foods and meeting minimum nutritional standards prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children determined by the service institutions to be unable to pay the full cost. In making such determination, service institution authorities should, to the extent practicable, consult with public welfare and health agencies. No physical segregation or other discrimination against any child shall be made because of his inability to pay.

"(g) If any State cannot utilize all funds apportioned to it, or if additional funds are made available for apportionment among the States, under this section, the Secretary shall make further apportionments to the remaining States in the manner prescribed in subsection (b).

"(h)(1) The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section of the Act and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"(2) Each service institution participating under this section shall, insofar as practicable, utilize in its program foods designated from time to time by the Secretary as being in abundance, either nationally or in the institution area, or foods donated by the Secretary. Foods available under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) or purchased under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), or section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a–1), may be donated by the Secretary to participating institutions in accordance with the needs as determined by authorities of these institutions for utilization in their feeding programs under this section.

"(3) The value of assistance to children under this section shall not be considered to be income or resources for any purpose under any Federal or State laws, including laws relating to taxation and welfare and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this section.

"(4) Authority for the conduct and supervision of Federal programs to assist service institutions in providing food service programs for children is assigned to the Secretary of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to service institutions for such assistance shall transfer such funds to the Secretary of Agriculture for distribution through the administrative channels and in accordance with the standards established under this Act.

"(5) There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expenses under this section.

"(6) States, State educational agencies, and service institutions participating in programs under this section shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this section and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines is necessary."

SEC. 4. The first sentence of section 7 of the Child Nutrition Act of 1966 (42 U.S.C. 1776) is amended by adding immediately before the period at the end thereof "and under sections 11 and 13 of the National School Lunch Act". The second sentence of such section 7 is amended by striking out "section 11" and inserting in lieu thereof "sections 11 and 13".

SEC. 5. Sec. 4. (a) of the Child Nutrition Act of 1966 is amended to read as follows:

"SEC. 4. (a) There is hereby authorized to be appropriated for the fiscal year 1969 and for each subsequent fiscal year such sums as may be necessary to carry out on a nonpartisan basis a program to assist the States through grants-in-aid and other means, to initiate, maintain, or expand nonprofit breakfast programs in schools."

PROPOSED CHANGE OF DAY FOR HOLDING ELECTIONS FOR MEMBERS OF CONGRESS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to change the day for holding elections for Members of Congress and for appointing electors of the President and Vice President.

The bill would change the day of such elections from the Tuesday next after the first Monday in November to the Tuesday next after the first Monday in October.

Advancing election day by a full month would serve at least three salutary objectives:

First. The curtailment of an exhausting period of campaigning by 31 days;

Second. The reduction of campaign costs by a substantial amount; and

Third. The opportunity to mend and regroup political denominations disorganized or spent following primary elections.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2872) to change the day for holding elections for Members of Congress and for appointing electors of President and Vice President, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

FOREIGN AID

Mr. SCOTT. Mr. President, as we begin this new session of Congress we find ourselves facing old, familiar problems. As a consequence, the temptation is great to advance the same old solutions for the same kind of problems.

In no area of national policy are we more in need of fresh thinking than in the field of foreign aid. Foreign aid is like a long running serial in the silent movies, and the scenario seems never to change. Each year a bill is sent up from the White House. The amount which is asked is consistently depicted as a rock-bottom figure. Congress receives the foreign aid proposal without any great enthusiasm, and usually pares the amount the Executive had requested. Newspaper stories blossom that foreign aid is in trouble. Finally, in the nick of time, the bill passes, and the program is "saved" for another year.

As a supporter of foreign aid, I have

often pondered what can be done to improve this situation. Is the program itself at fault, or has it been poorly articulated? Do the American people understand the rationale underlying the policy? Why have successive national administrations, regardless of party, believed that foreign aid was in the national interest? If we do not propose to abandon aid, how can we make it more effective?

To begin with, I think it would clarify matters if we contrast the situation 20 years ago with today. Twenty years ago the Marshall plan was getting underway. Of all the foreign assistance programs the Marshall plan is the one that is always singled out as an unqualified success. And so it was. But great as the problems were, they did not pose the difficulties that confront us today.

RECOVERY AND DEVELOPMENT

For the object of economic aid under the Marshall plan was recovery. The object of economic aid today is development. These are two entirely different categories.

In 1948, the countries of Western Europe were among the most technologically advanced in the world. They possessed great reservoirs of skilled manpower, managerial know-how, and administrative experience. Their plant had been ravaged, but their will and their skill was undamaged. In short, the foundations existed on which the industrial structure could be rebuilt. The result was that Europe not only regained its prewar production levels, it far surpassed them. Obsolete factories were replaced with gleaming new ones, often more advanced than their counterparts in this country. As Europe recovered economically, the threat of communism receded politically. The objective the United States had sought was won.

Where economic development is concerned, however, there is apt to be very little on which to build. Agriculture is primitive, there is no industrial structure worth mentioning, the population is unskilled, and often virtually illiterate. Trained managerial talent is in extremely short supply, if not nonexistent. The civil service is often inexperienced, and often corrupt.

Perhaps most important of all, and deserving of special mention, are the cultural differences between the United States on one hand and the majority of the developing countries on the other. We share with Western Europe the Judeo-Christian tradition. We have studied each other's languages, literature, and history. The majority of the American people are descended from Europeans, and many still have relatives living in Europe. Our societies have long been industrialized, and with due allowance for national variations, face essentially similar problems. Most of all, we share the Western concepts of human freedom and the dignity of man. This cultural affinity played a distinct part in the success of the Marshall plan.

But with undeveloped and newly independent countries of Asia and Africa the case is different. Not only are they generally deficient in the foundations of development, such as literacy, but their cultural values are derived from a different tradition and a different experience. The high official or technical expert from a developing country may well be able to hold his own with his counterparts in Europe and America, but he may not share their philosophical outlook.

It is in the villages that this cultural gulf can become a real barrier to development, for when people have lived for centuries in an essentially static society, they do not take readily to change. Even though they may desire the benefits of technology, old fears and old folkways persist. You can introduce scientific farming into India, but you cannot dispel popular belief in the sanctity of cattle. As a result, even though you increase agricultural output, you still cannot utilize a prime source of food. The cultural gap is there, and it is a discouraging fact of life for all agencies, national and international, which deal with foreign aid.

But discouragement must not bring defeat. Development assistance—economic assistance of the underdeveloped nations of Asia, Africa and Latin America—is as important to the United States today as the Marshall plan was 20 years ago. The crucial stake for the United States at that time was the preservation of freedom in Western Europe. The crucial stake today is the security and stability of the developing world.

POTENTIAL FOR VIOLENCE

Make no mistake about it, the potential for violence in the developing half of the world is enormous. Secretary of Defense Robert S. McNamara, pointed out in his Montreal speech in May of 1966, that significant internal conflict has been far more prevalent in the very poor nations than in those that are better off. Despite the progress that has been made in a number of the developing countries—progress that in some instances is truly impressive—expert opinion is virtually unanimous that the gap between the rich nations and the poor nations is widening. The "revolution of rising expectations," hitherto linked with a rising curve of hope, may peter out in bitterness and frustration. The young people of the underdeveloped world, in particular, may be tempted to look for violent and extreme solutions.

This would be a dangerous situation whether communism existed or not. But it exists, and its purposes, whether Soviet or Chinese in origin, are hostile to those of the United States. In the tinderbox atmosphere of the third world, Communist-inspired "wars of national liberation," such as the one in Vietnam, can light many minor fires, or one vast conflagration.

Consequently there is a vital U.S. interest in preserving the security of underdeveloped nations, in giving them the opportunity to pursue a freely chosen path of economic development. In the long run the security of our Nation cannot be divorced from the drive of the poor nations toward a better future for their impoverished people.

This does not mean that U.S. economic and military assistance should be given just because it is sought, or that it must always be massive in amount. But there is an inescapable obligation to assist some nations who, despite their best efforts, fall short of meeting the legitimate aspirations of their people for sustained development. The obligation is inescapable because the consequences of inaction would be dangerous to peace and thereby to our national security.

OBLIGATION TO TAXPAYER

There is another inescapable obligation—the obligation to see to it that the sorely pressed American taxpayer gets the maximum return for his foreign aid dollar. This means that U.S. assistance must be selective and discriminating. Not only should it be channeled only to those countries doing the utmost to help themselves and showing promise in their self-development, but it must take a form adaptable to the social structure of the receiving country. The United States should not expect, and certainly should not impose, grandiose plans of social and economic development upon societies too frail to absorb them. That is more likely to raise false expectations than it is to raise living standards.

If U.S. assistance is genuinely adapted to the social fabric of the recipient countries, it is likely to be modest in amount, in some cases even marginal. The U.S. presence, which so often tends to be overpowering—and hence disliked—can be reduced. I suspect that greater emphasis on technical assistance to agriculture, plus equal emphasis on the mutual creation of a more favorable climate for private investment, might go a long way toward establishing a scaled-down but more effective aid program.

If foreign aid is to be a low-keyed program, however, it is going to take a far longer time to complete the job than the 4 or 5 years that were sufficient for the Marshall plan to achieve its objective. This is a point that needs to be stressed, both in the receiving countries, and to the American people.

In the developing countries the pressures are likely to be strong for dramatic progress within a foreseeable time frame. Too often in the past this type of pressure has led to wasteful expenditures on flashy, expensive projects—national airlines and government buildings, for example—which made no positive contribution to a better life for the people. If development is to be sound, however, it must be a step-by-step process. Self-sustaining economic growth is not to be achieved overnight when there is only a most rudimentary base to begin with. The governments of the receiving states have the responsibility of explaining this to their own people.

By the same token, the American people have the right to expect a thoroughgoing explanation of the necessity for development assistance, and a clear idea of the length of time involved. If those responsible for developing and implementing the program do a proper educational job, I believe they can generate the kind of support for foreign aid as we know it today that the Marshall plan was able to command 20 years ago.

U.S. INTEREST

But if development assistance is ever to attract and hold the support of the great majority of the American people, they must be able to see its relationship to U.S. national interests. Although an independent stance is sometimes a political necessity for the leaders of some of the developing nations, we cannot expect Americans to countenance support to countries obviously antagonistic to U.S. interests.

For instance, aid should not go to countries—Egypt, for example—whose leaders regularly heap abuse on the United States, and who pursue policies designed to hurt U.S. interests.

The American people will not continue to sacrifice in order to support regimes which foment discord and disruption when the whole purpose of foreign aid is to build a stable international environment. They will reject continued assistance to regimes which foster or practice aggression, or which harass American citizens, or confiscate American-owned property without appropriate compensation.

International development should build security; it should not foster insecurity.

When we consider the challenges of an effective foreign aid program whose objective is long-term development, it becomes obvious that multiyear authorizations of development assistance would be a feasible and desirable measure. Such authorizations would enable the administrators of the program to have greater leeway in adapting to changing conditions abroad. Moreover, the responsible officials in this country and in the receiving countries could do their jobs more efficiently. Economic development is a long-range proposition, and it cannot be carried forward in the most efficient manner if it is faced with the possibility of stop-and-go financing.

In suggesting multiyear authorizations, I certainly do not propose that Congress relinquish its control over foreign aid funds, which it would retain in the annual appropriations process. On the contrary, I believe that multiyear authorizations will enable Congress, through the Senate and House Committees on Foreign Relations and Foreign Affairs, to give development assistance the kind of legislative oversight it most assuredly requires. Broad policies can be evaluated realistically and the performance of administrators can be assessed under conditions more likely to be a true test of their abilities.

JOINT COMMITTEE ON AID

Accordingly, Mr. President, I am today submitting a concurrent resolution authorizing the creation of a Joint Congressional Committee on Foreign Aid to consist of seven Senators and seven Representatives. Membership from the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs will be limited to four each so that the joint committee can have a balance between specialized knowledge of existing foreign aid programs and fresh insight concerning their future shape and direction.

My concurrent resolution directs the joint committee to undertake a thorough and comprehensive study and reevaluation of foreign aid with a view to developing such recommendations for reshaping foreign aid as it deems appropriate. Among the factors to be analyzed and considered by the joint committee are: first, the objectives and nature of foreign aid and their relation to vital U.S. interests; second, the organizational and operational relationships among the U.S. Government agencies and other organizations—private and international—which are in the business of dispensing foreign aid; and, third, ways and means by which existing foreign aid programs could be improved to insure their efficient, economical, and effective administration and operation.

The joint committee would submit an interim report of its findings at its earliest convenience and a final report with its recommendations no later than the end of this year. The committee's study should in no way interfere with the ongoing activities of the Agency for International Development. Further, the committee would disband upon completion of its assignment.

It is of the highest importance that the review of foreign aid which I am proposing today be conducted in a constructive spirit. The joint committee should be receptive to creative and relevant ideas, whether these ideas originate from inside or outside the Government. It might want to explore, for example, the suggestion of Eugene Black, former Director of the World Bank, that U.S. overseas operations be managed more by corporations, foundations, and universities—a suggestion replete with interesting possibilities. The very creation of a Joint Congressional Committee on Foreign Aid ought to be conducive to new thinking, new concepts, new proposals, all of which the foreign aid program needs badly.

To sum up:

First. Foreign aid today is essentially development assistance, although some military assistance is necessary. In a great many instances development must begin from scratch.

Second. There is a cultural gap between our highly developed technological civilization and the simpler social structure of a great many receiving countries. This means that aid can be furnished in smaller amounts than before, and can be concentrated on technical assistance, particularly in agriculture.

Third. Even though aid can and should be reduced, it cannot be abandoned because the fostering of a stable international environment is directly related to our national security.

Fourth. Because aid goes largely to countries in the earliest stages of development, it should be conceived as a long-range proposition.

Fifth. Since development assistance is likely to be a longrun affair, it needs a searching reexamination now. That reevaluation will be more productive of useful innovation if it is conducted by a joint committee of Congress.

CONCLUSION

Mr. President, many Americans do not support foreign aid. They understandably question its value and necessity in light of the many other activities for which the Government is obligated.

I believe that this substantial public opposition is the consequence of the failure of those responsible for foreign aid to explain the objectives of the program and its relationship to U.S. national interests in readily understandable terms. This failure to articulate the rationale of foreign aid, the implied promise of quick results, and all too many documented cases of mismanagement of U.S. aid funds have led to increasing public discontent with the program. This discontent has manifested itself in the annual scenario in Washington which I described at the outset of my remarks.

Foreign aid's crisis of confidence can end when the American people have an understanding of the program. This public understanding and support will come only after a thorough reexamination and, if necessary, reshaping of the program by their representatives in Congress. This session of Congress is the appropriate time for such a reexamination and for getting foreign aid back on the track.

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

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

The concurrent resolution (S. Con. Res. 54) was referred to the Committee on Foreign Relations, as follows:

S. CON. RES. 54

Resolved by the Senate (the House of Representatives concurring),

ESTABLISHMENT OF JOINT COMMITTEE

SECTION 1. There is hereby established a joint congressional committee to be known as the Joint Committee on Foreign Aid (hereinafter referred to as the "joint committee"). The joint committee shall be composed of seven Members of the Senate appointed by the President of the Senate, three of whom shall be members of the minority party appointed after consultation with the minority leader, and seven Members of the House of Representatives appointed by the Speaker of the House of Representatives, three of whom shall be members of the minority party appointed after consultation with the minority leader. Not more than four members appointed from the Senate shall be members of the Foreign Relations Committee of the Senate and not more than four members appointed from the House of Representatives shall be members of the Foreign Affairs Committee of the House of Representatives.

FUNCTIONS

SEC. 2. The joint committee shall undertake a thorough and comprehensive study and reevaluation of United States foreign, economic, and military assistance programs. Such study and reevaluation shall include, but not be limited to, an analysis and consideration of—

(1) the objectives and nature of United States foreign assistance programs and the extent to which such programs are related to and harmonious with vital United States interests;

(2) the relationship of the departments, agencies, and other instrumentalities of the United States dealing with such programs and any duplications and overlapping of jurisdiction, and the relationship of such departments, agencies, and instrumentali-

ties of the United States with international agencies, banks, and other international organizations dealing with development or relief programs.

(3) the ways and means by which such programs might be improved, altered, or supplemented so as to provide for the most efficient, economical, and effective administration and operation of such programs, with special emphasis on determining ways and means by which such programs may be made selective in nature, amounts, and duration according to the particular need of each recipient country to achieve a self-sustaining economic growth, and ways and means to alleviate the effect of the cultural gap between our highly developed technological society and the social structure of the developing nations.

REPORT

SEC. 3. (a) The joint committee shall submit an interim report to each House of Congress as to the results of its study and reevaluation as soon as possible after the date of approval of this concurrent resolution, and not later than December 31, 1968, shall submit a final report to each House of Congress with respect to its activities, study, and reevaluation under this concurrent resolution, together with such recommendations (including specific recommendations for legislation) as it determines appropriate in the light of the study and reevaluation conducted under this concurrent resolution. Either House of Congress may make public any information contained in the final report of the joint committee (other than classified information) with a view to providing to the American people a thorough explanation of the objectives and nature of, and necessity for, the United States foreign assistance programs and a clear understanding of the length of time involved to fulfill the objectives of such programs.

(b) The joint committee shall cease to exist thirty days after the submission of its final report.

VACANCIES; SELECTION OF CHAIRMAN AND VICE CHAIRMAN

SEC. 4. A vacancy in the membership of the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original appointment was made. The joint committee shall select a chairman and a vice chairman from among its members.

HEARINGS; SUBPENA POWER

SEC. 5. In carrying out its duties under this concurrent resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The joint committee may make such rules respecting its organization and procedures as it deems necessary. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses.

STAFF AND ASSISTANCE

SEC. 6. (a) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. Upon request by the ranking minority member of the joint committee, the joint committee shall make reasonable and adequate provision for the appointment and assignment of staff members to assist the minority members of the committee.

(b) Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses, provided an itemized statement of such expenses is attached to the voucher.

(c) With the prior consent of the department or agency concerned, the joint committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government, and also of private research agencies, and employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any standing, select, or special committee of either House of Congress, or any subcommittee thereof, the joint committee may utilize the facilities and the services of the staff of such committee or subcommittee whenever the chairman of the joint committee determines that such action is necessary and appropriate.

EXPENSES

SEC. 7. The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any members of the joint committee duly authorized by the chairman.

PENALTIES FOR CERTAIN ACTS OF VIOLENCE OR INTIMIDATION—AMENDMENT

AMENDMENT NO. 514

Mr. HOLLINGS submitted an amendment, intended to be proposed by him, to the bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that, at its next printing, the name of the junior Senator from New York [Mr. KENNEDY] be added as a cosponsor of the bill (S. 2754) to establish a Federal oil shale development program, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that, at its next printing, the name of the Senator from Connecticut [Mr. RIBICOFF] be added as a cosponsor of the bill (S. 1856) to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed.

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

NOTICE OF HEARINGS ON NATIVE LAND CLAIMS IN ALASKA

Mr. GRUENING. Mr. President, as I have previously announced in Alaska, the Senate Committee on Interior and Insular Affairs plans to hold extremely important hearings at Anchorage, Alaska, on legislation introduced to establish procedures for adjudication of claims to land asserted by the Indian, Eskimo, and Aleut citizens of Alaska. The question of rights to land raised by these citizens has been debated extensively during the last several years.

Last June I introduced, at the request of the Department of the Interior, the bill, S. 1964, which embodied recommendations of that Department for satisfying claims to land by Alaska natives. The Department's proposal was not satisfactory to the native groups which had expressed strong support of legislation recommended by the Alaska Federation of Natives. At the request of that organization, I introduced the bill, S. 2020, which would confer jurisdiction upon the Court of Claims to adjudicate native claims to land. This bill, being a measure affecting the jurisdiction of the Court of Claims, was referred to the Senate Committee on the Judiciary. Subsequently, on November 22, my colleague, Senator E. L. BARTLETT, introduced the bill, S. 2690, substantially embodying the provisions of S. 2020 but drafted in a manner which properly placed it within the jurisdiction of the Senate Interior and Insular Affairs Committee.

It is also expected that another bill under consideration by native leaders and State and Federal officials may soon be presented in final form for introduction and hearing before the Senate Interior and Insular Affairs Committee.

Senator HENRY M. JACKSON, chairman of the Senate Interior and Insular Affairs Committee, plans to go to Anchorage to conduct hearings on the bills, which have been referred to the full committee for action. It is my hope that as many as possible of my colleagues on the Interior and Insular Affairs Committee will also go to Anchorage for these hearings.

The hearings will be held February 8, 9, and 10 in the Sydney Laurence Auditorium, Sixth and F Streets, at Anchorage, convening at 10 a.m. each morning.

Individuals who wish to testify or groups who wish to be represented by witnesses before the committee should notify—as far in advance of the hearings as possible—Mr. Jerry Verkler, staff director, Senate Interior and Insular Affairs Committee, room 3106, New Senate Office Building, extension 4971.

ABOUT THE GHETTO PROGRAMS

Mr. BYRD of West Virginia. Mr. President, an article in today's Washington Post deals with a hitherto unpublished report on a Government-financed study that I believe should be of interest to Senators and Members of the House of Representatives.

I refer to the news story appearing on page 4 headlined, "Crash Ghetto Programs Criticized." The crux of the piece is that summer programs designed to provide opportunities in employment, education and recreation do not and cannot prevent the occurrence of riots.

It rejects the view, too, that a majority of deprived Negro youths in the cities are angry. Their mood, instead, is one of apathy or despair, the report found.

I do not call attention to this article to indicate opposition to any proposed programs to relieve or improve conditions in the ghettos. Each such proposal, of course, must be considered on its merits and not on any preconceived generalization.

I call attention to it, instead, to reemphasize what I have said in this body before; namely, that we should not do the right things for the wrong reasons. Where conditions of employment, education, housing, recreation need improvement, and we can enact programs that have some chance of bringing about substantive and real improvements, certainly we should consider action. But not on the false pretext that such programs will prevent riots.

The evidence that I have seen so far indicates two things: that riots are carried on by persons with criminal inclinations, not persons who are merely demonstrating for social betterment; and that agitators who may be associated with or who are influenced by the foreign enemies of our country also usually take advantage of riots, even when such agitators do not actually foment the riots.

People whose aim it is to "burn down" our country, Mr. President, would probably burn down our "model cities," too.

What I am saying here is simply that the time has come for us in Government to differentiate between the people who genuinely need and want help, and the revolutionaries, who for their own devious ends would destroy America.

I am increasingly convinced, Mr. President, that a wide gap has developed between the unfortunates at the bottom of the economic scale and many of the men who pose as their leaders.

The Federal Government has a real responsibility to do all that it can to improve the lot of the poor and the deprived by providing better opportunities for them to lift themselves up.

But the Federal Government must never be dictated to or bow to any threats or blackmail from so-called leaders of the poor and disadvantaged, who may be motivated by something quite different than serving the best interests of their followers.

In short, Mr. President, any programs this Congress may enact in the months ahead to benefit the less fortunate must be enacted on the basis that a real need to help people exists, and that there is real hope for substantial results to be achieved—and not on the faulty pretext that such programs will prevent riots, or that it may seem expedient to appease some dubious "leader" whose motives may be suspect.

I ask unanimous consent, Mr. President, that the article from today's Post be printed in the RECORD.

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

CRASH GHETTO PROGRAMS CRITICIZED

(By Vincent J. Burke)

Crash summer programs designed to keep the Nation's ghettos cool have little effect in preventing riots, according to a Government-financed study.

The unpublished report, made available to the Los Angeles Times, also asserts that the dominant mood of the majority of poor Negro youths is one of tragic apathy rather than anger.

The report by a Washington research firm is based on interviews last August with 5886 youths, mostly Negroes. It challenges two widely held assumptions.

First, it flatly disputes the notion that summer programs to provide youths with opportunities in employment, recreation and education can prevent riots. "The complex causes of urban unrest and riots are little affected by whether or not there are summer programs, good or bad," the report says.

Second, it rejects the view that most ghetto Negroes are angry. The interviewers found a significant minority of "angry, very angry" youths among a wide diversity of life styles and attitudes, but the report added that a majority of ghetto youths appear "overly content or apathetic."

The study was conducted by TransCentury Corp., a new Washington research firm, under a $159,000 Government contract. The Government wanted the views of ghetto youths to help evaluate the effectiveness of the summer youth programs that have been costing $600 million a year in Federal funds.

The report, entitled "From the Streets," was ordered by the President's Youth Opportunities Council, a Cabinet-level agency headed by Vice President Humphrey that is charged with coordinating summer youth programs.

The report said there is growing need for summer youth programs in the ghetto. But it emphasized that they should be tailored to goals other than riot prevention. It said the primary goal should be to arouse apathetic youths into taking steps aimed at permanently improving their lot, instead of tryng to "cool" angry youths by just keeping them busy.

Assigning generally low marks to youth programs conducted during the hot summer of 1967, the report said:

"To date, although it is somewhat of an over-generalization, it often appears that summer programs are funded out of fear of the minority of 'angry' youths, are programmed to attract the majority of 'contented' youths and are administered in a vain attempt to 'cool' the ghetto and thus maintain the status quo."

Although most of the youths interviewed were Negro, the study also covered poor neighborhoods with a high percentage of Mexican-Americans (Los Angeles and Houston), Puerto Ricans (East Harlem and Jersey City), and whites (Chicago and Jersey City).

The Negro neighborhoods surveyed were in East St. Louis, Philadelphia, Atlanta, Oakland, Omaha and Cleveland.

TransCentury Corp. was organized a year ago to seek teaching, training and research contracts. Staffed largely by former members of the Peace Corps, it has set up headquarters in a store-front at 1520 7th st. nw. to dramatize its empathy with ghetto life.

MIAMI GETS TOUGH WITH HOODLUMS

Mr. BYRD of West Virginia. Mr. President, as someone remarked recently, the point seems to have been reached in many American cities where the mere sight of a police uniform is enough to evoke cries of "police brutality." Hoodlums, on what once were peaceful streets in scores, even hundreds, of neighborhoods, rob and rape as if it were their constitutional right to do so—as if the police, not they, were the interlopers.

Such a state of affairs has been reached, indeed, that only a few nights ago here in the Nation's Capital, a merchant victimized in a holdup of his store delared that he would go out of business because "a state of anarchy" existed on the streets of this, the Federal City. He is only one of several who have given up and closed shop.

But, Mr. President, it appears that at least one American city has summoned the courage to meet this intolerable situation head-on. The city is Miami, Fla., where the police have resorted to a very simple expedient: they have decided to enforce the law, and have announced they intend to "get tough" with lawbreakers—especially the gang variety that has brought such a reign of terror to so many places.

The cries of "police brutality" in Miami automatically went up—but crime, Mr. President, has gone down, dramatic proof, I think, of what can be done if there is a will to do it. I believe concrete results toward crime reduction can be achieved by such determined methods—even in the "soft-on-criminals" climate created by the Supreme Court of the United States.

A fine editorial in the Huntington, W. Va., Advertiser for January 17 supports and develops this point of view. I ask unanimous consent that it be printed in the RECORD.

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

FIRM POLICE ACTION CURBS VIOLENCE SHARPLY IN MIAMI

Private citizens and public officials who have been wondering about how to deal with crime in the streets have received a convincing answer from action in Miami, Fla.

After a violent Christmas weekend, Miami Police Chief Walter Headley announced a "get tough" war on a hoodlum reign of terror in Miami's Negro districts.

Officers were armed with shotguns and aided by dogs in their drive to curb the activities of young Negro gangs.

The announcement brought forth the usual parroted cries of "police brutality" from some quarters whose spokesmen apparently take the side of criminals against law enforcement officers and law-abiding citizens.

But notwithstanding the wails, Chief Headley stood by his policy, and crime has declined in Miami 60 to 65 per cent.

And the most significant aspect of the dramatic decline has been that the police have fired scarcely a shot.

Chief Headley has made no claim of success in dealing with the problem. Three weeks is not long enough time for a full test of his campaign.

But the results at least are highly encouraging. If continued vigilance is maintained, the rate of crime in Miami will probably decline sharply during the year.

Certainly the experience there merits the serious consideration of public officials throughout the country. What firm action can do to curb crime in Miami it can do in any city, large or small.

The record should have the particular attention of the radical majority of the U.S. Supreme Court that for several years has pursued an absurd course of liberating vicious criminals on the pretext of dreamed up constitutional rights never before recognized.

It should receive serious consideration also of top officials in Washington and of members of Congress in writing anticrime legislation during the new session.

Crime in Washington has become a national disgrace second only to the rioting in cities throughout the country last summer.

Officials and responsible citizens inclined to be lenient with the dwellers of the ghettos should realize that allowing young hoodlums

to follow careers of crime is certainly no kindness to them any more than it is to their victims.

A wise father knows that his obstreperous son must be restrained and taught proper conduct for his own good. And responsible officials and civil rights leaders know that young residents of the slums must above all stay out of crime if they are to obtain and hold jobs that will enable them to rise above their surroundings.

A great majority of the disadvantaged people of all areas and races realize this, but too often they are intimidated and their voices are drowned out by the raucous shouts of the hoodlums.

For the benefit of these unfortunate people as well as for the solidarity of the nation itself, local, state and federal officials should join in a relentless war on crime.

The potential benefits were illustrated by the record increase in attendance at evening church services in Miami since the break in the reign of terror there.

We hope the Supreme Court will take notice.

MONTGOMERY WARD'S UNWANTED CREDIT LIFE INSURANCE

Mr. PROXMIRE. Mr. President, recently Montgomery Ward & Co. sent a letter to its 6½ million charge account customers informing them that they were now provided with credit life insurance. The cost of this insurance is listed as $1.20 per hundred per year. All customers are automatically billed for this amount unless they write back to Montgomery Ward specifically rejecting the insurance.

I believe this method of selling insurance is unfair to consumers. The plan places the burden upon the consumer to reject a service which he has not ordered in the first place. If this device is permitted to continue, there is no telling where it might stop.

Mr. President, I ask unanimous consent that two press releases which I issued on this subject be printed in the RECORD following my remarks.

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

(See exhibits 1 and 2.)

Mr. PROXMIRE. Mr. President, I also ask that a press release issued by Montgomery Ward attempting to justify their plan be printed in the RECORD together with an article from the Wall Street Journal concerning the Montgomery Ward plan.

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

(See exhibits 3 and 4.)

Mr. PROXMIRE. Mr. President, Senator HART, the chairman of the Antitrust Subcommittee, has recently concluded extensive hearings in the credit life insurance area. I believe the hearings amply demonstrate the need for some Federal legislation. It is obvious that consumers are being substantially overcharged for credit life insurance to the tune of at least $175 million a year.

Senator HART has suggested a bill to restore effective competition in credit life insurance. As I understand his proposal, it would prohibit creditors from receiving any kickbacks or rebates for selling credit life insurance as a part of a credit transaction. Since the creditor is dealing with a captive customer, he is in a good position to charge whatever the traffic will bear. Therefore, creditors do not seek to place the insurance with companies with the lowest charges. On the contrary, they seek out those companies with the highest charges in order to increase their commissions and kickbacks. Thus, competition works in reverse. Rather than providing consumers with credit life insurance at the lowest possible cost, the present kickback system raises the price to consumers.

I think Senator HART has laid the groundwork for constructive legislation in this area. I am hopeful that the Congress can act to solve this problem and to restore effective price competition in credit life insurance.

Mr. President, I ask unanimous consent that a number of letters received in connection with the Montgomery Ward's plan be inserted in the RECORD.

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

(See exhibit 5.)

Mr. PROXMIRE. Mr. President, I wish to read one of the letters. I think it goes to the point with respect to the Montgomery Ward plan and does so in an interesting way. The letter is signed by Sterling Munro, Jr., of Silver Spring, Md., and it is addressed to Mr. E. S. Donnell, president, Montgomery Ward, dated January 12, 1968, and it reads as follows:

SILVER SPRING, MD.,
January 12, 1968.

Mr. E. S. DONNELL,
President, Montgomery Ward,
Chicago, Ill.

DEAR MR. DONNELL: Thank you for your kind form letter which I received in the mail yesterday advising me of the generous service you intend to bestow upon me in the form of what you call "Charg-All Insurance Protection." I must advise that I cannot accept this service but insist that you exclude me from this so-called "protection."

Just so you will not think me ungrateful for all of the trouble you have gone to in creating the Montgomery Ward Insurance Company, permit me to advise you that your efforts have inspired me to develop an insurance program of my own. This would be a special service for your company which I would like to call "Peace of Mind Insurance." It would place an impenetrable shield between your company and any mental strain you endure thinking about what might happen if your company went out of business while owing some obligation to me as a customer. Under my insurance program, should such misfortune overtake your company, you would then owe me nothing. I would pay myself. Surely, you will recognize the merits of this unvalued protection.

This protection will cost you very little and the cost will be extracted painlessly through the simple procedure of subtracting from what I would otherwise pay you on my account. If for some reason you do not appreciate the advantages of my insurance program and do not wish to participate, please advise me immediately as otherwise I will start subtracting the charges from my next monthly bill. I frankly hope you will decide in favor of my program as it could have a beneficial effect on your mental processes while, at the same time, easing the strain on my pocketbook.

Sincerely yours,

STERLING MUNRO, Jr.

EXHIBIT 1

RELEASE FROM THE OFFICE OF SENATOR WILLIAM PROXMIRE, WISCONSIN, MONDAY, JANUARY 22, 1968

Senator William Proxmire (D.-Wis.) said Monday that he will introduce legislation to prevent department stores from charging customers for unsolicited credit life insurance if state governments do not move swiftly to correct this form of credit abuse.

The problem recently came to public attention when Montgomery Ward & Co. told its 6½ million charge account customers it was automatically billing them for credit life insurance at the rate of $1.20 per hundred per year. All customers are billed unless they write back to Montgomery Ward saying they do not want the insurance.

The Wisconsin Senator, who is ranking member of the Senate Banking and Currency Committee and chairman of its Financial Institutions Subcommittee which has jurisdiction over much credit legislation, said in a statement from his Washington office:

"Unless the states move vigorously to prevent department stores from taking advantage of their customers, I intend to introduce corrective Federal legislation.

"I was most disturbed to learn that a leading department store chain is charging its 6½ million customers for credit life insurance, regardless of whether the customer ordered the insurance or not. The insurance would pay off the customer's revolving credit debt to the store in the event of the customer's death.

"This might or might not be a good deal for the customer, but it is not up to the store to bill the customer for unordered insurance without specific authorization. It is true the customer can refuse the insurance, but this takes a positive action on his part. Customers should not have the burden of refusing to accept unsolicited services.

"The automatic provision of credit life insurance is an unwarranted infringement upon the right of consumers to manage their own financial affairs. If department stores can bill their charge account customers for unordered services, where will it all end? Perhaps the next step will be to add fire and theft insurance to revolving credit bills.

"The Commission on Uniform State Laws has been working on a model law which would reform consumer credit legislation in all 50 states. I have written to the Commission and recommended that the proposed code be amended to prevent department stores from exploiting their revolving credit customers by billing them for unordered goods and services. This is a disservice to consumers.

"By exploiting an inside captive market, such practices also give the department stores an unfair competitive advantage over other firms, and particularly small business firms which cannot afford revolving credit. I am hopeful the Commission will urge the states to bring these practices to a halt. Should the states fail, I believe Congress needs to consider possible legislation.

"The House of Representatives is about to consider an important amendment to the Truth in Lending bill. The amendment requires all department store revolving credit plans to tell consumers the annual rate of interest they are charging.

"Both the House and Senate Banking Committees were unable to overcome the powerful department store lobby which successfully argued for an exemption. At the same time, the Senate Banking Committee, by a close vote, agreed to exempt credit life insurance from being counted in the annual interest rate. By an equally close vote this decision was reversed by the House Committee.

"It is most disturbing that some department stores are seizing upon these two loopholes before the ink is even dry. The action of Montgomery Ward should be ample proof that the strongest possible Truth in Lending bill is needed which requires all creditors to disclose the annual rate, including in the computation, premiums for credit life insurance."

EXHIBIT 2

RELEASE FROM THE OFFICE OF SENATOR WILLIAM PROXMIRE, WISCONSIN, JANUARY 23, 1968

Senator William Proxmire (D-Wis.) Tuesday labeled "superficial and grossly inadequate" Montgomery Ward's newly announced procedures for protecting its customers' option to reject a new credit life insurance plan which the store is offering.

The procedures were disclosed Monday by a Montgomery Ward spokesman in the wake of mounting criticism of the insurance plan, which was first offered to Ward's 6½ million credit customers earlier this month.

The Wisconsin Senator, in a statement from his Washington office, said:

"It is encouraging that Montgomery Ward has revealed additional procedures to make it slightly easier for consumers to reject unsolicited insurance. Under the original plan, announced by Ward, their 6½ million customers were automatically given credit life insurance—whether they ordered it or not. If a customer did not want the insurance, he had to fill out a coupon and return it to the company. Otherwise, he would be charged $1.20 a year per hundred dollars of outstanding balance on his revolving charge account. The burden is clearly upon the customer to reject the service if he doesn't want it.

"Ward is now saying that the consumer will be given a second chance to reject the unwanted insurance. A customer may reject the insurance by subtracting the premium from his monthly bill. Once again, however, the burden is placed upon the consumer. Why should customers be required to perform complicated arithmetic in order to reject an unordered service? Many people pay their bills without closely examining the monthly statement. They more or less assume they are being charged for the merchandise they ordered. In the case of Ward, this is no longer true. Apparently consumers must now be prepared to carefully audit their monthly bill to make sure Ward isn't slipping in another unordered service. Next month it might be magazine subscriptions.

"Ward claims it is offering the insurance as a 'genuine consumer protection measure.' If Ward is really concerned with consumer welfare, why doesn't it go one step further—why doesn't it require the consumer to add the insurance premium to his monthly bill if he wants the coverage? Those who want the protection will take the trouble to pay the extra premium. Those who don't want the insurance need do nothing.

"This is surely the traditional way of doing business in our free enterprise system. It should not be up to the consumer to take the trouble to reject unordered merchandise. Most legitimate firms live by this rule and still earn profits. Most firms are willing to rely upon the initiative of the consumer to place an order.

"However, Wards has clearly seized the initiative from the consumer. The consumer gets the insurance unless he specifically rejects it. By shifting the burden of action, Ward either lacks confidence the insurance would be accepted in a free choice situation, or assumes that consumers are so lazy that they need to have the insurance forced upon them for their own good. This smacks of paternalism of the worst sort. Who appointed Montgomery Ward to manage the financial affairs of its 6½ million customers?

"I certainly do not challenge the right of Montgomery Ward to sell credit life insurance to its customers. But I do challenge the tricky manner in which it is sold. I, therefore, renew my hope that the states will forbid merchants to charge customers for credit life insurance unless the customer specifically asks for it. If the states cannot enforce this elementary concept of fair play, then inevitably the Federal Government must step in."

EXHIBIT 3

[From PR News Service, Montgomery Ward & Co.]

MONTGOMERY WARD REAFFIRMS RIGHT TO OFFER CREDIT LIFE INSURANCE

CHICAGO, January 22, 1968.—Montgomery Ward today reaffirmed its right to offer low-cost "consumer protection" credit life insurance to its customers on an optional basis.

In response to comments by Senator Proxmire, Gordon R. Worley, financial vice president of Montgomery Ward, emphasized that Ward's credit customers are being given a clear option to accept or reject the company's offer for life insurance protection on their charge account balances.

He pointed out that Ward's consumer protection credit life insurance program was specifically designed to benefit the company's six and one-half million credit customers. He further stated that the Montgomery Ward management wants to be certain that all of its customers understand they have a clear right to accept or reject the insurance coverage.

Worley stated that credit account billing statements to be mailed will expressly provide customers with the option of checking one of the following boxes printed on the statement—"[ ] I wish Charg-all Insurance Protection—[ ]I do not wish Charge-all Insurance Protection and I have deducted from my payment any premium shown below."

Hundreds of letters have been received from customers expressing appreciation for the low-cost insurance protection being provided by Montgomery Ward. Scores of claims already have been approved for accounts of customers who have died since the plan was first offered early in January.

Worley stated that— "for 96 years, Montgomery Ward has provided its customers with merchandise and services based upon its policy and /quote in quote/ customers satisfaction guaranteed /quote in quote/ and this continues to be our policy in offering consumer protection insurance in 1968."

According to Worley, each mailing to customers provides full information concerning the advantages of the new insurance protection, along with a listing of the options customers have in expressing their desire whether or not to accept the insurance.

In his statement today, Worley asserted that he is confident this misunderstanding will be resolved by reemphasizing all of "the fair and reasonable options offered with the first billing."

He described the plan as "a genuine consumer protection measure and a significant addition to the company's customer services."

"We are not the first to use this method," Worley said, "and I really do not understand why we have been singled out for attack at this time. In addition to the Federal programs for servicemen and government employees, other national retail and catalog firms have been offering insurance by this method for some time."

EXHIBIT 4

[From the Wall Street Journal, Jan. 16, 1968]

WARD'S LIFE INSURANCE FOR CREDIT CUSTOMERS IS UNDER WIDE ATTACK—PLAN IS "IN FORCE" ON ALL ACCOUNTS; PURCHASERS ARE BILLED UNLESS POLICY IS SPECIFICALLY REJECTED

The insurance departments of Maryland, Illinois and Colorado were added to the list of agencies making an investigation of a life insurance plan that Montgomery Ward & Co. is offering to its credit-card customers in more than 30 states.

A Senate antitrust subcommittee is studying the plan and Minnesota's insurance department has criticized it.

The insurance automatically covers charge-account bills up to $3,000, in case of the death of the person holding the account. The insurance is "in force" on all accounts, unless the customer specifically cancels it, according to an announcement by Montgomery Ward.

Under the insurance plan, Montgomery Ward's charge-account customers are billed for the insurance unless they specifically reject it.

Newton I. Steers, Jr., Maryland's insurance commissioner said, "A large number of Maryland citizens have received in recent days an announcement from Montgomery Ward advising that, effective immediately they are covered by a credit life insurance policy, which will pay off their unpaid balance at Ward's in the event the account holder dies."

Mr. Steers said, "Some citizens have complained to me that they feel the action of Montgomery Ward is improper in that it appears to commit these customers to an insurance protection they may not want, unless they act to cancel the protection."

"I find this technique objectionable—although I am not certain at this point whether it is actionable," Mr. Steers said. He added that Maryland "is presently considering the matter and will take every appropriate step to see that the public interest of Maryland citizens is protected."

Montgomery Ward in Chicago said it "will cooperate fully" with the Maryland Insurance Department's investigation, adding, "We are convinced when all the facts are explained, there will be no problem."

John F. Bolton Jr., Illinois' director of insurance, has requested that officials of Montgomery Ward Life Insurance Co., a subsidiary, and Old Republic Life Insurance Co., Chicago, which writes some life insurance for Montgomery Ward, meet with him Friday. One reason for the meeting, Mr. Bolton said, is to ascertain why such a program was instituted without consulting him. Like other state insurance officials, Mr. Bolton said he had received "many complaints with a tremendous amount of phone activity. The biggest complaint is that people must reject insurance before it's taken off their account." He continued: "As a general principle, a person should not be forced to reject his insurance. This seems to be carrying the use of a charge account to an extreme."

A Montgomery Ward spokesman acknowledged the proposed meeting with Mr. Bolton.

The legality of Montgomery Ward's "negative enrolment" insurance program also is being questioned by the Colorado Insurance Department. J. Richard Barnes, commissioner, said the department's attorney was examining the policy "with respect to the unfair practices portion of the Colorado insurance law."

Anthony Mullen, a state representative, will introduce a bill today aimed at banning credit life insurance with negative enrolment provisions. "It's a fine insurance program," Mr. Mullen explained, "but the method of selling it doesn't seem quite right. It comes in the form of junk mail. I just threw it into the trash can." He added that later he "fished it out of the garbage."

Complaints from the public brought the matter to Mr. Barnes' attention. "I have letters of complaint three inches deep on my desk now," he said. He called the insurance "a good policy, very reasonably priced." He said he objects not only to the method of enrolment but to advertising, which he terms "misleading." He says: "The policy excludes pre-existing conditions and has age limits on disability," but promotional material gives the impression there are no such limitations.

A Senate antitrust subcommitteee has started a separate study of the plan, and Thomas C. Hunt, Minnesota's insurance commissioner, has charged that the insurance is likely "to deceive" the public because of the "automatic" billing techniques.

The life insurance plan is an optional one to Montgomery Ward's charge customers, the company said, and a customer's refusal to accept the coverage hasn't any bearing on the status of his charge account. The company also said the plan would be an optional one for new charge accounts.

EXHIBIT 5

ROCKVILLE, MD.,
January 18, 1968.

Senator PHILIP HART,
Senate Antitrust Subcommittee,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR HART: About a week ago I received the enclosed material from the Montgomery-Ward Department Store and had it not been for the fact that I had a few moment to spare, the material would have ended up in my trash basket along with all other junk mail. However, I did start to read the material sent to me and as I read I became angrier and more aware that something did not appear to be quite right.

My anger was aroused because, aside from a "junk mail-type envelope", the enclosures were of the type that could be misinterpreted by illiterate and semi-illiterate people who might possibly presume that the "life insurance" Montgomery-Ward was selling was indeed "life insurance" and not an insurance policy against Montgomery-Ward losing money owed the company in cases where a customer was unable to pay his bill due to severe illness or a death in the family. The legal terms and figures set forth and the legal looking insurance certificate all tend to give this illusion.

By now my appetite was whetted and I wanted to see just how much Montgomery-Ward would charge me for this "service" that actually protected them. As you can see there is to be a $0.10 charge per $100.00 for this convenience I did not ask for nor want, and when I read that 6½ million people were *automatically* enrolled in this plan I did some fast mathematics and came up with a figure that was unbelievable. Frankly, I'd like that kind of income per month!

But, the *crux* of the entire matter came, when I read that the onus was on me to reject the insurance! I had to fill in a box, mail the certificate to my closest Montgomery-Ward store and inform them I did not want their life insurance. Moreover, I was to waste, for that indeed is what it is, an envelope and a $0.06 stamp rejecting something that was not solicited nor wanted. My anger mounted when I realized that whenever Montgomery-Ward sends out a bill to their charge customers they *expect* payment and *enclose* a self-addressed envelope. The insurance letter, however, contained no such envelope leading me to believe they *don't want* me to reject their insurance.

Senator Hart, after calming down I started calling people. I first called Montgomery-Ward to complain and got no further than a clerk telling me it was a good policy, I was the first to complain of it and if I didn't like it to send back the certificate. Then I called the Insurance Information Institute who referred me to the D.C. Insurance Commissioner's Office who listened to my complaint and then told me he had no power to help me because I lived in Maryland. He did advise, however, to write to the Maryland Insurance Commissioner, Newton I. Steers. I was also advised that my "gripe" was with Montgomery Ward and not Montgomery Ward Life Insurance Company.

Then I read in the Evening Star that you were conducting an investigation into this matter and again read in the Evening Star's Action Line column that other people were protesting about the insurance. So it seems that you are now the last recourse—I am not paying Montgomery-Ward the ten cents insurance charge although I owe a current balance of $32.27 as of 1 January 1968, but I know there will be many people who will pay the dime because (1) they will do it unthinkingly; (2) they think it is a service charge; (3) because they don't want to start trouble over such a small amount. Well, Senator, I don't fall into those categories; I can well afford to waste a dime but there are many people who can't and it is for this reason that I am appealing to you to look further into this practice, for if this is legal then what will prevent the telephone company, gas, electric and water companies from doing the same thing?

I am sending you all the material I received in the envelope—they are the originals—and if you need them please feel free to keep them. I have no intention of sending back the certificate or paying the dime, and frankly, I think I would be happy if, after investigating the practice it proved unbecoming to a department store and Montgomery-Ward had to return the dimes!

Should you need any additional information, please feel free to call upon me.

Most sincerely,

CONSTANCE C. WALKER
Mrs. Benjamin S. Walker.

JANUARY 12, 1968.

DEAR SENATOR: Since I do not know who to send this to, will you please forward this to proper person regarding Montgomery Ward?

We received this insurance with no previous information and feel it was something forced upon us without our request and am very happy to hear this sort of thing is being investigated. We are not such fools that we have to have a company do our thinking for us.

Thanks very much.

Mrs. ROBERT R. JOHNSON.

HOLMEN, WIS.

MADISON, WIS.,
January 22, 1968.

Mr. E. S. DONNELL,
President, Montgomery Ward & Co., Inc.,
Chicago, Ill.

DEAR MR. DONNELL: I find myself very angry at being subjected to the marketing technique Montgomery Ward has resorted to in "offering" its *Charge All Insurance Protection* plan. The basic idea of credit account insurance is fine, has become quite widely used, and I do not object to the idea.

But: I feel that the purchase of a product or service should be based upon the customer's application *for* the product or service and one should not have to *apply not to* buy.

And: My personal experience with insurance contracts indicates that the rate to be charged is ridiculously high even if it is only "pennies" per month. Do you own any life insurance of as limited a character as this that costs as much as $1.00 per $1000.00 per month? In a "group" boasting to be "6½ million strong"?

How would you react to receiving a notice by mail that effective two weeks ago, your automobile is now insured (against certain types of loss) by a wonderful new plan that only costs (several times what you now pay), included on your quarterly statement. (In case you don't want this coverage, just fill out the enclosed form and return it to our agent.)

This experience, capping increasingly frequent incidences of dis-satisfaction with Montgomery Ward merchandise, reduces further the fine image I had always had of your company.

I commend you for your interest in your customers but I feel you missed the boat with this one.

Sincerely,

PAUL F. SCHOFF.

THE UNIVERSITY OF WISCONSIN,
Madison, January 18, 1968.

Mr. E. S. DONNELL,
President, Montgomery Ward,
Chicago, Ill.

DEAR MR. DONNELL: I must say I was shocked to receive your printed form letter on "Charg-All Insurance Protection". I cannot conceive of how M-W would put *me in the position of having to write to you, to reject* your insurance protection plan—a plan which probably will yield M-W an additional percentage of profit each year.

I would not even expect shabby lending, household finance companies to do this. It is even worse than the reprehensible tactics of oil companies who send out charge cards gratuitously.

Sincerely,

EVERETT KASSALOW.

PS.—No. I absolutely don't want your insurance.

JEFFERSON CITY, MO.,
January 22, 1968.

Hon. WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: While I am not a constituent of yours, I thought you might be interested in a letter I wrote the President of Montgomery Ward & Co. regarding credit life insurance. I heard your name mentioned on a local news report today regarding your plans to introduce some legislation that would prohibit the conduct of business such as is described in the attached letter.

Hope this will be of some help to you in your efforts to protect the American public from unethical conduct of business.

Sincerely,

DON BRUMMALL.

JANUARY 11, 1968.

Re: Account No. 1822 R3 10 65, Don Brummall, 1911 Cole Drive Jefferson City, Mo. 65101.

Mr. E. S. DONNELL,
President, Montgomery Ward & Co.,
Chicago, Ill.

DEAR MR. DONNELL: I am writing you as a customer of Montgomery Ward which dates back several years. While I may not be one of your biggest customers, I have purchased many, many items from your stores. In all of these cases, I have had complete satisfaction as to quality, service, warranties and customer relationship. Also, in these many purchases, I or my wife have always had to sign a ticket for the merchandise or service that we have received.

In the mail the other day, I received a large letter from you including an insurance certificate. After reading through your letter I found that if I did not sign a rejection and return this certificate to one of your stores, my account, which at the present time is around $300 or $400, will be charged at the rate of 10c per $100. To my knowledge, nothing has even been added nor terms changed on my account unless I have asked for it or have signed. Now I find that if I do not react to your offer by a signed rejection by returning the insurance certificate signed, my account will be tampered with and a charge will be added. This, I know, has never been a part of my agreement with Montgomery Ward. I am going to spend 6c to return this certificate to you to let you know I do not wish this certificate nor do I ever want anything added to my account unless I am first offered the privilege to accept and not merely the privilege to reject.

I certainly hope that you don't just feel that this is a routine complaint or that this is just an emotional reaction and that I want to make an issue out of nothing. I want, simply, to state that I feel that somehow you have violated a basic principle of business

ethics and that is, that one of your customers has purchased something unless he states an objection that he does not want to participate. While you may be successful with this new venture, I think you should take a long, hard look at the method that you are using in trying to offer help and savings to your many customers. I feel sure that you did not achieve greatness and success in the past by putting your customers on guard, that is, unless they say no it is assumed they mean yes.

I only hope that I have made myself clear and that you and your company will accept this constructive suggestion. We, as customers, have the right to exercise our privilege to buy but we do not want to be forced to reject.

While it is difficult for me to express, in writing, my concern over this matter, I do hope I have made myself clear.

Sincerely,

DON BRUMMALL.

FORT COLLINS, COLO.,
January 10, 1968.

CONSUMER REPORTS,
Mount Vernon, N.Y.

GENTLEMEN: I am enclosing a letter from Mr. Donnell of Montgomery Wards together with an insurance policy, which arrived together via junk mail. I am also enclosing a copy of my reply to Mr. Donnell. I don't mind them so much raising revolving charge account rates, since I avoid paying them by not letting the balance accumulate, but this seems awfully underhanded.

Sincerely,

E. R. DEAL.

BALTIMORE, MD.,
January 9, 1968.

EDITOR, CONSUMER REPORTS,
Mount Vernon, N.Y.

DEAR SIR: I am enclosing a "Certificate of Insurance" I received from Montgomery Wards as a charge customer. It seems I was not really "offered" this insurance, I have it already without asking, for in order to "cancel" it, I must sign and return the Certificate.

It would seem to me that the better procedure would be to require return if one desired the insurance. As you can see by the scribblings I made, my irritation was great—to the point I finally wrote a letter to Wards pointing out that this approach seems to be highly questionable to say the least, and appears to me to be a scheme to obtain some easy money from customers who assume, as I initially did that the insurance would be validated only by my signature. I suspect the profit Wards will make will be on those who are too busy, or too trusting to reject. It certainly looks as if this is the profit intended.

It might be helpful if you called attention to this technique as a warning to your readers.

Sincerely,

G. A. W.

CONSUMER REPORTS,
Mount Vernon, N.Y.

DEAR SIRS: Enclosed is an innocuous looking piece of third class "junk" mail which I received recently. It looks like the usual promotion of a group insurance plan for credit card holders, which I may add usually makes a short trip from the mail box to the garbage can. But lo and behold, upon closer examination I find I have been "allowed" to participate in this insurance plan automatically, effective immediately! All that is required to become liable for this coverage is that the third class letter make the usual trip to the garbage can. How can this be legally binding on either party? I am sure you have a name for this kind of practice.

To me this again indicates that the size of a company indicates nothing about the ethics they practice. And this certainly reflects contempt towards their customers by Ward's management.

G. F. K.

BOULDER, COLO.

BOULDER, COLO.,
January 11, 1968.

CONSUMER REPORTS,
Mount Vernon, N.Y.

GENTLEMEN: I am enclosing a brochure and letter which we received this week from Montgomery Ward informing us that we were now covered by "Charg-All Insurance Protection," *unless we notified Wards' that we did not wish to carry this.* Since the "insurance" is rather obviously designed to protect Wards from losses on accounts receivable, we sent our torn-up credit card back and asked to be removed from any lists we might be on. It seems to me that to have something like this become automatic unless refused is much worse than the many "without obligation" offers that one receives—what might have happened if we hadn't read the brochure carefully? We would have found ourselves billed for something we did not want and had not requested. If this sort of thing is not illegal, surely it must be a most irregular practice, isn't it? What next?

Very truly yours,

G. J. B.

ORLANDO, FLA.,
January 6, 1968.

CONSUMERS UNION OF UNITED STATES, INC.,
Mount Vernon, N.Y.

GENTLEMEN: You may be interested in a new technique of insurance merchandising being used by Montgomery Ward to sell credit life insurance to their 6½ million charge account customers. Effective January 1, 1968, unless specifically rejected by the customer, a premium of ten cents per month per $100 balance due, or fraction thereof, except no charge for balances of $30 or less, will be added to the statement to cover this protection, underwritten by the Old Republic Life Insurance Company of Chicago.

Failure of the customer to take action on this coverage offer results in his being covered—unless he fails to remit premiums for three months. This appears to be entering into a contract through omission—a new legal breakthrough. By logical extension, this same technique could be used any other direct mail solicitor to form binding contracts without action on the part of the customer—or could it?

The 10¢ monthly premium is split into 7.5¢ for life insurance and 2.5¢ for disability insurance if the customer is under 60 years old, with all 10¢ applied to life insurance if over 60. Maximum amount of the benefit is $3000.

For a $100 balance due, the rate of 75 cents per month per $1000 does not compare favorably with a group life policy offering units of $10,000 coverage for persons under 45 at a cost of 45 cents per month per $1000. The comparison becomes much more unfavorable for a balance due of, say, $33, with an effective rate of $2.25 per $1000 per month—or 5 times as much as the other group life plan.

In a covering letter announcing the plan, received in Orlando today—a week after it is in effect—Wards president E. S. Donnell states, "But please understand that Charg-All Insurance Protection is *offered* to you . . . you are free to reject it if you wish." (emphasis his). No return envelope to mail back the cancellation was enclosed.

G. F. M.

NEW BRIGHTON, MINN.,
January 5, 1968.

EDITOR, CONSUMER REPORTS,
Mount Vernon, N.Y.

DEAR SIR: On January 3, 1968 I received the enclosed literature from Montgomery Ward. It surely destroyed my faith in the honesty of Wards. My objection to Wards' solicitation of Charg-all Insurance Protection is that it is highly deceptive and likely to be discarded by the customer as ordinary advertising. In fact of the ten or twelve people my wife and I talk to only one recognized the solicitation for what it was. That person alerted me to the deceptive nature of the solicitation so that I could watch for it.

There is nothing prominently placed on the literature to indicate what it is or how the customer is to protect himself from receiving unwanted insurance. A close and careful reading of the literature is necesary to find the true nature of the solicitation. Not many persons read their junk mail that carefully.

In Minnesota at least we have an alert insurance commissioner who is willing to take the necessary steps to protect the public. Articles in the Minneapolis Morning Tribune, January 4, 1968, page 1 and the Wall Street Journal, January 5, 1968, page 20 also gave the solicitation some publicity. But what if insurance is not involved? Or what about other states where officials are not as consumer minded? What protection does the consumer receive then?

Very truly yours,

R. E. W.

DUBOIS, WYO.,
January 7, 1968.

MONTGOMERY WARD,
Chicago, Ill.

DEAR MR. DONNELL: I refer to your recent letter concerning Charg-all Insurance Protection. You may have been pleased to tell me about this service, but I wish to inform you that it left me displeased and upset. That a company with a reputation for business integrity, such as Montgomery Ward, should stoop so low as to employ the obligation to respond negatively in order to avoid an incurred cost as a sales tool is indeed shameful.

We have a credit card with MW which we maintain on a thirty day basis so it is unlikely that this insurance coverage would become in force. Had the approach been more honest, I might have been encouraged to act favorably. Now, my attitude not only is antagonistic to the basic idea, but I feel strongly that MW has committed a very serious breach of business etiquette and their corporate image has been tainted by such a cheap bit of street corner merchandising.

I feel so strongly about this matter that I am sending a copy of this letter, along with the material you sent to me, to the Consumers Union of which I am a member so that they may be aware of Montgomery Ward's action.

I am sure that this letter will serve in lieu of a signature on the "Certificate of Insurance" to officially record that I do not want this insurance.

Very truly yours,

ROY W. STICKEL.

SONNENSCHEIN, GREENEBAUM & MANN,
Chicago, January 11, 1968.

Re: Ben I. Greenebaum, Jr., 329 Fairview Avenue, Winnetka, Illinois 60093, No. 04-218-8428-9.

MONTGOMERY WARD LIFE INSURANCE CO.,
Chicago, Ill.

GENTLEMEN: I return herewith your so-called "Certificate of Insurance" which you issued in my name and mailed to me through the United States mails; same having been received by me on the evening of January 9, 1968. Your issuance of said certificate without prior written authority from me appears to me to have been wrongful and an unjustifiable imposition upon me for the following reasons, among others, viz.:

(1) You have undertaken to obligate me to pay premiums for so-called "insurance" which I did not authorize or order.

(2) You pretend to create a contractual relationship between us without authority from me and even without prior notice to me. Consequently, you have obligated me

to reply to a communication from you where no such obligation should properly have been created.

(3) It is my understanding that your act in issuing and mailing to me the subject certificate without my knowledge or consent is contrary to the provisions of the laws of the United States of America with respect to the use of the United States mails and is contrary to the provisions of the statutes of the State of Illinois with regard to insurance.

This device of yours (which you have created so that your parent company will make a profit out of protecting itself against loss from its customers) appears to me to be wholly unethical. If you had tendered this type of certificate to your customers upon condition that no such certificate would become effective unless and until the named insured signs and returns to you an acceptance thereof, then you would have given your customers the right to accept an offered contractual relationship or to disregard the offer. But to bludgeon your patrons by demanding an affirmative act on their part in order to reject your offer is not only unconscionable but, as above indicated, it appears to the writer to be a breach of two penal codes. Probably 90% of your customers do not understand what you have done to them and, accordingly, they have merely glanced at the certificate and thrown it away. Nevertheless, as to all such customers you apparently will consider them to be obligated to you upon an undertaking which those customers do not understand and do not believe to be in existence. To say the very least, such conduct on your part appears to the writer to be wholly irresponsible and reprehensible.

For your future reference, neither you nor Montgomery Ward & Company has been or is now or will hereafter be authorized to presume to obligate me in any manner whatsoever until and unless I shall first have agreed in writing to the creation of such obligation. I deeply resent your having presumed to have created such obligation by issuance of the subject certificate (which is returned herewith and upon which I have duly noted my denial of responsibility or liability) and I hereby request that in the future you refrain from any such improper activity involving me.

In view of the fact that the transmittal letter which you sent to me came from the office of the President of Montgomery Ward & Company, I am sending to the office of the President a copy of this letter and a copy of the certificate with my endorsement of denial of liability thereon.

Very truly yours,

BEN I. GREENEBAUM, Jr.

HUMAN RIGHTS CONVENTIONS ARE CONSISTENT WITH AMERICAN TRADITION

Mr. PROXMIRE. Mr. President, ever since the founding of this country, a belief in human rights has been a driving force in our history. The Constitution itself is based on a belief in human dignity. Our early leaders sought to construct a system which protected not the rights of a king or privileged class. No, the rights protected in our Constitution are the rights of the ordinary citizen.

There were men who scoffed at this experiment. But the American dream of rights for all the people caught the imagination of mankind. By the millions, men from all over the globe came to this land. They came to be free. They came to gain those rights which in their native lands were denied them.

In this century we have seen the expansion of the American tradition of human rights. From something just confined to our own shores it has grown to an international ideal. An ideal to be achieved not by force, but by persuasion. At the end of the First World War, President Wilson sought to make certain human rights a part of the final settlement. At the end of World War II, the United States sought the establishment of the United Nations. Part of the purpose of this organization was to secure and guard our precious rights.

Mr. President, we must not reject this tradition. The quest for human rights has been an indispensable part of our national heritage. To fail to ratify these conventions is nothing less than a denial of the heart and of the spirit of this country. Once again I ask the Senate to act now to approve the various conventions on human rights.

CALIFORNIA'S CHERRY BLOSSOM PRINCESS

Mr. KUCHEL. Mr. President, I am indeed fortunate to have a number of young men and attractive women in my office who help me to serve California, and they do it with a special flair and enthusiasm because they are from California. Many of the young women on my staff add to their dedication a generous helping of beauty. One of these young women, Miss Susan Schmoll, has been duly recognized.

Last night Miss Schmoll was selected as California's princess for the Cherry Blossom Festival next spring. She will in time be a candidate for the title of "Cherry Blossom Princess" and I for one will be cheering her on. Miss Schmoll, born and raised in Merced, Calif., is herself a springtime blossom of the great San Joaquin Valley. Her fresh, young beauty and bright-eyed enthusiasm grace our front office and brighten the California contingent in Washington at various State society functions. As a graduate of College of the Holy Names in Oakland, Calif., and a 1-year student at the University of Florence in Italy, she brings to her work an intelligence and wit which are the delight of my staff. I am thankful for her presence and I wish her well in her forthcoming role in the cherry blossom celebration.

Mr. President, I want the record to show that my staff and I are delighted at this honor which has come to Miss Schmoll.

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

The PRESIDING OFFICER (Mr. MONTOYA in the chair). 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.

SEIZURE OF U.S.S. "PUEBLO"

Mr. SCOTT. Mr. President, the President has called up more than 14,000 Air Force and Navy reservists to active duty, following the seizure of one of our ships in what appears to be an act of piracy. We are, therefore, putting more guns on the national menu. The question arises, Will the President cut the butter?

Last week I said I thought that in the state of the Union message the President had a duty, which he did not exercise, to state priorities, instead of coming in with a cornucopia of cookies for everybody, a message which spread the goodies around, which had no real evidence of a call to national sacrifice.

We are being pushed around all over the world. One remembers somewhat longingly the days when the United States was a fully respected national power and what occurred when the pirates in north Africa at the time seized an American citizen named Perdicaris. It was in the time of Theodore Roosevelt, a man who knew what to do.

The seizure had been made by a man named Raisuli. Theodore Roosevelt told the government of that country, for all the world to hear, "Perdicaris alive or Raisuli dead."

We have got to get that ship back, and we have got to get that crew back. I think the American people are waiting with intense interest to see whether or not we rely on 6 months of debate in the United Nations, or whether we expect the American people to believe that diplomatic negotiations are proceeding, or whether we take such action as will be necessary under the circumstances, bearing in mind that we ought to proceed in a manner such as to avoid the taking of unnecessary risks. I believe the American people will demand that those sailors be returned, and that piracy on the high seas stop.

This is on the assumption that we were on the high seas. If we were not on the high seas, then we have a right to inquire whether we were in fact interfering unnecessarily, and taking unnecessary risks.

Some segments of the press have asked some interesting questions. These include the question of whether it was necessary for the small, slow ship to be all alone, going close to a hostile nation. If it was necessary, why was the vessel so lightly armed? Why was it not able to move farther away in the hour or so after it was first hailed by a North Korean boat, and why, in the same period, did it not seek help from friendly forces?

We ought not to ask U.S. servicemen to run intolerable risks, of course, or to be forced to take part in missions that would risk unnecessary war. But if this is just one more instance where another small country feels that it can push the United States around with impunity, Mr. President, I hope the action taken will satisfy the American people that we do not intend to let them get away with it.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial regarding the seizure of the U.S.S. *Pueblo*, which appeared in today's Philadelphia Inquirer.

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

THEY SEIZED OUR SHIP

Communist North Korea has committed an act of piracy against a ship of the U.S.

Navy and its crew. This constitutes a limited aggression against the United States that is, in the language of the diplomats, a matter of "utmost gravity." The American people should recognize the seriousness of the situation and the possible consequences.

The Government in Washington should move firmly and responsibly in dealing with this crisis. It is not a time for recklessness or undue haste, but it is not a time for excessive timidity or prolonged indecision, either.

The Communist regime in North Korea, which made a disastrous miscalculation in 1950 resulting in war with the United States, should be given clear warning of the far greater dangers involved now in underestimating America's resolve to protect its interests.

While diplomacy is exerted at all levels to avert armed conflict, and while U.S. military forces are deployed in preparation for whatever may be required of them, it is essential that relevant details be obtained on the confrontation at sea and subsequent developments.

The North Koreans contend that the Pueblo, a reconnaissance vessel apparently on a routine information-gathering mission, sailed within 12 miles of shore and therefore invaded what North Korea claims to be its coastal waters. Official U.S. accounts of the incident indicate the ship was much farther off shore and in international waters.

A point to be emphasized here is that seizure of the Pueblo and its crew was unjustified in any event. If the North Koreans believed the ship to be too close to shore, the proper procedure would have been to order its withdrawal. Failure to get immediate response in such a situation might have warranted a warning shot across the bow. In no circumstances, even if the North Korean version of what happened is accepted, was the capture of the ship a responsible act.

Another disturbing question is why U.S. air cover was not provided for this unarmed ship in a dangerous area. American military authorities owe an explanation as to how the Pueblo could be boarded in international waters and towed to a North Korean port with no exercise of U.S. air or sea power to prevent this humiliating kidnap of 83 Navy men.

It is imperative that the U.S. Government deal with this crisis not only with firmness but with all available facts in hand.

TRIBUTE TO SENATOR RUSSELL

Mr. HOLLINGS. Mr. President, last Thursday many Members of the Senate joined in a tribute to my valued friend and colleague, RICHARD B. RUSSELL, of Georgia, on the occasion of the 35th anniversary of his service in the U.S. Senate. At the time I was presiding and unable to participate. I should, therefore, like to take this opportunity to join my colleagues in a well-deserved tribute to the senior Senator from the Peach State.

Mr. President, when I came to this great body as a freshman, the first of last year, I was naturally curious to know whom I should turn to, seeking counsel and advice. I wanted to know who was noted for exceptional judgment, and who were the more effective Members of this great body.

This being the day and age of polling, I determined to take a poll on my own. I asked other Senators on both sides of the aisle; I talked to trusted and experienced aides from the various communities; I talked to Cabinet officers and others in the executive branch of the Government.

Mr. President, the result was a unanimity of judgment that was astonishing. Invariably the question would be answered quickly and without hesitation: RUSSELL, of Georgia, Senator DICK, or Mr. RUSSELL. Most people volunteered that Senator RUSSELL was the most effective and most respected Member of this body in the past half century, or perhaps of all time. After having sought and received his generous counsel, I can only vigorously echo that sentiment.

He has given unsparingly of his wisdom, and he has taken time that I am sure could have been more profitably spent. In short, he has been a friend. And this freshman Senator is grateful to have this opportunity to say, "Thank you, Mr. DICK."

I can think of no greater task I could set for myself than to try to represent the people of South Carolina in the fashion Senator RUSSELL has represented his beloved Georgia.

CONGRESS CHALLENGE

Mr. FANNIN. Mr. President, On Monday, January 15, 1968, the Arizona Republic, one of the most respected newspapers in the Nation, published an editorial entitled "Congress Challenge," which I think is worthy of the Senate's attention.

The Republic's editorial writer cites the tremendous challenge facing Congress because of the many issues of critical importance that are before us.

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

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

CONGRESS CHALLENGE

It would be only a slight exaggeration to say that the second session of the 90th Congress, which returns to work today after only a four-week vacation, faces the greatest challenge in our history.

Each Congress faces enormous economic, social, and political problems. Each is confronted with issues which threaten to sunder society's delicate fabric. And each must wrestle with incipient problems which, if ignored, will ultimately overwhelm subsequent Congresses.

But having acknowledged as much, it is still necessary to understand that each Congress is faced with more and greater problems in a more complex world—a world which undoubtedly is capable of destroying itself, but which is less demonstrably capable of governing itself.

Congress can scarcely be compared with Atlas, yet it seems at times to be carrying the weight of the world on its shoulders. And the burden which currently weighs heaviest is the Vietnam war, to which we have committed some one-half million servicemen, some $2.5 billion a month, and more than 16,000 casualties.

If the administration, with the advice and consent of Congress, can extricate us honorably from the war . . . and if we can prevent a Communist takeover of South Vietnam . . . then we will have both the time and resources to devote to our other pressing problems.

For even if the war ended tomorrow, we would still be faced with a major urban crisis, crime in the streets, civil disorders, and the many other problems which contribute to the erosion of the American spirit.

This Congress could distinguish itself, as has no other, if it would abandon the discredited idea that money alone can solve our problems, and if it would recognize that it is not material poverty so much as poverty of the human spirit that impoverishes much of America.

This is not to suggest that many Americans are not poor or deprived. They are, and it will take heavy expenditures to get them back on their feet. But all the money in the world would not break the cycle of poverty unless that money is invested in programs aimed at rehabilitation and education.

Quite obviously, one of the major problems facing America at this juncture—civil disorders—has very little to do with poverty . . . as is clear from the fact that many of the disorders have been provoked by affluent agitators on college campuses.

What Congress must search for, even at the risk of frustration, is new approaches to our long-time problems. And it must be prepared to trim or eliminate the many useless programs whose only merit is their longevity.

This is a big order, but the times cry out for a break from the unworkable policies of the past.

WHAT ABOUT REFORM OF THE ARMY OF SOUTH VIETNAM?

Mr. MONTOYA. Mr. President, I note with some dismay that efforts to streamline and reform the Army of South Vietnam are being frustrated. Now a new debate engages us. Shall we immediately increase the fighting effectiveness of the South Vietnamese Army against the present foe? Or shall we realine it so that it will be able to repel a Korean-style invasion?

Evidence exists that a move to make South Vietnamese armed units directly responsive to Saigon has met with frustration. It seems that the effort to delete the power of the South Vietnamese corps commanders, or "warlords," has been a failure.

And what about the new South Vietnamese striking forces patterned after American models? Where are they? These highly mobile strike forces were to have emerged shortly.

All of these reforms were aimed at allowing the Vietnamese to take over a greater share of their war effort, and to aid and expand the pacification program. Now it seems that more delay is all we are offered. This is inexcusable. This is unacceptable.

We are not in Vietnam to coddle corrupt and cowardly corps commanders who play politics rather than lead their troops into battle. We are not there to allow them to play the game of intrigue while Americans die. We are not there to debate military niceties.

I want to see South Vietnamese do their own fighting, led into battle by their own commanders. There is no denying that Americans are dying while corrupt, cowardly, and venal men take their ease behind the lines—far behind the lines, I might add.

I am not interested in excuses or doubletalk. I want results. Either the Army of South Vietnam is cleaning its own house or it is not. Either it is being trained, equipped, and lead correctly, or it is not.

If it is not, then there must be changes, and swiftly. I have little patience with

the type of South Vietnamese described. Nor do the American people.

Mr. President, Beverly Deepe, of the Christian Science Monitor, has written an article for that newspaper which reflects my deep and pressing concern about these matters. The withdrawal schedule of our people there is in large measure dependent upon the progress made by the Army of South Vietnam. 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:

MILITARY BLOCS STYMIE SAIGON ARMY REFORM

(NOTE.—The first of two articles about revamping the 670,000-man South Vietnamese armed forces. The effects of changes, or lack of them, will partly determine whether American combat troops can begin their withdrawal in at least two years as Gen. William C. Westmoreland has forecast.)

(By Beverly Deepe)

SAIGON.—A coalition of American and Vietnamese generals has indirectly blocked, at least temporarily, the much-promised radical reform of the 10 divisions of the South Vietnamese Regular Army.

Informed Vietnamese and American sources report any major revamping of the Vietnamese armed forces in 1968 will be concentrated, not in the 300,000-man regular ground forces as was expected, but in the 300,000-man provincial militia, called regional and popular forces.

The other 70,000 men constituting the armed forces serve in the South Vietnamese Air Force, Navy, Marines, and a defense group led by special forces.

Discussions on the radical reform program have in the past few months become caught in a complex cross fire of infighting and disagreement within the Vietnamese command, within the Vietnamese Government, within the American military command, and between the American and Vietnamese establishments.

SHIFT EXPLAINED

In broadest terms, the radical reform program would have shifted the Vietnamese Army of 300,000 men from a traditional, conventional organization to a more progressively organized and operated force structure. It would have streamlined the Vietnamese decisionmaking process and facilitated implementation of the crucial pacification program. This has currently been vetoed.

"All this talk about the reorganization and reform of the Vietnamese Army simply means the mountain gave birth to a mouse," one informed middle-level Vietnamese officer explained.

The coalition of some American and some Vietnamese generals vetoed the core of the radical reform proposal—the abolition of the 10 regular Army divisions (ARVN) and the simultaneous reduction of the politico-military power of the 10 Vietnamese division commanders. This would have also significantly reduced the power of the four Vietnamese corps commanders, commonly, and even officially, called the "war lords" of Vietnam.

REFORM OPPOSED

The Vietnamese division and corps commanders were opposed to the reform proposal because they had the most power to lose immediately. Their political power—based on the raw power of the guns and troops they command—is substantial though somewhat reduced from earlier years.

Also, President Nguyen Van Thieu was reportedly opposed to the proposal because his political base of support within the Vietnamese armed forces lies with these generals.

Other Vietnamese favored the proposal, however. Principally, these were the more impatient, middle-level officers, Vice-President Nguyen Cao Ky, and Maj. Gen. Nguyen Duc Thang. On the Vietnamese side, the conflicting views somewhat reflect the continued state of conflict between President Thieu and Vice-President Ky.

DECISION OVERRULED

The proposal was approved by Mr. Ky when he was premier last year. However, the decision was later overruled by President Thieu and the Army division and corps commanders in the field. These generals had been the key decisionmakers in nominating Mr. Thieu, instead of Mr. Ky, to run as president in the September elections last year.

On the American side, reliable sources reported influential United States generals in the command under Gen. William C. Westmoreland were also opposed to abolishing the divisional structure because they wanted to continue patterning the Vietnamese Army along the conventional lines of the American Army.

Some sources speculate that underlying the reasoning of the United States generals is the assumption that in the future—in the years following a peace settlement or an American troop reduction—the main threat to South Vietnam would still be a Korean-style invasion which would need to be met by conventional divisions. The threat of continued insurrection within the country would demand nonconventional armed forces.

ABOLITION FAVORED

Civilian elements within General Westmoreland's command were reportedly in favor of the abolition of the conventional divisions. In particular, General Westmoreland's deputy commander for pacification, Ambassador Robert Komer, was known to favor the move because the reduction in the influence of the division commanders would have streamlined the decisionmaking process in the pivotal pacification program.

Had the reform measures been approved, the division and corps commanders would have lost their power in the pacification program. The line of decisionmaking would have run directly from the Saigon level to the province chiefs.

One significant but lateral compromise was made within American official circles. Both American generals and civilians within the command agreed to the abolition of the Vietnamese division tactical zones. In these zones of several provinces each the Vietnamese division commander has been held responsible for military affairs as well as pacification.

DECISION SANCTIONED

The Vietnamese officialdom agreed in form with this all-American compromise, but the substance was in effect negated by a recent decree signed by President Thieu, which provided that division commanders would be responsible for deciding if and when their own tactical zones would be abolished.

While some American officials are visibly displeased about that Vietnamese decree, some Vietnamese officers—including the division commanders—are also disgusted with the Americans on another score: the formation of the Vietanamese light brigades.

According to the reform proposal, the most aggressive battalions within each division—about 30 percent of the 12,000 man divisional strength—were; to have been organized into highly mobile strike forces, comparable to the American brigades. The remaining battalions were to be detailed for counterguerrilla and "territorial" defense. The proposed Vietnamese brigades, averaging 4,000 men, would have been reinforced in strength from 3 to 4 battalions per brigade and from 4 to 5 companies per battalion.

ENTHUSIASM VOICED

Even the division commanders were enthusiastic about this aspect of the proposal, but Vietnamese sources say the American command blocked it.

The current modest decision has been made to assign only a maximum of three battalions to each brigade, and none of these battalions will be as heavily manned as five companies.

Also, each Vietnamese brigade, technically called a "divisional strike force," would have been assigned much more, better, and newer equipment to increase its firepower and mobility. Each brigade was to include one battalion of 16 howitzers, one squadron of 17 armored personnel carriers, and one transportation company of 50 trucks.

Well-informed sources said the American command told the Vietnamese command to "wait until next year to get this equipment."

Each of these brigades was also to be retrained and organized to fight and maneuver as an integrated unit as American brigades do. But the Vietnamese sources also say this has yet to take place and there are no plans to effect it.

VIEWPOINT SKETCHED

One Vietnamese officer, now frustrated after working so hard on the entire reform proposal, put it this way:

"The Americans are very tricky. They talked a lot about helping us reform the Vietnamese Army. They asked us to make a study and we produced a practical one. Then the Americans amended it and they agreed only to the minor points. Yet they steal our ideas and use them for the American troops."

One of the ideas he charged the Americans "stole" from the Vietnamese proposal was to increase the strength of each battalion by adding one more line company—or more riflemen. This was recently done in the American Army, but has not been approved for the Vietnamese Army.

Some of the younger, middle-level American officers, in sympathy with their impatient Vietnamese counterparts, often agree with this Vietnamese viewpoint.

In abolishing the 10 divisions, the proposal also specified that the least aggressive battalions in each division would be retrained and "redeployed" as a counter guerrilla security force protecting the pacification program in the villages.

This "redeployment"—even officially it is not called reform or reorganization—was initiated last year and will be accelerated this year until between 50 and 60 of the total 120 Regular Army battalions are assigned to this mission.

The current decision, however, is that these Regular Army battalions are "on loan" for pacification duties. Rather than becoming a permanent counter-guerrilla force, they will be returned to their conventional division status when the situation permits.

PLAN INITIATED

The radical proposal for transforming the Vietnamese Army was first made by the Vietnamese high command in 1965. It was pigeonholed by the American military command until the July visit of Secretary of Defense Robert S. McNamara last year.

When Mr. McNamara made critical public remarks about both the Vietnamese and American command management, the American command again studied the Vietnamese proposal and then agreed "in principle" to the proposal. This proposal had the backing of Air Vice-Marshal Nguyen Cao Ky, then premier and now Vice-President; of Gen. Nguyen Duc Thang, then Minister of Revolutionary Development and now No. 2 in the Vietnamese high command; of Gen. Cao Van Vien, head of the Vietnamese high command; and of Gen. Nguyen Van

Vy, then deputy to General Vien and now Minister of Defense.

Then the opposition began to snowball—first from the Vietnamese division commanders, who had the most power to lose by being, in effect, demoted only to brigade commanders, and then from the four corps commanders.

OPPOSITION SNOWBALLED

After the September elections, General Thieu was elected President, replacing Marshal Ky as the most important policymaker. President Thieu, in conflict with Vice-President Ky on a wide range of points, rejected the Ky-sponsored proposal. President Thieu moved somewhat toward the view of the corps commanders, who had supported him in outmaneuvering Marshal Ky for the presidential nomination.

The negative view of the Vietnamese division and corps commanders was in turn supported by their American counterparts in the field and by the American military command in Saigon.

WATER RESOURCES RESEARCH

Mr. JACKSON. Mr. President, recently Secretary of Interior Stewart L. Udall, submitted to Congress the third annual report of activities authorized by the Water Resources Research Act of 1964. The Committee on Interior and Insular Affairs considered the legislation which established this program designed to deal with the water-related problems of this country.

Mr. President, an idea of the scope of this act may be obtained from a release of the Department of Interior dated January 24, 1968. I ask unanimous consent that it be included in the RECORD at this point in my remarks.

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

ACCOMPLISHMENTS SPOTLIGHTED IN OWRR'S THIRD ANNUAL REPORT

Secretary of the Interior Stewart L. Udall said today that approximately 600 research projects concerned with water-related problems in all parts of the Nation were aided through the Department's Office of Water Resources Research last year. Also, more than 1,500 college students training in water resources work received financial support through the program.

His announcement came as he submitted the 1967 annual report of the Office of Water Resources Research to President Johnson.

In his letter of transmittal, Secretary Udall said:

"Among the important developments which have contributed to the broadened scope and greater effectiveness of this program in the past year have been (1) the implementation of Title II of the Act enabling other academic and nonacademic institutions, public agencies, industrial firms, and private individuals to engage in water problem-solving research, thus bringing new competence into the program; and (2) modest support for the activities of a Water Resources Scientific Information Center managed by the Office of Water Resources Research to facilitate information exchange and research coordination, thereby reducing undesirable replication of research effort."

As of October 1967, more than 70 scientific disciplines were represented by the 855 principal investigators engaged in this research, prominent among which were engineers, geologists, and biologists. But a significant amount of new talent was being brought into the program including increased numbers of economists, political scientists, and lawyers, OWRR reported.

The students trained under the Water Resources Research Act in addition to providing valuable assistance in conducting the research, received worthwhile training in the water resources field. Some of the former student assistants in the program are now professional investigators and are filling other important manpower gaps.

Many examples are already evident where research has paid off in practical contributions to solving water problems, in new and improved techniques, and in the advancement of theory, the foundation of new knowledge, said OWRR, in reporting the following as illustrative:

1. Experiments in Arizona indicate that treatment of watersheds with salt may provide additional water at a price low enough to permit its use for irrigation. Such treatment has resulted in blocking the water-conducting channels present in the soil, drastically cutting the infiltration rate.

2. Research in Maine has shown that through improvement in procedures for processing potatoes, daily savings of water up to approximately one-fifth of a processing plant's total water intake could result.

3. Techniques developed in a New Jersey study for determining the amount of phenol in various waters were promptly put to use in that State for water quality evaluation.

4. An analog developed in a Nevada study is being used to aid in groundwater management by the Nevada State Engineer.

5. Findings from a Washington State study, which appraised existing State water codes and pinpointed areas of deficiency, were presented in testimony before State water officials and to the State Legislature. Corrective legislation was enacted. New York water legislation also has been facilitated through projects concerned with water law.

"The 51 Water Resources Institutes, which serve as focal points in this cooperative program are recognized increasingly as centers for water resources research and training," Secretary Udall said. "They are becoming more involved in public affairs and are exercising much needed leadership at local, State and regional levels in the water resources field. In 1967 they were especially helpful in advising State agencies on water quality standards, planning, and legislative matters."

As an indication of the productivity of this new program, nearly 490 documents, including 334 publications and 154 graduate theses, resulted from the State Institutes' programs in 1967.

Included in the 287-page illustrated report are the recommendations for overall program development of a special advisory panel convened yearly for this purpose by Dr. Roland R. Renne, Director of the Office of Water Resources Research, which administers the program. This year's panel urged, in particular, substantial acceleration and expansion with respect to the newly etsablished Water Resources Scientific Information Center for which OWRR serves as manager for the Government.

Single copies of the 1967 annual report—the third issued by OWRR—can be obtained by writing the Office of Water Resources Research, Room 5254, Interior Building, Washington, D.C. 20240.

BOWLER OF THE YEAR

Mr. FANNIN. Mr. President, an Arizona citizen has been named "bowler of the year." He is Dave Davis, of Phoenix, Ariz. I congratulate him on this honor; and so that others may see the high esteem in which he is held among his fellow bowlers, I ask unanimous consent that an excerpt from the sports pages of the Evening Star of January 12, 1968, be printed in the RECORD.

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

DAVIS ROLLS TO 1967 HONORS

(By Dick O'Brien)

To bowling addicts who follow championship bowling each week over WMAL–7, it will come as no surprise that Dave Davis of Phoenix, Ariz., has been named "bowler of the year."

It was a great year for young Davis, whose skill was revealed on the TV screen six times as a winner on the Pro Bowlers tenpin tour.

The final calculations put Davis' earnings for the year at $54,165, just shy of the all-time one-year record held by Wayne Zahn of Atlanta.

Davis was presented a plaque in ceremonies in New York yesterday in conjunction with the announcement that tenpin bowling's richest tournament of the 1968 season, the $100,000 Firestone event, would be held for the fourth straight year at Akron, Ohio, in April.

Rookie of the year honors went to Mike Durbin of Costa Mesa, Calif.

During the 1967 season Davis wrapped up the Denver and Las Vegas open events, the $60,000 Miller High Life Open, the Green Bay Open and the Nebraska Centennial Open and then finished the year by capturing the $70,000 PBA championship at the opening of the new Madison Square Garden's bowling center.

The voting naturally proved to be a runaway for Davis. Jim Stefanich was the runner-up. Other top vote-getters were Zahn and Les Schissler of Denver.

The big TV championship action tomorrow is the final round of the $55,000 Show Boat Invitational from Las Vegas, a tournament in which, incidentally, Davis is the defending champion.

THE U.S.S. "PUEBLO"

Mr. TYDINGS. Mr. President, the entire Nation is angered, alarmed and concerned about the fate of the U.S.S. *Pueblo* and her crew.

We have to act with a hard resolve, but with a cool head, in dealing with North Korea about the U.S.S. *Pueblo* incident. Our first and most important objective is to retrieve the 83 men of the *Pueblo*. A boy from my own State of Maryland is on that ship and we want him, his shipmates, and their vessel back, safe and sound, as soon as possible. Our first strategy should be diplomatic, especially in light of the scanty information we have as yet on what actually happened out there. The President is right to take every reasonable diplomatic step to secure return of the *Pueblo* without armed force which would risk the safety and lives of the *Pueblo's* crew.

If diplomacy fails, we will have to consider other measures, of course. The reserve callup underlines both the gravity of this crisis and the President's intention to meet it with a strong hand. With many American lives in the balance, this is a time for wisdom, caution, and restraint. But we must act firmly to protect American prestige and the lives of 83 of our men.

This is the second time in 7 months that virtually unarmed U.S. reconnaissance ships have been attacked on the high seas. I think Congress should investigate the policy of sending these ships into dangerous waters without air cover, naval escort, or means of self-defense.

DECLINE OF FARM PROSPERITY

Mr. MUNDT. Mr. President, for many months I have been speaking in the Senate and elsewhere, alerting Members of Congress, the administration, and metropolitan residents everywhere to the depressed economic status of the American farmer. All of us who come from farm States and study farm problems carefully know that under existing conditions and programs advocated by this administration that the farmers of America are traveling the road to bankruptcy.

This morning the Wall Street Journal has published an article entitled "Why Does Prosperity Bypass the Farm." It was written by Al A. Schock, of Sioux Falls, S. Dak. Al Schock, one of South Dakota's most successful businessmen, is a young man from McPherson County, in the north central part of South Dakota. He is a graduate of South Dakota State University. Through his own initiative he developed the formula for Nordica cottage cheese, and through sound business practices has developed the Nordica Food industries which are known worldwide.

In the article, he succinctly sets forth the problems of the farmers of the Nation. 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:

WHY DOES PROSPERITY BYPASS THE FARM?

(NOTE.—The author is president of Nordica Foods Co., a processor and distributor of cottage cheese and other cultured dairy products in the U.S., England and Canada. An editorial comment appears elsewhere on this page.)

(By Al A. Schock)

SIOUX FALLS, S. DAK.—There is no prosperity down on the farm.

Nearly every third farm in a broad area of the agricultural midsection of America stands empty, yet the silent migration to the city accelerates. In 1940 America had more than 6 million farms; today the number is about half that.

As a national farm leader recently said, 1967 was not a pleasant year for farmers and ranchers. "We are completing the harvest of the largest crop in history, produced at the highest cost on record and sold at the lowest price in a decade. Parity has dropped to 73%, compared with 71% in 1934 in the depths of the depression. The purchasing power of farm products, when adjusted to today's values, is only 40 cents on the dollar, very little more than in the Thirties."

For the past four decades, politicians seeking the farm vote have campaigned on a slogan of "Save the Family Farm." The slogan of the future might well be "Save the American Farm."

Farms are disappearing not because the farmer has not been working hard and efficiently. In most cases his productivity exceeds that of his city cousin. Farm output per man-hour has climbed 61% from 1959. But while the farmer is producing more and better food he is continually being asked to produce it at lower wages for himself. Many farmers are paid less than the Federal minimum wage of $1.40 an hour. In 1965 the average annual net income for 43% of the nation's farmers was $796. This means that the head of many a farm family had to supplement his income by finding a part-time city job.

CONSUMERS SPEND LESS

Of course the farmer's misfortune is a boon to the consumer, who is spending less for food than ever. Expenditures for food represent about 18% of take-home pay, a figure that has been decreasing for years. The decline simply cannot continue.

The farmer's plight has not been helped by politicians who have manipulated his industry to favor consumers. For example, last year the Federal Government urged farmers to increase wheat production sharply, citing the need for adequate domestic reserves and to feed a hungry world. It appeared that the nation was facing an emergency, and wheat farmers responded accordingly, increasing their output 30%.

But even before the harvest was in, the Department of Agriculture began predicting it would be bountiful. Estimate followed estimate, reaching a crescendo at about the time the farmer had to haul his wheat to market to pay off bank loans. The pronouncements of bounty helped cut the prices, and if that weren't enough, the Government also cut back Food-for-Peace shipments. This made the domestic supply appear all the larger, adding a further price-depressant. Secretary Freeman later acknowledged that he had made a mistake, but that brings scant comfort to the man who has already sold his wheat at a low price.

What can be done? What can strengthen the agricultural segment of our economy?

First, the news media should pay more heed to farmers and their problems. The farmer and his family are a minority; farmers are outnumbered 16 to 1 by consumers. The farmer needs the support of a concerned press.

Second, the farmer must obtain a stronger and more direct voice in the operation of the Department of Agriculture. High positions in the Department should go to men with broad farm experience. Reorganization of the department seems absolutely necessary. Although the farm population has dropped 4 million since 1960, Department of Agriculture employees have increased more than 40% to over 120,000.

Even seemingly minor department policies perplex the farmer. For example, farmers cannot understand why the Agricultural Services Division has been renamed the Consumer and Marketing Services. There are plenty of politicians around to plead the consumer's case. Installing the consumer in the Department of Agriculture is akin to allotting a labor union a seat on a corporate board of directors.

Third, to offset ever-increasing urban and factory labor costs, the highest interest rates in history and the increasing costs of all the products the farmer must buy, farmers must organize into large regional bargaining associations. This type of organization must receive the sanction, but not the control, of the Federal Government. The temperament of most of the members of the present farm organizations is such that they will find some common ground permitting them to pursue this course. I believe the advent of stronger bargaining associations can be devoid of violence.

Fourth, the time has come for some restrictions limiting the vertical integration of large business enterprises engaged in the processing and marketing of agricultural commodities. Such restrictions were imposed on the nation's major meat packers by Federal Trade Commission consent decree in 1921, with generally desirable results. Restrictions of this type would help protect local and regional processors so essential in providing local and better paying markets for farmers. In the last decade, for example, 80% of the dairy processing plants in the nation folded or were merged. As a result many local producers were left without a prime market.

Finally, something needs to be said about the whole plethora of Government programs designed to aid the farmer: In retrospect over the past four decades, they have done more harm than good. Had supply and demand been operational it is doubtful that farmers would have suffered so long and in such large numbers. In the long run, supply and demand will work in the best interests of the farmer. It is for this reason that most, if not all, commodities must be released from Governmental control.

For example, the beef industry has been one of the strongest segments of the agricultural enterprise. As an industry group, cattlemen have fought against Government controls. They were getting along quite nicely until the Government became overly active in regulating and manipulating the supply of feed grains against their wishes.

The best way to accomplish this "release" from controls is on a commodity-by-commodity basis. A total and an immediate release could precipitate some drastic, though temporary, price drops that even the most efficient farmers in their weakened condition would be unable to stand.

SENSELESS TRADE POLICY

Inasmuch as the essence of trade should be for a nation to export that which it has in surplus and import that which it is in short supply, it seems rather senseless for our Government to open wide the import gates for subsidized foreign agricultural products. Last year, for example, nearly four billion pounds in milk equivalent of butterfat, sugar mixtures, undefined under the import quotas, were brought into this country, severely depressing prices for milk at a time when demand was working to the advantage of producers for the first time in years. Ironically, this caused a backup of domestically produced supplies, which were then bought up by the Government under the price support program.

Trade between nations is becoming ever more vital in this shrinking world. Out-and-out restrictions should be avoided, but it certainly seems possible that some form of tariff can be established to protect both the importer and the exporter. Tariffs or quotas should never be allowed to be set by administrative edict. When this is done, political expediency is too easily resorted to, resulting in opportunely escalating imports to depress prices for the sake of winning the confidence of the consuming segment of the population.

One of the very great strengths of our nation, many times unrecognized, has been the abundant production of food by American agriculture. It would seem to be a prudent and wise policy for our Government to maintain emergency reserve supplies of all storable food products. These should be isolated supplies, contracted for in a manner similar to that used for the strategic materials (such as copper) now stockpiled by our Federal Government. Purchases by the Government should be made at or near 100% of parity.

Inasmuch as Food-for-Peace and freedom have been strong arms of our nation's foreign policy—in fact, who can think of a better tool for advancing world health and understanding—it should be incumbent upon the Government to dispose of these needed supplies at the best possible advantage of the nation and, hopefully, also to the national treasury. Quite probably, some of these supplies would be donated to needy nations, but if this were done, all Americans would share in the cost of carrying out this phase of foreign policy.

If America is to remain strong, and if the cost of food is not to rise precipitously, then it must be recognized that time is short. Farmers are growing older every year. The average age is now near 50. When they retire, and if the situation is not reversed, their holdings and operations are likely to move into the area of corporate farming.

QUESTIONS ABOUT COMPETITION

Some might argue that there is no harm in this, that larger units will bring increasing competition with lower prices. This is a questionable hypothesis as related to agriculture.

There is some doubt that "bigs" really compete with one another. Competition exists primarily because the "bigs" are still competing with small and medium-sized regional competitors operating within the industry group.

Young people do not now have the capital or enthusiasm for farming under present conditions. This forces them to leave the farm, migrating to the cities, where they compete for jobs that add to the over-crowded conditions. As this migration continues, even corporate farms will find an increasing labor shortage. Sociologically, it is not conceivable that this trend is good for the future well-being of America. Industry, now heady with a war-generated boom, might well pause and reflect on the impact a shrinking agricultural market will have after the present conflict is terminated. Farm equipment sales are trending strongly downward. A decline of 10% or more is in prospect for 1968. Another 6% rise in the cost of what farmers will have to buy in 1968 and the low prices that he receives will further repress demand.

Following the big city riots of last summer there was much talk at our nation's capital about building model cities in rural America. It seems senseless and academic that such a dialogue should be continued when one of the finest models of happy existence is being destroyed by policies that are rapidly bankrupting rural America.

THE BILINGUAL EDUCATION ACT

Mr. YARBOROUGH. Mr. President, the Bilingual Education Act which I introduced early during the last session of Congress as S. 428 is now law—title VIII of the Elementary and Secondary Education Act. With the assistance provided under this law, schools across the Nation will be able to take important steps to assure that their students of limited English-speaking ability will obtain the best possible education.

Heretofore, except on a very limited basis, these children have been denied the opportunity to learn at the same rate as their English-speaking classmates. An excellent example of the kind of progress that will be made under the new law is provided by a bilingual education program underway in the Stonewall Elementary School in San Antonio, Tex. There, with the cooperation and backing of School Superintendent John C. Gonder and Principal Eddie Paredes, and the understanding and attention of Teacher Mrs. Anna Gaona and Teacher-Aide Mrs. Josephine Cox, children in the bilingual education program are making excellent progress.

I request unanimous consent that a newspaper account of the program appearing in the San Antonio Express/News of Saturday, December 9, 1967, well written by Mike Cantu, entitled "Bilingual Teaching Shows Fine Results," be printed in the RECORD at this point.

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

BILINGUAL TEACHING SHOWS FINE RESULTS

(By Mike Cantu)

Stonewall Elementary School Principal Eddie Paredes scanned the seven names of second graders on the honor roll list and checked off four.

"These are in Mrs. Gaona's class," he said.

That meant that one class of 24 youngsters produced more than half the honor roll students at a school with 130 second graders.

But the class is rated by Paredes as having average students.

The difference is that Mrs. Gaona has a second grade in the Harlandale School District's bilingual program in which youngsters learn both English and Spanish. The class was one of four in as many schools that launched the program in the first grade last year. The program moved on up to the second grade this year, with a new expanded group of first grades being created.

But success of bilingual teaching is already readily evident to Principal Paredes. "The youngsters are now more at ease, more confident and freer to express themselves," he said, adding that their social adjustment has been aided and they are participating in class more than ever before.

Their teacher, Mrs. Anna Gaona, echoed Paredes' appraisal while surveying her class of active youngsters. Looking back on her experience as a second grade teacher, and comparing the group in the bilingual program with other classes, she noted "They are a little more aggressive; they're not afraid to stand and ask you for anything."

"Attendance is excellent. Last week we had all five days with perfect attendance."

The attendance remark cannot be restricted to one week alone, according to Paredes' comments. He said the bilingual program youngsters were averaging from one to two per cent higher attendance than the rest of the school, a small figure but significant over a long period. He also noted that parents of these youngsters rank at top in P–TA membership and activities, with generally more parental interest in the school.

A visit to the classroom showed students reading both English and Spanish with equal ease, responding in both languages to questions Mrs. Gaona asked.

The Harlandale School District initiated bilingual teaching last year in four classes in a program partly covered by Title I of the Elementary and Secondary Education Act of 1965. Supt. John C. Gonder noted reasons for the move being spurred by a need to help students coming from Spanish-speaking backgrounds and living up to innovation requirements of federal programs.

An evaluation of the program held after the first year of operation showed that students in three of the classes made significantly more progress than those in classes without bilingual teaching. The fourth class did not provide dependable evidence in favor of bilingual instruction. The Stonewall group (the second graders previously considered) led in the study, however, making more progress in practically every aspect than sections taught in English only.

The study, conducted by Dr. Guy C. Pryor of Our Lady of the Lake College, added that students in the classes in all four schools could speak, read and write in two languages at the end of the first grade.

Those same first grades moved into second this year, and an additional 14 classes in the first grade entered the program.

In explaining philosophy of the project, Supt. Gonder noted that unlike other bilingual programs, the Harlandale version is not actually holding instruction in Spanish other than in teaching the language. Spanish is being taught to the youngsters at an early age, but the language is being employed to ease the transition into English.

"The goal is to devote about an hour a day to Spanish," explained Gonder. He added that actually English is being approached as a foreign language in the program, with Spanish the base on which it is taught. In later grades, the approach will change to Spanish being the foreign language, but on an advanced level.

Gonder also noted that importance of learning the Spanish language was considered in deciding to launch the programs.

The district is committed to the program, to the point that special buildings have been designed for its implementation. Funded partly through federal and district money, the small structures are hexagonal in shape, having five classrooms, movable walls and other features, allowing operation as a total unit. One such building is in operation at Stonewall Elementary School, and another is under construction at Collier.

Gonder said plans for the program call for it to enter the third grade next year, with another 18 classes to be added in the fall of 1968. Bilingual teaching will remain in the same four schools (Stonewall, Collier, Flanders and Columbia Heights) up through the third grade, however.

The superintendent explained that it is estimated five years will be required for accurate evaluation of the program. After the evaluation, and assuming it continues to show advantages, the district will consider expanding it to all schools of the system.

Gonder, however, sees bilingual teaching becoming an accepted method of instruction. Considering the youngsters and the program, he added "It just changed their whole life."

PRESIDENT JOHNSON FOCUSES ON DISCRIMINATION IN HOUSING

Mr. HARRIS. Mr. President, in his civil rights message yesterday to Congress, President Johnson has called attention to our accomplishments in the sphere of civil rights, but also to our failings. Certainly, one of our greatest shortcomings has been in the area of housing.

Racially segregated housing patterns exist in most of our cities. Recent studies indicate that the problem of housing segregation is actually getting worse, at a time when other racial injustices are decreasing.

We in the Congress must not remain insensitive to the need for Federal legislation. Various Federal agencies are seeking, within the limits of their authority, to end discriminatory practices in housing. For example, the Department of Defense is attempting to insure that Negro servicemen are not subjected to discrimination when they seek off-base housing. This is appropriate, but no American, military or civilian, should be subjected to racial discrimination when he seeks a place to live.

Effective implementation of the Presidential Executive order regarding federally assisted housing is a partial solution, but its coverage is limited.

The need for enactment of the fair housing legislation is clear. We must respond to that need.

President Johnson has asked Congress to stand up and be counted on a matter that is right, just, and demands urgent attention.

I believe the 90th Congress cannot fail to do its duty and respond with a vote of approval this year.

COMMISSIONERS COURT OF CAMERON COUNTY, TEX., APPROVES FLOOD CONTROL PLAN OF INTERNATIONAL BOUNDARY AND WATER COMMISSION

Mr. YARBOROUGH. Mr. President, it has been 4 months since Hurricane Beulah lashed the valley of Texas with its winds and water, leaving in its wake death and destruction.

A large part of the destruction and

grief was not caused by the hurricane but by the subsequent flooding that it set off. We cannot yet control the weather; but we can formulate the minimal plans that are necessary to prevent flooding in the future as occurred in the valley of Texas last September. Such a plan has been advanced by Commissioner J. F. Friedkin of the International Boundary and Water Commission.

The IBWC plan envisions the construction of a system of drainage for excess rainwater, improvement of the existing international flood control system, construction of dams and reservoirs on the Mexican side of the border—solely for flood control—and improvement of existing Mexican flood control facilities.

Cameron County is one of the counties that was hardest hit by the flooding. It has a big stake in any future flood control plan; and the commissioners court of Cameron County has passed a resolution endorsing the plan of the International Boundary and Water Commission.

I ask unanimous consent that the resolution of January 22, signed by Cameron County Judge Oscar Dancy and by Commissioners T. R. Hunt, J. N. Cavazos, Adolph Thomas, Jr., and Guy Leggett, Sr., certified by J. H. Diltz, clerk of the county court, together with the letter of transmittal dated January 22, 1968, signed by Commissioner T. R. Hunt, be printed in the RECORD.

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

CAMERON COUNTY,
Brownsville, Tex., January 22, 1968.

Hon. RALPH YARBOROUGH,
U.S. Senator, Senate Office Building, Washington, D.C.

DEAR SENATOR: There is enclosed herewith copy of resolution endorsing the International Boundary and Water Commission proposed plan to prevent future flooding of the Rio Grande Valley.

Your assistance in accomplishing this most important program will be greatly appreciated.

Very truly yours,

TED R. HUNT,
Commissioner, Precinct 1,
Cameron County, Tex.

Enclosure.

THE STATE OF TEXAS,
County of Cameron:

Be it remembered that on this the 22nd day of January, 1968 at a Special Meeting of the Commissioners' Court of said County and State, all members being present, the following resolution among other things was proposed and unanimously adopted, said motion being made by Commissioner Adolph Thomas Jr., Commissioner of Precinct Three, and seconded by Commissioner T. R. Hunt, Commissioner of Precinct One, said motion carrying with it the following resolution, to-wit:

"RESOLUTION

"Whereas, Cameron County has suffered severe damage as a result of recent flooding of the Rio Grande River; and

"Whereas, on January 19, 1968 at Bayview, Texas, Commissioner Joe Friedkin of the International Boundary and Water Commission made certain proposals to the County Commissioners of Hidalgo, Willacy and Cameron Counties and other public districts and interested parties to the end that some positive action will be taken to prevent reoccurrence of such a disaster; and

"Whereas, it appears to the Commissioners' Court of Cameron County, Texas that definite action will be taken to the end as stated:

"Therefore, the Commissioners' Court of Cameron County does hereby approve the proposed plan in general and does hereby desire to convey to the officials of International Boundary and Water Commission the full cooperation and approval of the Commissioners' Court of Cameron County to the end that a satisfactory solution may be adopted between International Boundary and Water Commission and Commissioners Court of Cameron, Hidalgo and Willacy."

The Clerk of this Court is hereby instructed to forward to the Honorable Joe Friedkin a certified copy of this Resolution directly to or through the County Engineer, John Huth.

DETROIT'S STALEMATED NEWSPAPER STRIKE

Mr. GRIFFIN. Mr. President, on Monday of this week I addressed the Senate concerning the stalemated strike which has caused a blackout for more than 2 months of news coverage by Detroit's two newspapers, the Free Press and the News.

In my remarks, I focused upon certain allegations which appeared in an article in the January 11 issue of the Reporter magazine, entitled "Detroit's Press Profiteers."

I referred specifically to accounts that a handful of local Teamsters—who should be primarily concerned with settling the strike—have been intimately involved, financially and otherwise, in the operations and profits of a strike paper which appeared on Detroit street corners shortly after the shutdown of the Free Press and News.

If these allegations are true, certain elements in the local Teamsters union have had a proprietary interest in prolonging the strike—rather than settling it, an interest in conflict with that of other members of the same and other unions who are out of work.

I am concerned about the challenge this poses to freedom of the press and the public's right to information.

But I am also deeply concerned about the threat to the welfare of 4,300 Detroit News and Free Press workers who appear to be the victims of both a Teamsters Union power struggle and personal profiteering by a handful of that union's members.

I said on Monday that this whole matter deserves prompt and careful attention by the appropriate committees of the Congress.

I wish to report today, Mr. President, on two steps that have been taken.

First, I have conferred at some length with the distinguished Senator from Arkansas [Mr. MCCLELLAN], and he has authorized me to state that this matter is being placed on the agenda of the Senate's Permanent Subcommittee on Investigations, of which he is chairman.

Senator MCCLELLAN indicated serious concern regarding the Detroit situation and agreed with me that the matter should be looked into.

Second, I have written Secretary of Labor Wirtz requesting his Department to review and investigate the situation to determine whether there has been a violation of existing law and if new legislation is needed to protect the public interest.

I ask unanimous consent, Mr. President, that a copy of my letter to Secretary Wirtz be printed in the RECORD at this point.

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

U.S. SENATE,
Washington, D.C., January 24, 1968.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: As you know, the City of Detroit is now crippled by its fourth major newspaper strike and its thirteenth newspaper work stoppage since 1955. Tomorrow, January 25, will be the 71st day of the current newspaper blackout.

On Monday, I took the floor of the Senate to review the situation, and to focus upon allegations that certain elements in the local striking Teamsters Union have a proprietary interest in prolonging the strike.

I am enclosing a copy of my remarks, together with a copy of an article, entitled "Detroit's Press Profiteers," which appeared in the January 11 issue of the *Reporter* Magazine.

I respectfully request that your Department review the materials and that an appropriate investigation be undertaken with a view toward determining (1) whether there has been a violation of existing law, and (2) whether additional legislation may be needed in the public interest.

With best wishes and my warm personal regards, I am

Sincerely yours,

ROBERT P. GRIFFIN,
U.S. Senator.

URGENT NEED FOR EARLY ENACTMENT OF PRESIDENT JOHNSON'S CIVIL RIGHTS RECOMMENDATIONS

Mr. GRUENING. Mr. President, the civil rights message sent to the Congress yesterday by President Johnson is clear, forthright, and expresses once again President Johnson's repeatedly demonstrated determination to bring to an end racial discrimination in the United States.

In addressing a joint session of the Congress on March 15, 1965, urging the passage of a voting rights bill, President Johnson stated:

> But even if we pass this bill, the battle will not be over. What happened in Selma is part of a far larger movement which reaches into every section and state of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.
>
> Their cause must be our cause too. Because it is not just Negroes, but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome.

Congress responded by passing the Voting Rights Act of 1965.

But racial discrimination and inequity still persist in the United States. It must be eradicated as soon as possible.

I would be the first to admit that legislation can do only so much in eliminating racial discrimination and that education has a vital role in the process. But, as legislators, we cannot and should not rest until and unless we have done all within our power to insure that what-

ever can be done by legislation to achieve these ends is speedily enacted.

Finding in Alaska that there existed considerable discrimination against Alaskan natives—Indians, Eskimos, and Aleuts—I stated in my message to the 1945 Alaska Territorial Legislature, as Governor of the Territory of Alaska:

> Let us live up, at home, to the principles for which American boys of every race, creed, and color are giving all they have. Let us get rid of the soul-searing race discrimination in our midst to the extent that we can do it by legislative action.

The territorial legislature acceded to my request and passed the antidiscrimination legislation. It went far to rectify the previously existing discriminations in Alaska.

I commend President Johnson for his continued pursuit of the early enactment of needed civil rights legislation and hope that the four-prong legislative attack on racial discrimination which he proposed in his message will be enacted as a matter of the greatest urgency.

PRESIDENT JOHNSON'S GRAINS ARRANGEMENT A VALUABLE TOOL FOR THE AMERICAN FARMER

Mr. HARRIS. Mr. President, the International Grains Arrangement which the President sent to the Senate today is important to farmers in my State and it has been endorsed by the Oklahoma Wheat Commission.

Under the International Wheat Arrangement in effect until last year, the minimum world wheat prices reflected a price per bushel back to the average farm of around $1.20 per bushel in the United States.

The new arrangement raises the minimum world trading price by about 20 cents per bushel compared with the old wheat arrangement. This means that the minimum wheat price in world trade adjusted to the farm will be around $1.40 per bushel. This is 15 cents per bushel higher than the average price support loan rate in the United States.

So the new arrangement has the effect of providing supplementary price floors to our farmers in addition to the regular loan and certificate payments which we now have.

I commend the President for sending this arrangement to the Senate. The President's longstanding efforts to help our farmers achieve real prosperity and stability are exemplified by the arrangement presented to the Senate today.

This arrangement provides additional protections to our wheatgrowers. It will help to improve our balance of payments. And it will help others in the world who need our food to thwart hunger.

I hope for prompt and positive Senate action.

COPPER STRIKE NOW AFFECTS 23 STATES—WE HAVE THE FACTS, WE NEED ACTION

Mr. BENNETT. Mr. President, the President has appointed a factfinding board to deal with the 7-month-old copper strike. It is unfortunate that this action was not taken 150 days ago. It is obvious and has been from August of last year, that the administration and the unions were waiting until the last copper contract expired. This occurred last Saturday, and now we have a very belated factfinding board.

Mr. President, we have the facts. We need action. While I am generally pleased the White House has taken this action, I wish to point out that the Taft-Hartley law itself would have produced the same result, and had the beneficial effect of returning copper workers to their jobs and giving them a paycheck for at least 80 days.

Of the three members of the new Board, I know only of George Reedy, a former White House staff member. I am concerned that the Board may be stacked against industry as was the last effort of the President in this respect. But since it has been named, I am hopeful that it will go to work immediately and assist the disputing parties in ending this long and drawn out labor dispute.

I have pointed out on several occasions the severe economic damage which this strike has caused. I cannot understand how the administration can ignore the very serious impact of the copper strike and the subsequent foreign imports of copper upon our balance-of-payments problem. It is now at a very serious point since our copper reserves are for all intents and purposes almost exhausted. Our stockpile is at a very low point and considerably less than 10 percent of our national annual consumption, and the price of foreign copper has increased by nearly 50 percent. On top of this there are 60,000 men unemployed. It is, therefore, in many respects incredible that the President's action would only consist of appointing a factfinding board. His inaction in this respect is very damaging to the economy of the United States and to the welfare of copper workers and the States involved.

In the initial stages of this strike we consistently heard the argument that only four or five States were involved. I think that many people would be surprised to know how extensive the copper and nonferrous metal strike has become.

Very little publicity has been given to the fact the strike now stretches from New York to California and from Wisconsin to Texas. How many Senators realize that 23 States are now directly affected, a fact which certainly takes the strike out of the regional category and makes it a national emergency. No longer is this strike the concern of five Western States, their Senators, and Governors. Let me point out that there are now 46 Senators and 23 Governors representing States which are directly affected by this strike. If we are really concerned, however, I should point out that 100 Senators, 50 Governors, and 200,000,000 Americans are being hurt by the copper shortage we now face. Further, because the strike is contributing to inflation and affecting our serious balance-of-payments problem, not many Americans can escape the impact and scope of that crisis.

In our three Western States of Utah, Arizona, and Montana alone, some 23,000 men and their families have witnessed in a land of plenty the frightening and shameful specter of going without money and all that it buys for a terrible 7 months, including a cold winter and a Christmas season.

It is incumbent on the leaders of this Nation that we do all within our power now to see that the administration takes all necessary steps to end this strike. It is late. We can delay no longer.

I ask unanimous consent to insert in the RECORD a chart showing the States affected by the copper and nonferrous metal strike with the number and types of facilities in each State. For approximately half of the States I have been able to acquire round figures of the number of men out of work, and these figures are listed in a separate column.

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

States	Mines	Manufacturing plants	Refineries	Smelters	Total facilities	Men
Arizona	12		1	8	21	10,000
California		1	1	3	5	400
Colorado			1		1	
Connecticut		8			8	1,500
Idaho	2				2	
Illinois		1			1	
Indiana		1		1	2	
Maryland			3		3	2,000
Michigan	1	2			3	
Missouri	1	1			1	
Montana	2		1	3	7	7,000
Nebraska			1		1	
Nevada	3			3	6	1,500
New Jersey			3	1	4	4,500
New Mexico	2			1	3	1,500
New York		2			2	
Ohio		2			2	
Oklahoma			1		1	
Pennsylvania		1			1	
Texas			1	2	3	2,000
Utah	3		1	1	5	6,000
Washington			1	1	1	400
Wisconsin		1			1	

OEO CUTS ELDERLY

Mr. WILLIAMS of New Jersey. Mr. President, on January 2 I wrote the following letter to Sargent Shriver, Director of the Office of Economic Opportunity:

JANUARY 2, 1968.

Re Economic Opportunity Act Amendments of 1967 beneficial to poor.

HON. R. SARGENT SHRIVER,
Director, Office of Economic Opportunity, Washington, D.C.

(Attention: Miss Genevieve Blatt, Deputy Director.)

DEAR SARG: As you know, there were a number of provisions in the Economic Opportunity Amendments of 1967 to benefit the Nation's elderly poor. Specifically, I am referring to the following:

Section 126 directs you to provide that programs under Part B of Title I (Work and Training for Youth and Adults) be designed to deal with the incidence of long-term unemployment among persons aged 55 and older.

Section 222(a)(8) authorizes a new special program to be known as "Senior Opportunities and Services" to identify and meet the needs of older, poor persons above the age of 60.

Section 223 provides that you are to encourage the employment of persons age 55 and older as regular part-time and short-term staff in component programs.

Section 610 strengthens the previously-expressed intention of Congress that the special problems of the elderly poor shall be considered in Economic Opportunity Act programs, by requiring certain types of specific action toward this objective.

Section 832 directs that you take necessary steps to encourage the fullest participation of older persons and older persons membership groups in VISTA programs and activities.

Section 302(a) was amended to authorize loans to contribute to the improvement of living or housing conditions of the elderly.

While there were, in addition, scattered references to older Americans, these were, as I understand it, the principal provisions of the new Act with reference to this age group.

The purpose of this letter is to request information from you on your agency's plans thus far for implementing these provisions. This will be very helpful to the Senate Special Committee on Aging in planning its work for 1968.

Thanking you, and with kind regards,

Sincerely,

HARRISON A. WILLIAMS, Jr.,
Chairman.

It is clear from my letter, I believe, that I expected Mr. Shriver to report that he planned to make major efforts in the near future to implement programs of direct help to the elderly poor of this Nation. He had been clearly directed to do so by the provisions of the Economic Opportunity Amendments of 1967, as passed by Congress late last year.

Today, however, I have received an informal report to the effect that the Office of Economic Opportunity will allocate no funds at all for special projects on behalf of the Nation's elderly poor. Instead, we are apparently to suffer cutbacks in the meager projects established within recent years after long congressional discussion on the need for such programs.

Mr. President, the Senate Committee on Aging conducted extensive hearings in 1965 and 1966 on the need for the war on poverty to be more responsive to the needs of older Americans.

The Subcommittee on Employment, Manpower, and Poverty under the chairmanship of Senator CLARK, of Pennsylvania, conducted an intensive examination of the war on poverty last year for its parent Committee on Labor and Public Welfare. The subcommittee's findings served as the basis for many of the provisions later adopted to serve the elderly as part of the Economic Opportunity Act.

If the intent of Congress is to be dismissed by a decision made by the executive department, I think that Congress is entitled to a full report on the basis for that decision.

Has the Bureau of the Budget looked upon the war on poverty strictly as a bookkeeping operation and insisted that programs be arbitrarily cut?

Have the lonely supporters of programs for the elderly within the Office of Economic Opportunity been swept aside by other forces?

It is difficult for me to reconcile today's report of cutbacks with last week's announcement—by President Johnson himself—a new $3 million program to provide health care and housing within the District of Columbia as a "model and a sample for the rest of the country." Surely, the President's action suggests that great needs exist among many elderly poor elsewhere in the Nation.

The National Council of Senior Citizens expressed its dismay last week over the prospect of cutbacks. Now apparently those cutbacks are reality.

I again invite Mr. Shriver to submit a full report on why OEO is evidentally removing special projects for the elderly poor from its list of activities and goals.

If such action is not forthcoming reasonably promptly, it may well be that an appropriate congressional body should again call hearings and establish facts.

I ask unanimous consent to insert in the RECORD a perceptive article by Mr. Theodor Schuchat on the limited assistance being given to the elderly through the war on poverty.

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

YEARS TO ENJOY: POVERTY WAR BYPASSING ELDERLY

(By Theodor Schuchat)

The war on poverty is being won by everybody but the elderly.

The latest nose-count by the U.S. Census Bureau compares the poor in 1966 with the poor in 1959. In those seven years 9 million people scrambled above the poverty line, but only a half-million of them were elderly.

While the percentage of all adults living in poverty went down more than 33 percent, the rate of poverty among the aged went down only 13 percent.

Miss Molly Orshansky, who counts the poor for the Social Security Administration, says that during these seven fat years "persons aged 65 or older remained the most poverty-stricken age group in the nation," despite higher Social Security benefits.

"In 1959, one-third of all aged couples were poor, and in 1966 only one-fourth were so situated," she continues. "But in 1966 the 1.2 million aged couples in poverty represented one in five families counted poor, whereas in 1959 they accounted for only one in six."

Who's poor? The Social Security Administration statistician currently draws the poverty line at $1,970 per year for an aged city couple and $1,565 for an elderly person alone in the city.

In 1959, she points out, old people living alone represented less than 20 percent of the poor, yet in 1966, 25 percent of the poor households of this rich nation were those of a solitary aged person.

In fact, while the total number of poor people was dropping, the number of poor old women living alone rose from 1.8 million in 1959 to 2.1 million in 1966. "In the age group 65 or older there were nearly two women living in poverty for every man," Miss Orshansky notes.

"The fact that aged men and women are less likely to work regularly than younger persons, and that they earn less when they do work is the main reason why poverty is so much more prevelant among the aged," she explains.

For some strange reason, we apparently expect old people to make ends meet with much less money than the rest of us.

As Miss Orshansky points out: "On the average, aged couples or persons living alone must get along on half the money income available to a young couple or a single person—a difference greater than any possible differential in living requirements."

AMERICA NEEDS THE INTERNATIONAL GRAINS ARRANGEMENT

Mr. HART. Mr. President, the international grains arrangement submitted today by President Johnson can be a milestone in providing the strength and stabilization we seek for the American farmer.

For a number of years I had the privilege of serving on the Senate Agriculture Committee. As became very clear to me at that time, wheat has more significance to Michigan than our neighbors realize. For 1966—the latest year for which figures are available—the value of wheat produced in Michigan was $46 million. It is the third highest crop in Michigan after corn and dry beans.

But even without an acre of wheat, this arrangement is good for Michigan. And clearly it is good for the Nation.

The President has asked the Senate to consider a formula which provides minimum and maximum prices for wheat in international trade—prices substantially higher than in the wheat agreement of 1962.

These are vital protections for our farmers. They insure that our farmers will be protected against fluctuating prices on the world market; and that our farming community will not be placed at a disadvantage in price competition among member nations.

As the President points out, this new arrangement will also help to improve the Nation's balance of payments—a crucial matter at this time—and will in addition add significantly to America's role in helping to curb world hunger.

All in all, the international grains arrangement provides vital stimulus to our farm economy, offers equitable regulations to protect the welfare of American wheatgrowers, and responsibly involves the United States in an important international effort to help the world's hungry.

I believe President Johnson can expect strong support from farmers and prompt action by the Senate on this excellent grain arrangement.

WILLIAM T. GOSSETT ON PRESIDENTIAL ELECTION REFORM

Mr. BAYH. Mr. President, a comprehensive and informative article written by Mr. William T. Gossett, president-elect of the American Bar Association, provides a balanced and competent analysis of the need for presidential election reform. In addition to delineating the major defects of the present electoral system, Mr. Gossett explains in detail why the American Bar Association has officially recommended that the "President and Vice President be elected by a direct, nationwide popular vote."

Those who seek to understand better the historical background and the operation of the present outmoded system would find Mr. Gossett's treatment to be a concise, authoritative, yet forceful source of information. In the vast quantity of literature which has been published in recent years on this subject, no single piece, to my knowledge, sets forth the salient issues in more precise, understandable, or convincing language.

I ask unanimous consent that this valuable article, published in the December issue of the American Bar Association Journal, be printed in the RECORD.

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

ELECTING THE PRESIDENT: NEW HOPE FOR AN OLD IDEAL

(NOTE.—The proposal of the American Bar Association for a constitutional amendment providing for the election of the President and Vice President by direct popular vote embodies the ideal of the framers of our Constitution, Mr. Gossett declares. The Constitution-makers were forced to adopt a compromise device—the electoral college. But now, after 180 years, the defects of the compromise are clear, and the time is ripe to return to the old ideal.)

(By William T. Gossett, president-elect of the American Bar Association)

One hundred and eighty years ago fifty-five men—60 per cent of them lawyers—assembled in Philadelphia. Their purpose was to revise the limp Articles of Confederation, under which the colonies, as a loose federation of autonomous states, had tried, and failed, to govern themselves after achieving independence. Wisely abandoning the revisionist task as hopeless, the delegates spent some fifteen weeks in constructing instead a wholly new document, which was to become the most enduring written constitution in history.

After a week's discussion of general propositions, one of the first provisions discussed at what was to become known as the Constitutional Convention of 1787 was the manner of electing the chief executive of the United States. The first proposal was made by James Wilson, one of the great lawyers of his age, a chief architect of the Supreme Court and one of Washington's initial appointments as Associate Justice. Wilson's proposal was that the President be named by direct "election by the people". The proceedings of the convention were secret, but according to Madison's *Journal*, at least six delegates, including Madison himself, "the master-builder of the Constitution", and four other lawyers, endorsed Wilson's suggestion. No less than eight other methods of electing the President—among them the electoral college system—were proposed. Some of them were first adopted and then reconsidered and rejected.

Not until the final weeks of the convention was the electoral college method adopted. It was not an ideal way or even the best way of choosing a President; rather, it was a compromise device that nobody expected to work and that would invariably result in throwing the election of the President and Vice President into the House of Representatives.[1]

The electoral system, therefore, was never intended by the drafters of the Constitution to be primarily a "states' rights" device to give the states rather than the people the power and the responsibility of choosing the President. According to Madison, Wilson "wished to derive not only both branches of the Legislature [i.e., the Congress] from the people without the intervention of the State Legislatures, but the Executive also, in order to make them as independent as possible of each other, as well as of the States".[2] There was, of course, some uneasiness that the large states might dominate the smaller ones, but the electoral college system, which gave the larger states the larger electoral votes, could not and historically did not correct that propensity.

What really moved the delegates to accept the electoral system, with little enthusiasm and no unanimity of conviction, were certain practical considerations, dictated not by political ideals but by the social realities of the time—realities that no longer exist. These were centered largely in the limited communications and relatively low literacy of the period, which made it virtually impossible for the people to know the candidates, rendered them subject to deceptions and would have inclined them to vote only for someone from their own state. This made it likely that the largest state, having the largest vote, usually would elect its candidate. On the other hand, the delegates assumed that the electors, to whom the people would delegate their franchise, would be the wise men of the community, with their disinterested role protected by the requirement that they not be officeholders or candidates.

Historically, the electoral system did not and could not adhere long to such a pure and detached concept. First, political cabals and later political parties appeared; the electors' role became a mechanical one. As they became partisan functionaries, their names and reputations became far less known to the citizens than those of the candidates. I doubt that anyone reading this can name the electors in 1964 from his own state or even those from his own party. I doubt equally that anyone reading this would be less than outraged by the proposition that he was turning over to a handful of people the right, without enforceable limitation, to specify his choice of candidates for President and Vice President—the basic and only valid assumption of the electoral system. It must be remembered that the electoral system was not intended to be a reflection of the popular vote but a delegation of the full power of that vote to electors.

IN an age of speedy transportation, instantaneous communication and high literacy, this delegation of a basic civic right and duty from the many to a few is both anachronistic and abhorrent. The report of the Commission on Electoral College Reform of the American Bar Association[3] used strong language when it characterized the method as "archaic, undemocratic, complex, ambiguous, indirect and dangerous"; but the language was not used precipitously. Most of the faults inherent in the electoral college system have been intensified rather than alleviated by the passage of time. Briefly, the major defects are:

1. The popular will of the majority of the people of the nation can be—and has been—defeated by mathematical flukes.

2. The choice can be—and has been—thrown into the House of Representatives, where each state has but a single vote.

3. A vote can be—and has been—cast by an elector for a candidate other than that for whom the voter expected him to vote.

4. Strong partisan cabals can influence—and have influenced—results of elections by influencing the choice of electors and appropriating party labels.

5. The disputed electoral vote of one state can negate—and has negated—the will of the rest of the nation.

6. Candidates with a clear plurality of the votes of the American people can be—and have been—defeated by candidates with a lesser vote.

7. The electoral vote of a state can—and does—nullify ballots of all voters not supporting the winner in that state.

8. The electoral votes of a state with a small percentage of its voters casting their ballots can—and do—have as fixed a numerical strength as a state with a large turnout.

9. The margins of victory and of defeat can be—and are—grossly exaggerated by electoral votes, thus creating dangerous distortions of the real balances in our political system.

ASSOCIATION'S RECOMMENDATIONS

The recommendations of the Commission to convert or eradicate these defects are direct and to the point: that the President and Vice President be elected by a direct, nationwide popular vote; that unless the leading candidate receives at least 40 percent of the vote, there be a runoff election between the two top candidates; that while the place and manner of holding presidential elections remain the primary responsibility of the states, the Congress have the power to make or alter election regulations, particularly "where the state attempts to exclude the name of a major candidate from the ballot"; and that the qualifications for voting for President be the same as those for voting for members of Congress, but that "Congress be given the reserve power to adopt uniform age and residence requirements". The Commission also urged that Congress hold hearings and take appropriate legislative action on solutions for such contingencies as the death of a candidate either after or shortly before the election.

The directness and justice of these recommendations prompted an exceptionally uniform favorable reaction throughout the press of the nation, as editorialists and columnists for the most part endorsed the Commission's proposals. A Gallup poll revealed that 58 percent of the people favored direct popular election of the President, with only 22 percent opposed. Significantly, majority approval of the people, as reflected in this poll, came from every region of the country, ranging from 52 percent in the South to 66 percent in the Far West. This parallels closely a poll of state legislators in which more than 59 percent of 2,200 responding favored direct popular elections. Legislation based on the recommendations was introduced in the Senate and House with leadership support from both parties. Hearings have already been held on behalf of the Senate and are now pending in the House.

Despite the prompt and affirmative response to the American Bar Association's proposals, objections to the proposed reforms in presidential elections have arisen. Any suggestion to change old ways of doing things, of course, always invite vigorous objections—a healthy enough tendency in matters calling

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[1] Apparently the House was chosen instead of the Senate, even though each state was to have but a single vote, to avoid giving the Senate too much leverage and to obviate excessive bargaining between Senators and the leading aspirants to the office of President with regard to appointments after the election. Prichett, The American Constitution 26 (1959); Rossiter, The Grand Convention 220 (1966).

[2] Parrand, The Records of the Federal Convention of 1787 (1937 ed.)

[3] *Electing the President*, 53 A.B.A.J. 219 (1967).

for constitutional amendment, which was purposefully made a difficult process by the Constitution-makers, in order to provide time for the airing and answering of objections. In the case of the proposal for direct, nationwide popular vote for the President and Vice President, the objections seem to center in the age-old fear that the influence of the small or sparsely settled states would be diminished somehow, especially in view of the requirement that a candidate receive at least 40 per cent of the vote to achieve election, and in the provision for runoff elections when no candidate receives the required minimal percentage.

Answers to these objections are either explicit or implicit in the report of the Commission, and they are confirmed by any historical analysis of election statistics. It may be useful, however, to review them briefly here, because the proposals unquestionably will be the subject of widespread discussion for some time to come.

With regard to the effect of popular, nationwide elections on the influence of small or sparsely settled states, far from diminishing it, the proposed reforms would in fact considerably strengthen their participation in elections. While there is belief that the electoral system, because the ratio of electors to population favors small states (Alaska has one elector for each 75,380 inhabitants and Nevada one for 95,093, while California and Pennsylvania have one for every 392,930 and 390,323, respectively), the practical operation of the electoral system has led the parties to concentrate disproportionately on their candidate or platform appealing to the majorities in the large industrial states, twelve of which have a clear majority of the total electoral vote. Thus, the candidates can and have tended to ignore the small states. That this strategy has worked to the detriment of the influence of small states is clearly apparent in a review of the states as barometers of election outcomes—that is, the number of times a state has cast its vote for the winner.

Omitting Alaska and Hawaii from consideration (because they have cast votes in only two elections), of the twenty-eight states having less than ten electoral votes each, only four—14 per cent—have been with the winner in as many as four of five elections. But all five of the states heading the list in electoral votes, with more than twenty-five each, have been with the winner in four of five elections. The ten states that have least often helped to elect the winner have an average of 8.7 electoral votes. The ten that most often have helped determine the winner have an average of 19.4 electoral votes. Nor is this a matter only of regionalism. Delaware, with three votes, has been on the losing side more often than Georgia with twelve, and Vermont, also with three, more often than Louisiana with ten.[4]

In view of these and related figures, it is difficult to see what real influence of the small states is being diminished. In a direct election, *all* of the votes within a state would be reflected in the national total. And so if the electoral system were abolished, fundamental inequities would vanish. There is no plausible reason why a resident of Nevada should have four times the voting power, in terms of electoral vote, of a resident of California. Nor can I explain why the 1,200,000 people who voted in Connecticut in 1964 should have their ballots count in electoral vote power for no more than those of the 500,000 who voted in South Carolina.

Each electoral vote for the candidate who won in Connecticut represented the will of some 52,000 Americans who took the trouble to cast their ballots, while each electoral vote of the winner in South Carolina reflected the will of only 11,500 voters. In other words, a South Carolina vote has almost five times the power in electoral votes of a Connecticut vote. Why? In the long run it does not favor even the South Carolinian; he has been with the loser 44 per cent of the time, while Connecticut has been with the loser only 32 per cent of the time. Clearly, any election system that lessens the power of any individual's vote in order to enlarge another's, on whatever grounds, rationale or pretext, is inequitable, unjust and indefensible. Anyway, why should not *all* of the votes cast within a state be reflected in the national total?

The Commission's recommendation that no one receiving less than 40 per cent of the vote be elected has its roots in the simple recognition that anything less would constitute a mandate insufficiently representative of the popular will and that a requirement of anything more would run the risk of frequently causing resort to contingent election procedures that in the past have more often flown in the face of the will of the people than reflected it.

Only twice in our history, as a matter of fact, has a President gone into office with less than 40 per cent of the popular vote: in 1824, in an election epitomizing the inequities of the electoral system, John Quincy Adams, who received 31.89 per cent of the popular vote, as compared to Andrew Jackson's 42.16 per cent, was elected by the House of Representatives, to which under the Constitution the election is delegated in the event that no candidate receives a majority of the electoral vote (Adams got only 32 per cent of the electoral votes); and in 1860, Abraham Lincoln was elected by an electoral majority of 59 per cent, though his plurality in the popular vote was only 39.8 per cent.

Though only in those two instances did a winning candidate receive less than 40 per cent of the popular vote, the desirability of making the plurality necessary to election no higher is emphasized by the fact that no less than twelve Presidents have won by between 40 and 50 per cent of the popular vote—including four in this century. This means that altogether in fourteen of forty-five elections, candidates have been elected on pluralities rather than majorities of the popular vote. Had those elections been forced into the House of Representatives, nearly a third of our elections would have represented not the choice of the people but of one of the two houses of Congress, with resulting compromise to the traditional separation of powers.

Placing the plurality requirement at no less than 40 per cent is justified also as a means of preserving the two-party system—a factor that has given the American democracy a unique stability. A proliferation of splinter parties could bring about the election of Presidents representing only well-organized minorities of less than four out of ten voters. Inevitably, in order to function adequately and to advance a legislative program, coalition administrations would be the probable result; and party accountability, one of the main props of our political structure, would be seriously undermined. At the same time, the 40 per cent requirement is sufficiently realistic, and sufficiently responsive to the continuing need in an open society to accommodate change, to make possible the emergence of new or splinter parties or the growth of established third parties when they seriously respond to new conditions, new aspirations or newly recognized values.

The Commission's proposal for a national runoff election between the two candidates with the largest number of votes, in the event that no one gets 40 per cent or more, provides for a contingency which, however remote it may be on the basis of historical evidence, nevertheless conceivably could occur. Actually, only once in our history since popular votes have been cast did no candidate get 40 per cent of the popular vote.

The sole exception was the election of 1860, when Lincoln led in the popular vote, 39.79 per cent—missing the 40 per cent proposed minimum by only slightly over two tenths of 1 per cent. But Lincoln's name did not appear on the ballot in ten states, which could have easily made up the difference. We are, therefore, talking about a contingency so remote that it has happened only once in 178 years—and then by a tiny fraction of 1 per cent.

But the law must deal with the possible as well as the probable. The present unit rule system of throwing unresolved elections into the House of Representatives, with each state having a single vote without regard to its size and with each state's House delegation empowered to ignore the state's vote in the election, is clearly a political monstrosity, fully distorting the most elementary principles of self-government and opening up possibilities of political wheeling and dealing wholly repugnant to a free people. Under it the choice of the people of the twenty-six least populated states, representing 16 per cent of the nation's total population, could prevail over that of the twenty-four most populated states, representing 84 per cent of the people.

As a matter of fact, under the unit vote system by which the House decides disputed elections, in 1824 thirteen states cast their votes for Adams, thus electing him—even though in the popular election Jackson got nine states to Adam's six, and in the electoral balloting eleven states to Adam's' nine. It is significant of the kind of wheeling and dealing inevitable in such House procedures that Adams was given the vote of Kentucky, a state in which he had not received a single popular or electoral vote.

The election in 1968 could produce a similar distortion. If former Governor George Wallace of Alabama were to be a candidate, he could conceivably carry enough Southern states to prevent either of the major candidates, with their divided parties, from getting a majority, thus throwing the election into the House of Representatives. In 1948 the States' Righters took thirty-nine electoral votes, and the Henry A. Wallace Progressives cost President Truman the states of New York and Michigan.

A national runoff is not a perfect way of deciding unresolved elections, but it has been demonstrated in other countries and in some of our state primaries to be preferable to any other plan and to be completely workable. Above all, it keeps the election of the only two truly national officials in our government in the hands of the people where it certainly belongs. It also keeps the presidency independent of the Congress, which the Constitution-makers clearly intended it to be. It minimizes the effects of changing state populations, of padded election returns and of cheating on tallying ballots.

It was the Commission's conclusion that the direct national election would effectively meet all the evils of the present system. As Professor James C. Kirby, Jr., a member of the Commission, has pointed out:

"District and proportional plans each fell short in more than one respect, but the following corrections . . . were projected to flow from direct election:

"First, all votes cast within a state would be reflected in the national totals.

"Secondly, by necessity there would no longer be a possibility of a 'minority President', in the sense of one elected with fewer votes than an opponent.

"Thirdly, there would cease to be any "pivotal states' as such because no state's votes would be cast in a unit.

"Fourthly, the so-called 'sure state' would disappear because candidates' efforts would be directed at people, regardless of location, and no Republican or Democratic minority in a state would be ignored because they were outnumbered there.

[4] Statistics from Petersen, A Statistical History of the American Presidential Elections, 168.

"For similar reasons the fifth evil disappears. The so-called 'swing vote' within a state would lose its special attractiveness with its power to tip a state's entire electoral vote one way or the other. The votes of a 200,000 voting bloc in a particular state would be only 200,000 votes toward a neces- These 200,000 votes would take on the same appearance to a candidate as any other 200,000 in the same state or anywhere else in the nation.

"Finally, fraud or accident affecting a particular voting place or locality would affect only the votes involved and could not cause an entire state's vote to be miscalculated." [5]

In supporting the pending proposal to bring about a really significant and lasting electoral reform, the American Bar is helping to bring to fruition an ideal sought by our forebears: it will assign clearly and incontrovertibly the choice of our executive to the people—which a great member of the Philadelphia Bar and a leading proponent of the Constitution, John Dickinson, called "the best and purest source".[6]

THE "PUEBLO" INCIDENT

Mr. McGEE. Mr. President, it is not surprising that Americans and, indeed, Senators are burning under the collar as the result of the *Pueblo* incident. We are all burning, but demands for hasty military action to retrieve the ship and its crew, or demands for an ultimatum carrying the threat of overwhelming military action, are unwise and unwarranted at this juncture.

Mr. President, if I may borrow from the words of yesterday's Evening Star, let me say that "the ultimatum and the application of military power are—quite literally—the last actions the United States should take."

Certainly, I do not propose that we abandon the *Pueblo*. To abandon her crew would be unthinkable. The United States is not delaying in its efforts to recover these men and their ship. It is bending all diplomatic poles in this direction and it has raised the implicit threat of military action, if that becomes necessary, by dispatching the U.S.S. *Enterprise* and its train of accompanying vessels into the waters off North Korea, and by other measures taken today.

Mr. President, there is another point which needs to be made in connection, not only with this incident, but with others which have risen in the past and may likely rise in the future. That is that the President, whose duty and burden it is to set the course of action at such times, is not always free in choosing his reaction but is met with the necessity to take into account decisions already made within the chain of command that leads to the White House. Thus it is that President Johnson's options were restricted in this incident, as Chalmers Roberts points out in today's Washington Post, because he was not informed of the events before the hijacking was an accomplished fact and until the *Enterprise* and her sister ships were already headed toward the Sea of Japan.

At this point, Mr. President, I would think it wise that Americans everywhere, and particularly those in this Chamber, restrain themselves in their reactions and in their demands. This incident, as the Star pointed out last night in its lead editorial, is not an isolated one. It comes on the heels of an increasing tempo of provocations in the Korean demilitarized zone and the infiltration of an assassination and sabotage team into Seoul. Today, the instinctive reaction to retaliate with force, though tempting to all of us, must be measured against the realization that the awesome power of our Nation carries with it vast consequences for all mankind and cannot be unleashed except as a last resort.

Mr. President, I ask unanimous consent that the lead editorial from Wednesday's Washington Evening Star and the news analysis regarding the *Pueblo* incident, written by Chalmers Roberts, of the Washington Post, be printed in the RECORD.

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

[From the Washington (D.C.) Evening Star, Jan. 24, 1968]

THE PUEBLO INCIDENT

As might be expected, the seizure by the North Koreans of the Navy eavesdropping ship, the Pueblo, has touched off a mighty roll of rhetorical thunder in Congress. Many of those who have no direct responsibility for the application of this country's terrible military power demanded immediate military action or, at least, the proclamation of an ultimatum.

The ultimatum and the application of military power are—quite literally—the last actions the United States should take.

The capture of the Pueblo and the casualties inflicted upon its crew are, without any question, highly provocative acts. It is, as the White House has said, a very serious incident. It is the first such seizure ever by a foreign power with which the United States was not at war, and the first capture of a U.S. Navy ship since February 4, 1862, when a Union cutter was seized in Galveston harbor.

In earlier days, when the power of the United States was limited to the weapons of conventional warfare and when the adversaries were more evenly matched, such insults to the flag and to the national dignity were considered acts of war. But today, the instinctive reaction of outrage must be tempered by a realization of the awesome power that this nation possesses and of the consequences of a major war to all mankind. Military force should be applied only as a last resort.

The reaction by the President and his advisers has been to seek the offices of the Soviet Union—which is fully aware of the somber consequences of a full-scale war—to talk sense to the North Koreans. This diplomatic thrust was coupled with a flexing of military muscle. The nuclear carrier Enterprise led a task force north from Japan for Korean waters. And that, for openers, was what was required.

The Pueblo affair is no isolated incident. Guerrilla raids into the South and other provocations have been increasing steadily in number and seriousness in recent months. During 1966, 50 such incidents were reported. In 1967, there were 543. And in this week have come the most serious provocations since the 1953 armistice, the infiltration of the assassination and sabotage team into Seoul and the boarding and capture of the Pueblo.

Some observers fear that this stepped-up activity could be the prelude to an outbreak of open warfare. But it seems highly unlikely that the North Koreans, if they were in fact preparing to resume major hostilities, would be accommodating enough to signal their intentions beforehand. In all probability, the purpose of the incidents has been to bolster morale on the home front, to keep a part of the United States military strength in the area pinned down, and to prevent the deployment of more ROK troops to South Vietnam.

So North Korea continues to tweak Uncle Sam's beard. And, in recognition of the size and strength of the diminutive aggressor, we have—so far—managed quite properly to hold our temper in check.

[From the Washington (D.C.) Post, Jan. 25, 1968]

PRESIDENT'S OPTIONS WERE LIMITED ON "PUEBLO'S" SEIZURE

(By Chalmers M. Roberts)

President Johnson's options in the Pueblo affairs were constricted by two critical decisions made down the chain of command before the Chief Executive even heard of the incident.

What is now known of the record goes to demonstrate once again how much a Commander-in-Chief is hemmed in by the actions of his subordinates.

These were the decisions involved:

1. The President was not told of the North Korean torpedo boat approach to the Pueblo or of its boarding until 2 a.m. Tuesday, Washington time, after the ship and its 83-man crew were securely in North Korean hands. By that time he was faced with an accomplished fact—the first hijacking of an American naval vessel by a foreign state in more than a century and a half.

2. The nuclear-powered carrier Enterprise and its accompanying vessels, which by chance had just left Sasebo, Japan, to return to duty off Vietnam, were turned about and headed toward the Sea of Japan opposite North Korea, again before Mr. Johnson was awakened. The President once more was faced with a fact—that American ships were heading toward North Korea in a show of force.

In the first instance, others made the fateful decision not to send aircraft to help the Pueblo, whether or not the captain had called for aid. Someone decided, without reference to the White House and apparently (although this is not yet certian) without reference to the Pentagon, to let the Pueblo's captain handle the torpedo boat problem.

That proved to be an irretrievable mistake that severely limited the President's ability to respond.

In the second instance, the President had no option open on whether to respond to the incident with a show of force. That decision was made down the line, apparently by CINCPAC, the joint command headquarters in Honolulu. Whether the Pentagon was even asked its advice is not yet clear. But certainly the President was not asked.

It may well be, of course, that Mr. Johnson, if he had been given the option, at once would have ordered the Enterprise and its naval train to head for North Korean waters. On the other hand he might have decided that to do so would be to overheat the already charged atmosphere and possibly limit diplomatic efforts to win release of ship and crew.

If further diplomatic efforts fail and with the naval force off North Korea, Mr. Johnson has the option now of using force in some form or of withdrawing the ships in the face of North Korean refusal to free the Pueblo.

[5] Statement of James C. Kirby, Jr., professor of law at Northwestern University School of Law, before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, May 17, 1967.

[6] Padover, To Secure These Blessings, The Great Debate of the Constitutional Convention 359 (1962).

The Pueblo case is not the first instance in which a President has found himself bound by what his subordinates have done.

President Eisenhower was boxed in by the mishandling of an inept cover story in the U–2 affair. President Kennedy, to some degree, was trapped in the Bay of Pigs debacle, something he did not let recur in the Cuban missile crisis. And President Johnson reacted, or, in the view of some over-reacted, to what he was told by the American ambassador in Santo Domingo in the Dominican intervention.

PRESIDENT JOHNSON'S LEADERSHIP IN NUCLEAR DISARMAMENT

Mr. BAYH. Mr. President, President Johnson has earned the plaudits of all Americans for his role in achieving a nonproliferation treaty.

This agreement has been high on his agenda since he took office. His message to the Geneva Disarmament Conference on January 21, 1964, proposed that nuclear and nonnuclear nations alike subscribe to a self-imposed limitation. On his instructions, the first draft nonproliferation treaty submitted by any nation was placed before the Conference on August 17, 1965. When it became clear after a year of fruitless effort that a basis for accord with the Soviet Union was not emerging, the President called on July 5, 1966, for an "acceptable compromise in language we can both live with."

Later in 1966, the President and Secretary Rusk met with Soviet Foreign Minister Gromyko, and Ambassador Foster, ACDA's Director, met with Soviet Ambassador Roshchin. Finally the negotiations began to move forward.

By the summer of 1967, the differences with the Soviet Union had been greatly reduced. In the President's meeting with Chairman Kosygin in late June they both recognized the common interest of the United States and the U.S.S.R., as well as the rest of the world, in preventing the spread of nuclear weapons.

Finally, when only small differences separated the United States and the Soviet Union on this issue, this Government moved to make safeguards acceptable to nonnuclear countries. On December 2, the President announced that when safeguards are applied under the treaty, the United States will permit the IAEA to apply its safeguards to all nuclear activities in this country—excluding only those with direct national security significance. With the nuclear and electric power industries in full support, the President stated:

> We in the United States are not asking any country to accept safeguards that we are unwilling to accept ourselves.

As a result, the administration expects the treaty's safeguards requirements to be generally acceptable to many nonnuclear countries.

This treaty will be a positive and significant step toward our goal of preventing nuclear catastrophe. It must be followed by other steps if we are to achieve that goal. In the Pastore resolution, Congress unanimously supported America's efforts to achieve this treaty. I am sure that Congress will continue to support the efforts of President Johnson and the members of his administration who have labored hard and long to reduce the dangers of confrontation in a nuclear age.

EQUAL PROTECTION OF THE LAWS

Mr. SCOTT. Mr. President, I ask unanimous consent that an editorial published in the Philadelphia Tribune on January 13, 1968, be printed in the RECORD. I believe that it is pertinent to the debate on the pending rights-protection bill.

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

THE 14TH AMENDMENT VIOLATORS ARE GUILTY OF CRIME

Article 14, section 1 of the U.S. Constitution: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." (July 28th, 1868.)

The above Amendment was enacted nearly 100 years ago for the specific purpose of assuring Negroes absolute equality of citizenship rights the same as all other citizens.

It seems fitting and proper that during this period when there is so much talk about "crime in the streets" and the need for law and order that all Americans should read and study the foregoing section of the 14th Amendment.

Many of those who are now shouting the loudest about the need for law and order and the crackdown on criminals were as quiet as mice while the Constitution of the U.S. was openly and flagrantly violated. Wise men on both sides of the color line have been preaching for a century that the denial of equality of citizenship rights to Negroes was not only unconstitutional, unlawful, unChristian and inhuman, but dangerous. The racial bigots refused to listen and even many so-called "good white" people were not willing to go all out for complete equality for Negro citizens.

While there is no attempt to condone crime, those who are now shouting loudest about crime in our streets must understand that they and their forebears are largely, if not altogether, responsible for the lawlessness about which they complain. It is clear that unless all laws are enforced none will be.

For almost 100 years the clear provisions of the U.S. Constitution have been violated with impunity by the leaders of America in politics, business, industry, and government, both nationally and locally. Negroes have been persecuted and maliciously treated in a manner which the entire world knows.

Those who violate the 14th Amendment and other laws guaranteeing equality of rights to all citizens are on the same level with the common criminals whom they condemn.

AMERICAN FARMERS BENEFIT FROM ADMINISTRATION'S INTERNATIONAL GRAINS ARRANGEMENT

Mr. BAYH. Mr. President, in his message today, President Johnson noted that the international grains arrangement is another step forward in the administration's effort to provide for economic stability of our great wheat-producing States.

It seems to me that the President is correct in this judgment. This arrangement will be a source of strength to our farmers. It will provide them with minimum and maximum price protections that are substantially higher than in the 1962 International Wheat Agreement. This will help to protect our farmers against ruinous price cutting in world markets.

This arrangement also insures that American wheat will be priced competitively in world markets, and that no exporting-member nation is placed at a disadvantage because of fluctuations on the world market.

The need for such protection is obvious. I commend the President for his leadership in insisting that such protections and safeguards are major instruments in the new arrangement we are considering.

There can be no doubt that the Nation's wheatgrowers will react enthusiastically to this international grains arrangement. In fact, to date the reaction has been overwhelmingly positive.

The administration has presented an important resource for continued agricultural growth and development in the United States. It has also insured that the United States will continue to lead the way in supplying nourishment to those millions in the world who are dependent upon grain imports for this sustenance.

Mr. President, in my opinion, the Senate should promptly ratify this important international arrangement.

THE CREDIBILITY CANYON

Mr. FANNIN. Mr. President, my offices in Arizona and here in Washington have been deluged with messages regarding the seizure of the U.S.S. *Pueblo* on the high seas.

It appears that once again the administration has fallen into its "credibility canyon" and the American people are simply not going to stand for it.

Obviously we have not been told the whole story, and time and time again we have found the administration reluctant to give the American people the information to which they have a right.

Now we are informed that certain Air and Naval Reserve units have been activated by the President.

If the American people are to be called on to disrupt their lives and families, and make personal sacrifices, they certainly have a right to know the cause and circumstances making such a sacrifice necessary.

I am urging the President, through every means at my command, to give us all the facts surrounding this incident and to take whatever action is necessary. He must use the force necessary for the protection of the sovereignty and dignity of the United States and its fighting ships and fighting men.

INTERNATIONAL GRAINS ARRANGEMENT OF 1967

Mr. McGEE. Mr. President, in his forthright state of the Union message, President Johnson announced that he would recommend programs to raise the

income of the American farmer, and to help him bargain more effectively for fair prices.

The international grains arrangement of 1967, which today was sent to us by the President, will certainly serve as a strong economic aid to our farmers and is also an instrument of international cooperation.

The arrangement is the outgrowth of the Kennedy round of trade negotiations initiated by the late President, and completed a few months ago by President Johnson.

The Wheat Trade Convention, which is an essential part of this arrangement will, I believe, be greeted enthusiastically by farmers North, South, East, and West. It will provide for new prices for wheat in foreign trade at higher levels.

The Food Aid Convention will bring together wheat exporters and those nations which need wheat. The more affluent nations of the world will agree to help their more needy neighbors. Food aid should no longer be just an American effort, but an international effort, in accordance with the policy set forth in Public Law 90–7, which we enacted last year.

Mr. President, I think the international grains arrangement with its two elements—providing new insurance against falling prices in the wheat export trade and creating an international partnership for the war on hunger—deserves bipartisan support and the Senate's ratification.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

INTERFERENCE WITH CIVIL RIGHTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 705, H.R. 2516.

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

The BILL CLERK. A bill (H.R. 2516) to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate resumed the consideration of the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOLLINGS. 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 Senator from South Carolina is recognized.

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

Mr. HOLLINGS. I am happy to yield to the distinguished acting majority leader.

Mr. BYRD of West Virginia. Mr. President, I note that the distinguished—and I mean distinguished, not only from the standpoint of appearance, but also from the standpoint of ability and experience—junior Senator from South Carolina is speaking, and quite appropriately so, from the desk which was once occupied by his great predecessor, John C. Calhoun, who was elected to serve in this body on December 12, 1832, and who took the oath of office on January 4, 1833 and resigned to become Vice President of the United States on March 3, 1843. Senator Calhoun again was elected to serve in the U.S. Senate from November 26, 1845, to March 31, 1850, when he died.

I think it is appropriate that the distinguished Senator from South Carolina [Mr. HOLLINGS], whom we greatly admire as a statesman and love as a friend, is today speaking from the desk of one of the all-time great Members of the greatest legislative body in the world, the Senate of the United States.

Senator HOLLINGS is a great Senator in his own right, and the people of his great State can justly be proud of him. He serves them diligently and well, and he is making a good and favorable impression on his fellow Senators. He will make his mark, and he will continue to follow in the path of his eminent and illustrious predecessor—the path of service to his State and to the Nation.

Mr. HOLLINGS. Mr. President, I thank my distinguished colleague, the Senator from West Virginia, for his most gracious and overgenerous remarks.

I am inspired by the fact that I am able, on behalf of the people of our great State, to make a few remarks in the Senate this morning from the desk of John C. Calhoun. I know that some would say they hope I would have better luck.

John C. Calhoun's Dissertation on Government which he enunciated so eloquently in this Chamber over 100 years ago is still being debated today with respect to the present legislation.

We could go to the heart of the pending measure, the allocation under the Constitution of the political powers to the several States; and even the cosponsor and advocate of the pending measure, H.R. 2516, the distinguished Senator from Michigan [Mr. HART], talks of a concern for a national police force, the point being, of course, that the police powers have been relegated to the States.

I believe—since the Senator from West Virginia was remarking upon the distinguished Senators of all time—that one of my predecessors, James F. Byrnes, who served with some of my present colleagues, had this same desk assigned to him during his distinguished years of service in the U.S. Senate.

James F. Byrnes stands today as one of our greatest Senators of all times. He is still living and in good health and mind and spirit in South Carolina.

Mr. President, as to the merits of the pending legislation, I have listened with great interest, mostly while presiding, during the course of this debate. We have heard the Senator from North Carolina [Mr. ERVIN] point out the constitutional questions that should be considered. We have heard the distinguished senior Senator from Florida [Mr. HOLLAND] tell of his experiences as a judge in the administration of the law as between the races, and the practical experiences and concerns that he had when he was serving in the great State of Florida.

On yesterday the Senator from Alabama [Mr. SPARKMAN], who was once a candidate for the Vice Presidency of the United States, spoke so eloquently of the legal concerns experienced by those who are opposed to the pending legislation. These concerns are all based not in the interest of a filibuster, but in the interest of fair and just legislation.

The Senator from Alabama told of his experience with the banking laws and financing the Federal Housing Administration and Government-financed dwellings, and how in title VI of the Civil Rights Act of 1964, after strenuous debate, the exemption against federally financed housing was included. He described how the pending legislation would make it a Federal crime were there any intimidation or anything that could be interpreted as interference with civil rights.

I think I could make some contribution to the pending matter by citing some of my experiences with relation to the pending legislation.

When we talk of law enforcement and when we look at the list of distinguished witnesses that appeared before the Committee on the Judiciary, we find not a single witness, from my quick glance at the record, who has had this problem of law enforcement. No chief of police or mayor of a city, who acts as the chief law-enforcement officer of that municipality, is listed. No Governor, who serves as the chief law-enforcement officer of his particular State, is listed as a witness.

The proponents would immediately say that is just the problem, that they have ignored their duty and have not answered up to their responsibility.

I believe it was the distinguished Senator from New York [Mr. JAVITS] who discussed at length the various crimes that have been committed in Alabama, Mississippi, and several other States that have gone unpunished.

The proponents of the pending legislation are talking about the arrest and apprehension of criminals and trials by southern juries.

With relation to the phraseology of the provisions of the pending legislation, I am not so sure but that every southern jury—if it is to be impartial and motivated on account of race, religion, color, diversity of political territory, or previous servitude—would be given carte blanche authority by virtue of what would apparently appear to be based on reasonable legal grounds to render not guilty verdicts.

The fact is that I looked to South Carolina to determine what our experience had been. There is only one agency which lists, and mistakenly, any death involved with respect to a civil rights movement

or a citizen seriously injured or killed in the pursuance of his Federal constitutional right. This was a murder case in Allendale, listed by the Southern Regional Conference, out of Nashville. The defendant, a white man, at the time he shot the deceased, a Negro, in the altercation, while under the influence of alcohol, also shot a white man, who did not die. The defendant shot a Negro and a white man, and in no sense did it involve anyone in the pursuance of civil rights.

Mr. President, the point is that in the State of South Carolina we have had an experience of absolutely no murders or deaths or anyone having lost their lives as a result of sit-ins, marry-ins, bury-ins, wade-ins, and all other allegedly peaceful demonstrations.

At one time I was the chief law-enforcement officer of the State of South Carolina, and perhaps in one respect this would assist me, because I am a freshman Senator. When others were building up seniority, I had the responsibility about which we are talking. I learned at a very early point in the exercise of a distasteful task—and I believe that is fundamental, Mr. President, to the public official and the question of rout and riot—that the public official never has one vote when playing policeman. The contrary is true. The public official likes to learn where the need is. He likes to listen to the leaders of minority groups, underprivileged groups, those stricken with poverty and everything else. He likes to listen to their exhortations, find the direction in which the parade is headed, and then get up and identify, be a leader, and say that he has concern.

I do not allude to this matter disparagingly, but it is a fact that the mayor of the great city of Detroit, from where the proponent of this measure hails, cannot have it said that he enforced the law without loss of life or limb. The very day that the riot started in Detroit, Mayor Cavanagh—I understand that he is an outstanding mayor, and he was eulogized in Time magazine as being a "hep" mayor, that he had seen the problem and was doing something about it—was in Washington and had succeeded, during the previous 24-month period, in pushing through grants of some $43 million for the city of Detroit. But that is not where the leadership is needed.

It reminds me of the time I tried one of my first cases, and the other side had two lawyers. My lady client kept pulling at my coattails, asking where the other lawyer was. I told her it was all right, that I was handling the case, I was doing all right, I was examining the witness.

She kept pulling, and I finally turned, annoyed, and asked:

What do you mean? What do you want another lawyer for?

She said:

The other side has two lawyers. When the one lawyer is examining the witness, the other lawyer is thinking. When you're up there examining the witness, ain't nobody thinking.

I believe that while the mayor, under this system of categorical grants—another subject about which I could speak for an hour—was compelled to be in Washington, getting his money, nobody back home in Detroit was thinking, nobody was assuming the responsibility of calling the hand on both Negro and white.

I should like to emphasize this, Mr. President, because this is one of the keys. One learns certain things by experience. One of the keys to the enforcement of the law is to make absolutely certain that the law is enforced impartially and to make that clearly known.

I have on my desk—I will not introduce it at this time for the RECORD—a collection of public announcements that I made as the chief law-enforcement officer of the State of South Carolina during the trying years of 1959 and 1960; also, during 1961 and 1962, before I left office in 1963. I had to make absolutely certain that there was impartial law enforcement.

The bill we have under consideration today makes absolutely certain that there is partial enforcement; and on the basis of my experience, I can state that there will be tremendous discord. Instead of preventing the riot, it will promote the riot. Instead of assisting law enforcement, it will hinder law enforcement, I will say that with all the sincerity at my command.

I will get right to the point with the distinguished Senator from Michigan. I listened to his colloquy the other day with the Senator from Florida, and I could not counter it at the time because I was presiding. The Senator from Florida had spoken with tremendous pride in praise of the progress being made in the State of Florida, and justifiably so. He had told of Florida A. & M., of its great football team, great hospital and other facilities, and the great progress it has made. The distinguished Senator from Michigan spoke as follows, and I quote from the RECORD of January 23, at page 676:

Mr. HART. This is a matter that is not solved on the basis of how many vote for it and how many vote against it. Most of us who support legislation such as this do so in the belief that there is a principle that no matter what the majority attitude is, a minority cannot be denied admission, on equal terms, to these facilities.

Florida A. & M. has a great football team and it has a great hospital. And would it not be nicer to say it is the best hospital in the Southeast, period, instead of saying it is the best hospital in the Southeast for Negroes?

Mr. President, would it not be nicer, would it not be constitutional, would it not be effective, if we could say, as to H.R. 2516, that this is a bill to protect an individual citizen in America in the exercise of his Federal rights, period, rather than say that this is a bill to protect the individual citizen exercising his Federal rights because race was involved?

That is the very point, the distinguished Senator said, and he spoke with much emotion. He said that is the key—that is what we have in mind. If you oppose this trend of civil rights acts and measures of this type to bring about equality of citizenship, equal justice under law, but only understand that the imprimatur "Negro" itself is offensive, or one race or one religion or one previous condition of servitude or one color, that is what it is all about.

Mr. President, I want to agree with the Senator from Michigan. Cut that out of the bill, and I think all of the talking will stop. That is what we would say.

Mr. HART. Mr. President, will the Senator yield very briefly?

Mr. HOLLINGS. I yield to the Senator from Michigan.

Mr. HART. Mr. President, not so much to make comment on the basic point made by the Senator from South Carolina, but because a reader of this RECORD today might not have at hand the RECORD of January 23, I wish to state that, of course, the Senator from South Carolina quotes me correctly as he read the excerpt from the RECORD of last week. However, I wish to make clear that my comment at that time was in response to the statement that had been made a few minutes before by the able Senator from Florida. He was discussing the magnificence of this hospital, and he described it in the words I later referred to; namely, the finest hospital in the Southeast for Negroes. It was for that reason that I rose to say it would be nicer if it could be said it is the nicest hospital in the Southeast—period.

Very briefly, to respond to the suggestion of the Senator from South Carolina that this is comparable to the criminal statute which is here proposed, I wish to state that there is a demonstrated need and desirability for opening that hospital for all persons equally. But we feel that there is not yet demonstrated a need for opening for criminal prosecution every altercation on the highways of this country, and it is for this reason that restricted the majority of the Judiciary Committee the intrusion of Federal criminal power to those racially motivated altercations.

Mr. HOLLINGS. Mr. President, in response to the statement by my distinguished colleague, the point is still the same. What we are trying to do is to pass laws that are not motivated racially; certainly not to include that language.

One of the keys to law enforcement is impartiality. Mr. President, I do not for a second try to cover or obscure the difficulties we have in my State: The root causes of unrest, the root causes of certain uneasiness within certain groups, the lack of housing, the lack of job opportunity, the lack of education and training, and poor health conditions. They are just as predominant in the State of South Carolina, I would say, as they are in any of the other 49 States. Yet, at the same time, with the predominance, and if one agrees with all the studies—and we will get the reports, any interim and any future reports—we can predict that in the crime commission report to the President they are going to say the reason for these things is unemployment.

That is what the President said in the state of the Union message. He referred to the hard-core jobless, whatever "hard core" is. We have just as much joblessness as they have in any other State. We have just as much need for the improvement of our health facilities, and we are working on that. We have

launched tremendous programs statewide, to the credit of our Governor and the General Assembly in South Carolina, civic leadership, and mayors of the municipalities. We have launched technical training programs so that the jobless could learn a skill and be employed. And yet, we have not had one killed. Having served in the capacity of Governor for 4 years, I believe it was because there was that key impartiality.

Perhaps I could describe more in detail, because I think the point is so significant. When they started the first freedom rides in 1959 and 1960, we got word from the leadership of those rides of the discussions being held. They were too close, they thought, to the Nation's Capital in Virginia, to become somewhat cosmopolitan, being affiliated with the Capital, and they really wanted to go south. North Carolina was looked at, and because of its progress in education, and justifiably so, as being one of the liberal Southern States, and they wanted to go to one of the Southern States which could be characterized in national headlines and columns as the Deep South, they came to South Carolina.

They started in the Rock Hill area. Very fortunately we had an outstanding municipal enforcement group there. Learning of the approach and their plans, I made the statement then, as the chief law enforcement officer, that we were going to enforce the law impartially, not because of race. I do not believe I could have lasted in office for 2 days if I had gotten up and said: "Now we are going to enforce the law because of race," which is what this bill provides. I stood up and I said on television and radio alike: "We are going to enforce the law regardless of race. A man's right as a citizen is his right." We are going to have law and order, and that is what we were talking about.

They started in after some of the rides with the sit-ins at the lunch counters. We had learned from the experience in Nashville, Tenn., that someone would lead these poor little colored children in and on to the stools in the drugstores or dimestores; and that thereafter the crowds of white persons would congregate, some 200 or 300 in large measure punks, we call them, for they are punks with ducktail haircuts.

I am amused by our billboards that say, "Beautify America. Get a haircut." That is the first thing I am going to do before I go down there this weekend.

These punks had peg-leg breeches and they had their shirttails out. They would all crowd in behind the lunch counter. These little colored children would stay there until they had to get something to eat or go to the bathroom. When they would get off of the stools, the others would dive for the stools, and there was the contact, and there were the riots. Some 17 people went to the hospital in Nashville, Tenn. I could not afford to have that happen. You can talk all you want about riots.

I had a most interesting discussion with the lawyer for a 5- and 10-cent store. I said we were going to enforce the law impartially and that we were not going to have crowds congregating in the 5- and 10-cent stores because, from our experience there it was not based on racial prejudice or trying to take the side of anyone, but just taking the side of everyone for law and order.

I said that I would allow 14 people in to shop in the 5- and 10-cent store and 14 out, and that is what we did. That is exactly what we did. We did that to keep the persons from being hurt and maimed. I had to control them outside the store where, as the chief law enforcement officer of the State of South Carolina, I had that responsibility.

The storekeeper came in and I said:

> If you serve them on this counter, it seems you would serve them on that counter, but there you segregate them and there you integrate them.
>
> That is a question for your conscience, but when it comes down to law and order and domestic tranquility, 14 in and 14 out.

Well, the lawyer told me that the Supreme Court decision prohibited that kind of conduct. I never have bothered to study it further. I know that the Supreme Court decisions are paramount in this particular field. I will state exactly what I did and will allude to it in a moment. He said, "We will have a marshal come down." I said, "Send in Chief Justice Warren. No one is going to get hurt. That is my rule until I change it." Under that particular rule, rather than standing at the distinguished desk of John C. Calhoun, I would be behind bars as a criminal for having interfered with or intimidated someone in the exercise of his right as a citizen to go into a 5- and 10-cent store.

Mr. HART. Would not the Senator be more likely to run afoul of the Ervin amendment, because he described having intruded on the exercise of someone's right, because the Senator was not racially motivated, as he would be required to be under our bill?

Mr. HOLLINGS. No. The Federal court or Supreme Court indictments would come down because I was racially motivated. The key is to get race out of the statutes. The key is to get race out of the minds of some of those in authority in other parts of the country, particularly the U.S. Supreme Court.

We are proud of the Negro in South Carolina. We are proud of him as a citizen. We are proud of the contribution that he is making.

Mr. President, this would be a good time to interject something about the leadership of the Negro race in South Carolina. We have had difficulties. I have not always benefited politically from their votes. The fact is that during this period of time I was picketed as a "Jim Crow" Governor. There have been other demonstrations and things of that kind. But they are bound to occur. The main thing is that we take action impartially for all citizens and not because of race but regardless of race.

I am thinking specifically now of something which did not come to the Governor, pertaining to a law-enforcement officer who would grab a prospective "customer" going into a five-and-dime store by the arm, and immediately they would have had some lawyer from a northern group filing warrants and everything else right away. There is no doubt in our minds, and from my own experience, that the Attorney General of the United States, at that particular time, would have joined in the arrest and had the law-enforcement officer under subpena, stating:

> You are not really hurting anyone but you are guilty of a federal crime.

That would never have come to me.

The Ervin amendment would eliminate the racial aspect of this situation.

Mr. President, there is one point which should be emphasized at this particular time, because it was raised in questioning by the distinguished Senator from Michigan; namely, individual rights.

There is no absolute right of any individual according to the Supreme Court decision. There is an absolute right to this Nation and its people.

In speaking of the exercise of freedom of speech, religion, and assembly guaranteed by the U.S. Constitution, the Supreme Court of the United States in the case of American Communications Association against Doud had the following to say:

> We have never held that such freedoms are absolute . . .

When the President of the United States comes before Congress and presents his state of the Union message, and states categorically that the problem of law enforcement is not in Washington but back in the cities, I want to tell you, Mr. President, as one who has had experience, that the problem is in Washington.

Rather than having 100 extra assistant U.S. attorneys, I should like to have 10 extra clerks employed in the U.S. Supreme Court to find the common law, find the Constitution, and in particular pertinent decisions, such as the following:

> We have never held that such freedoms are absolute. The reason is plain . . . the exercise of First Amendment rights.

Salus populi suprema lex. I apologize to the distinguished Senator from Michigan for using the Latin language, when even the Catholic church has sort of abandoned it. But the safety of the people is the supreme law.

Talk about training police officers: We have been training them day and night. We have been coordinating Negro and white leadership; we have been coordinating community leaders and State law enforcement officers. We have worked very closely with the Federal Bureau of Investigation. I think there is unusual cohesion, coordination, and harmony among law-enforcement officers at the Federal, State, and local levels in South Carolina. That is another reason why we have been blessed in not having lost a life as a result of civil disturbances. No one has lost his life in the exercise of his civil rights or in a demonstration or a peaceable assembly.

The President should realize that after the well-trained police officer makes an apprehension and brings his culprit into court, he finds circumstances that are almost intolerable. The court immediately puts handcuffs on the officer. He is examined and cross-examined with re-

spect to everything from an admission to a confession. He is not allowed to wiretap, although organized crime is. He is not allowed to do this; he is not allowed to do that.

The Supreme Court has gone so far with respect to the exercise of individual rights that it has used the same terminology in its decision to allow a Communist to work in a defense plant, finding that his individual rights had not been protected.

That is where the problem of law enforcement lies. I congratulate the President for saying in his state of the Union message that we are going to have law and order. But I wish, rather than just to say that we need more FBI agents or more U.S. attorneys, which possibly are needed, he would come to the crux of the matter and say that H. Rap Brown will go to jail after having received an impartial trial, and that Stokely Carmichael will be arrested and tried. The people of America would then get the message. They would not be so uneasy Our chief law-enforcement officials simply cannot seem to understand the threat to domestic tranquillity, as provided for under the Constitution. The activities of such characters arouse uneasiness and unrest in the land.

I should like to quote the following comments from *Feiner* v. *New York* (340 U.S. 315):

> No one would have the hardihood to suggest that the principle of freedom of speech sanctions incitement to riot or that religious liberty connotes the privilege to exhort others to physical attack upon those belonging to another sect. When clear and present danger of riot, disorder, interference with traffic upon the public streets, or other immediate threat to public safety, peace, or order appears, the power of the State to prevent or punish is obvious.
>
> The findings of the New York courts as to the condition of the crowd and the refusal of the petitioner to obey the police request—

Mr. President, let me stop in the quotation right there and make a comment here. Let me repeat—

> the refusal of the petitioner to obey the police request.

Would not that be fine if that were all that were involved? Here now we are asking Congress to pass a law that not only allows a citizen to refuse, but turns around and makes the law-enforcement officer guilty of a Federal crime.

Who is going to enforce the law? Who would go out under those circumstances to enforce the law in times of public disorder? And this is the need of the hour.

None of us are proud of what happened when race workers came from New York, or wherever it was, down to Mississippi, and were later found, buried. All of us were shocked by that particular occurrence. We are shocked by other cases that go unsolved. But I can tell you advisedly, Mr. President, having worked in this field—and I have been down home listening, where the problem is—pass a law like this and we would not get a conviction of any kind. It would have to be proved because of race. Oh, yes, they will get indictments; they will get politics out of this; there is no question of that. In my considered judgment, that is why the proponents hold on.

They are not interested in law enforcement. They are not interested in riots—period. It has been said, "Do not add 'distinguished colleges for Negroes;' just say 'distinguished colleges'—period." I say call it just law—period—not just one law for Negroes.

Look what we have before us. Not a proposal for enforcement, not anything to bring about understanding, not something to refer to the trouble at hand—riots in Detroit, Newark, Watts, and other cities in America. That is the real problem. The problem now is to give every possible assistance and support we can to law enforcement in this Nation.

Unfortunately, the law-enforcement officer is immediately put on trial.

I have submitted an amendment to the desk, which, of course, is not the pending business, but which would strike from the very first context or language of H.R. 2516, the words "under color of law," on page 7, the first section of the bill, section 245, "Interference with Civil Rights." The language reads:

> Whoever, whether or not acting under color of law . . .

That is not really going to be explained with any enthusiasm or comprehension to one burdened with the duty of enforcing the law. That is going to be explained to the vote groups. It is going to be said, "We put in 'under color of law'. We are going to get the Southern sheriff, or this enforcement officer. We are going to get police brutality." So, in trying to satisfy the hard case, of which no one talks, like Sampson, they would pull down the temple walls and ruin us all in the effort. Now at the time when this country needs law enforcement, Congress would give the police officer a kick in the pants.

Look at the list covered under this section:

> . . . voting or qualifying to vote, qualifying or campaigning as a candidate for elective office . . .

Law-enforcement officers have certain duties. During election days there are various regulations in effect. They close down liquor stores. Other measures are taken. People congregate at polling places and other places on election days. Extra police officers are on duty that day to handle crowds and the congregated places near the voting booths. So law-enforcement officers are called upon to do their duty. Just about the time someone steps out of line, uses loud or abusive language, or even politics around a polling place, a law-enforcement officer taps him on the shoulder and says, "Quiet down; we cannot have this." Bang, he is made a Federal criminal. He has interfered with a citizen in the exercise of his constitutional rights under color of law.

So we are going to end up trying a law-enforcement officer who happened to be around on election day.

The section reads further:

> . . . enrolling in or attending any public school or public college.

We have made tremendous progress in this particular area. I emphasize the word "tremendous," because some booklets have been going around to the effect that there are more students going to segregated schools in America now than there were prior to the decision in the Brown against Topeka Board of Education case in May 1954. There may be in other areas. Private schools have sprouted up. But the fact of the matter is that the regular public schools and institutions, for all intents and purposes, have been integrated in the South, and under peaceful conditions. For example, in the high school that my daughter attends in the city of Charleston, the ratio there is about 37 percent Negroes. In Charleston High School, my alma mater, the same school I attended that is true. That is true of other schools there. There is another high school, Rivers High School, in the city of Charleston, where the ratio is about 50–50.

But we have safety guards, traffic guards, and police officers who frequent school properties. They are there to look out for the children. If they do not like a certain thing they see, and they run out to tell the little child—all children are unruly; we have unruly white children and we have unruly Negro children—Lord help the unruly white child, because he is going to get no privileges, assuming the officer is white. But if the officer out in front of that school is white, and a little colored child runs out, and the officer sets him back, and he complains to his daddy, and his daddy does not like that particular officer, he can go to a lawyer, and they will have a warrant out against that officer for interfering with that child in the exercise of his civil right to attend that school.

Talk about 100 FBI agents. Lord knows where they are going to get the prosecutors and the juries. The entire court system will soon be clogged, with this type of law, Mr. President.

It is very spurious and very dangerous, but unfortunately it has not received the public attention it deserves, because bills such as this all fall into the category of special interest bills. If you are from a particular area, and you get the vote, there you put in the bill and say, "Look what I got for you."

No law enforcement officer asked for this measure. Not one. The Attorney General of the United States appeared, but no one as a chief enforcement officer of a State came asking for this legislation.

The next item is:

> (3) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States, or by any State or subdivision thereof;

The same comments that pertained to schools and pertained to voting places would also pertain here.

Subsection (4):

> applying for or enjoying employment, or any perquisite thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

Some people get the jobs; some people do not. If there are white officials in charge of the employment agency, and a Negro is denied the job, there is the war-

rant, there is the indictment; he is being charged with a Federal crime. We are going to make Federal criminals out of all those people, just like the FHA authorities that the Senator from Alabama [Mr. SPARKMAN] pointed out yesterday.

Next:

serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States or of any State;

The question of the impartiality of jurors, and the right of the Negro to serve on juries, is paramount in my backyard, the southern part of the United States. I have defended Negro clients charged with murder and other crimes.

Mr. President, let me state, as a trial lawyer, that we can pass all these bills we want about trial by jury, and the right to service thereon, but whether right or wrong, the fact remains that if I have a Negro client charged with murder, the last thing, as a defense attorney, that I want on that jury panel of 12 is a Negro juror.

The civil rights message submitted yesterday with respect to juries would have us believe that that is what the Negro defendant wanted, that he could have a Negro on his jury so that he could look out for him as a Negro defendant, while the white man would look out for the white defendant.

Any lawyer who would believe that has not tried many cases down in our backyard. The fact is that there they know that the white jurors will invariably give them every benefit of the doubt. The Negro juror has a propensity to try himself. When he gets back in that jury room, the first thing you know, he has not listened to all the facts, but he wants to show that he is for that flag, and he is for this system, he is for the judge, he is for the prosecutor, he is on the side of the State, he is with the Government, and he is voting for a conviction. He tries himself every time; whether consciously or unconsciously, this occurs, and those who handle criminal cases as defense attorneys for Negro people—even Negro attorneys—will tell you the same thing.

But, of course, this bill does not allude to the need of the hour. It does not refer to riots. It does not refer to the need for law enforcement. It refers to discrimination, and it says, on the face of it, "What we are going to do is discriminate. We are going to give this right and this protection to a certain class of citizens, and deny it to all other citizens."

We are not talking about civil rights. We are talking about criminal wrongs. In a criminal case, you have got to prove first the jurisdiction. I am looking now at a distinguished former prosecutor [Mr. TYDINGS]. Before we can establish jurisdiction of a particular alleged offense under this measure, H.R. 2516, we have got to prove that there was a diversity of race, religion, color, or politics. The U.S. attorney, if he cannot put that element into the indictment, will not even get a true bill.

But they are not interested in enforcement; they are interested in votes. That is what they are interested in. Why not give it to all, and seek enforcement impartially, across the board, for all citizens?

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

Mr. HOLLINGS. I gladly yield to the distinguished Senator from Maryland.

Mr. TYDINGS. Would the Senator advocate that the U.S. attorneys take over the prosecution of all felonies, regardless of whether they are Federal crimes or State crimes?

Mr. HOLLINGS. No. The distinguished Senator from Maryland knows that I do not advocate that the U.S. attorneys take over the prosecution of any crimes. Having served in public office since 1948, for about 20 years, as a legislator, as Lieutenant Governor, as Governor, as the chief law-enforcement officer, working with the FBI, working with the local law-enforcement agencies and with the State law-enforcement agencies, I do not find, may I say to my distinguished colleague, the gap in the line to be Federal jurisdiction.

I am simply saying that if we are going to pass a law to give Federal jurisdiction, then let us give what the word says, Federal—Federal means the entire Nation—national jurisdiction, for all the people and not for a part of the people. That is all I am asking: That the same offense, the same act of violence, the same intimidation, the same interference, I say, "Yes, if they are going to take it over, if Congress believes—and apparently there is a substantial group within this body who do believe this—that there is a need, I do not think there is, but if they believe there is a need, then, for heaven's sake, let us do it impartially."

Mr. TYDINGS. But is not what the Senator is advocating, rather than make this legislation, which deals with the prevention of crimes with racial motivation, really to take the control of criminal prosecutions out of the hands of the State and local prosecutors throughout the United States, and to give all felony prosecutions to the Federal attorneys? Is that not what the Senator advocates?

Mr. HOLLINGS. I do not advocate any bill. Let us make that absolutely clear. I intend to vote for this because I believe the Negro deserves it, not because he is a Negro, but because he is a citizen. That is my position.

Now, with respect to what is the need and what we really have to have, it is obviously more rather than fewer State prosecutions, because the Federal Government is not doing its job now. When H. Rap Brown left the distinguished Senator's State of Maryland, and was later found in the State of Virginia, having violated the Federal fugitive law, and the Federal authorities had him, why did they not prosecute? Why did they not take over, why did they not turn him over to the State and go through extradition proceedings?

The trouble today is that the Federal Government is not doing it. We are not trying to say that the States are not doing it and that therefore we should give it to the Federal.

As far as advocacy goes, I would say let us have 100 more State attorneys rather than U.S. attorneys. We would get more and better work done.

They have tried hard. They have had hard cases to prosecute. It is not easy. However, we should not come up here with a political bill that is directed toward part of the citizenry and then act like it is impartial and fair.

We know what this is all about.

The pending legislation makes one class of citizen a specially discriminated-against class of citizen and, on the other hand, guts law enforcement in this land at a time when we need it so badly. It is proposed to do this under color of law.

How can we explain this to a law enforcement officer and say: "Now, look. Remember when you go out to try to handle those unruly crowds that it must be done this way."

We have handled many such unruly crowds.

I have told about the congregation matter. However, I have also had trouble with the press. That is a lesson that we learn.

When we talk about law enforcement in the civil rights field, we must remember that the press congregates on these occasions.

I was very much frustrated in trying to see how we could solve that problem, because the press finds that college X is going to integrate. So, 200 to 300 news media representatives come right down to the campus and they want to be there early and get the scoop and get the headlines. However, they find that nothing is happening by the second day.

So, to make sure that the boss does not think the fellows are out some place living it up and not doing their work, the news media will go to some of the students and say, "You fellows in the fraternity give us the raspberries."

The students are glad to oblige, and the photographer is grinding out his pictures. He is then able to say, "We have a little heat going on down here on the campus."

By the third day, they are about to start something to get the fraternity stirred up.

I went to the then Cape Canaveral, now Cape Kennedy, to witness the blastoff of Wally Schirra on the sixth orbital flight. We were present in a bunker, and then we went back a mile to Mercury control.

I looked around and said, "Where are Roy Neal and the other fellows I always see on TV covering Mercury control?"

They said: "Governer, we don't allow them in here. The primary function of Mercury control is to keep hot these lines of communication."

They had young military personnel there, and the average age was about 34 years. One was checking the heart beat, and another one was doing something else and another was doing still something else.

The news media are still further away from the blastoff and they stand around in a big circle and they have their telephones. The trail is going out from the capsule and the experts study the trail and they are versed in the matter and they know what is going on.

Shorty Powers gets up and says that

the maladjustment experienced over Perth Amboy has been corrected and everything is A–OK. The news media make up a half-hour broadcast from that short announcement. That is how it works.

I wondered about that and thought that if they will agree as a profession not to get into Mercury control so that those people can do their work, maybe they will agree to stay out of Clemson College and let us get on with our work there.

So, when Harvey Gant, the Negro to be admitted—and, parenthetically, he graduated high in his class and is doing exceedingly well—was admitted to the college, at a time after I had left office, the policy had been laid down.

The president of Clemson College got the news media together and said: "You can start at the college and you can follow him to lunch or to the bathroom or to the classroom or anywhere, but at 8 o'clock the story is over. You can then come over here and we will entertain you."

They objected at first. But he said: "No. This is what you do at Mercury control. If you can agree to do that there, you can agree to let us get on with the orderly processes of higher education."

They agreed. They got their stories. They followed him around and then they left the campus, and that was it. However, that is another lesson that we learn about law enforcement.

I would hate to have to put that into the law. The freedom of the press would be infringed upon. However, this is the area we are talking about legislating against, if that is what they have in mind.

The Senator from Michigan [Mr. HART] said that in Detroit there is not any question in his mind that the local law would apply in certain situations.

I will refer to the particular section in the CONGRESSIONAL RECORD. On Thursday, January 18, the distinguished Senator from Michigan [Mr. HART] on page 332 is reported as having said:

> That is what this is all about. I know this is harsh and sounds unpleasant. However, if I were to have a wrestling match in Detroit, the local law enforcement rules would apply whether I am wrestling a white man or a Negro. There are some places where this is less true.

It is the intent of the bill to get to those places where it is less true. I say categorically that we have a better record in my State than they do in his State.

Let him go to his State legislature and try to correct the rioting situation. Tell the Governor there to quit running around in a circle.

I have never forgotten the saying we had in the Navy: "When in danger, when in doubt, run in circles and scream and shout." And that is all we got from the Governor from Michigan.

We were ready when we encountered the situation at Clemson College. We had started months before to take care of the trouble groups. We all know who they are.

Law enforcement is hard work. However, this has not been done here. They are trying to show that they have compassion for certain people and want to pass legislation to apply especially to certain people and not impartially. That is exactly what they are doing.

They look at and categorize the Southern Senators as filibustering against equality for citizens.

We stand here and say: "We will vote for the bill if he says it applies to all." However, they do not want it to apply to all. They are only interested in a special group. They are interested in politics.

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

Mr. HOLLINGS. I am glad to yield to the distinguished Senator from Maryland.

Mr. TYDINGS. Will the Senator admit that if the position he advocates were adopted, it would inevitably give the U.S. attorney the authority for the enforcement responsibility of all felonies regardless of whether they are tried now, as they have been tried for the last 200 years, by local attorneys?

Mr. HOLLINGS. My agreement would be to the provisions of the bill, that the Federal jurisdiction would apply to anybody doing violence or attempting to do violence to another who is in the exercise of his Federal constitutional rights.

Mr. TYDINGS. The pending legislation specifically has to do with people in interstate commerce.

Mr. HOLLINGS. Say it is for just those in interstate commerce, and we are through. The debate is over. We will have a bill. However, the proponents do not say that. They do not say interstate commerce. They say it will be because of diversity of race, color, previous condition of servitude, or politics, political beliefs.

We have heard the arguments of other Senators. It is Baptist against Presbyterian. It is Republican against Democrat. We should give it to all, if that is what is needed. If there is further law needed on the statute books, it should be placed there. However, considering the powers and the law enforcement capabilities that we write into a field in which many things should be considered a crime, and one could be arrested and tried at the local or municipal level, or the State level, I do not want to be facetious, but speed laws could apply to both of them as well. The State, however, has always allowed the local community to take jurisdiction over that offense on behalf of the State.

The law enforcement division of the Governor of South Carolina numbered 37 men. I could not enforce all the State laws. They were sent where extra enforcement was needed. The same is true with respect to the enforcement of Federal law. The FBI cannot enforce all law, and no one wants a Federal police force in every community.

If Congress, in its good judgment, finds that extra protection is warranted for those in the exercise of their constitutional rights, all right, let us do that. But do not say you must have race, you must have color, or you must have a difference of politics.

All our civil rights laws say that no person shall be denied protection because of race. This bill says you only get protection on the basis of race. That is the exact opposite of every civil rights law. They really should be ashamed to bring it in here. This has nothing to do with Federal rights. It has to do with politics.

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

Mr. HOLLINGS. I yield.

Mr. TYDINGS. I wish to press my first question. Does the Senator advocate that the U.S. attorney take over the responsibility, as the Senator's amendment would have him do, for the prosecution of all the crimes and felonies enumerated, regardless of whether or not they were racially motivated? Would the Senator have the U.S. attorneys throughout the country take over this tremendous criminal jurisdiction, take it away from the State and local prosecutors?

Mr. HOLLINGS. Mr. President, that is not the subject of this bill. The subject of this bill is not all crimes. The subject of this bill is crimes of violence against individuals in the exercise of stipulated Federal rights—going to school, casting a ballot, peaceably assembling, going to get a job somewhere. The items are listed. With respect to that, if the Federal Government wants to take jurisdiction of it; yes.

Of course, the distinguished Senator from Maryland could not be on the floor at all times during my statement. In my statement, I spoke with pride in the State of South Carolina, where, singularly, I had this task. I see my distinguished colleague the Senator from Tennessee in the Chamber. I said that there are some benefits in being a freshman Senator, because we were engaged in this job when others were getting seniority. I had this job, and not one person was injured seriously, nor was any life lost in the State of South Carolina—in the Deep South. They cannot say that in Michigan. They cannot say that in the other States where they are advocating this.

It is not an inadequacy, I say to the distinguished Senator from Maryland, of the State enforcement. It is the desire to give something to a voting group this year and say, "Look what we have done."

Now, Mr. President, I will continue to cite the case of Cantwell against Connecticut:

> The findings of the New York courts as to the condition of the crowd and the refusal of petitioner to obey the police requests, supported as they are by the record of this case, are persuasive that the conviction of petitioner for violation of public peace, order and authority does not exceed the bounds of proper state police action. This Court respects, as it must, the interest of the community in maintaining peace and order on its streets.

Mr. President, again let us emphasize that that is the need of the hour, not just when this decision was written, but more particularly now, in 1968. And every bit of legislation that we are asked, as Senators, to enact, whether it be with respect to employment, poverty, urban problems, or anything else, talks about the long, hot summer of 1968. They are already planning, in the various places of our national conventions, to make sure that we have domestic tranquillity. I can state, advisedly, that unless you have im-

partiality as the key element in law enforcement, you will have rout and riot. What Congress is asked to do in this measure is to put in partiality, to say that only because of race will you be given this particular protection.

Mr. President, with respect to the State of South Carolina and the Attorney General's statement when he appeared before the committee, it was said then that the bill was designed as a necessary step toward guaranteeing equal rights to all citizens. But that is when they stop.

The other night, the President said the key thing is that we have the strength; we have to show the will. As a freshman Senator, that is what I have been unable to comprehend. How in the world can you take seriously that we are a country at war, if we are going to list, out of the 50 minutes, the material needs of a nation, all the way through the redwood forests and the depths of the ocean, and $10 billion more, and look you in the eye and say, "It is a tight budget, and the people are going to spank you if you do not increase taxes"?

I do not know where these other people have been, but I have been to the State of South Carolina, and I traveled in interstate commerce. I can say that the people are going to spank me if I do increase taxes.

How can we justify an increase in taxation, with all needs being supplied for any and every group they can think of? By way of corollary, how can we have law and order in the streets of America on an impartial basis, when the very law to govern all police officers is partial in its effect? They included "under color of law," and the portion of the minority report which would have given the police officials of America the protection they need at this moment was stricken.

When the Attorney General of the United States appeared before the Senate Judiciary Committee on behalf of this bill, he couched his support in terms of law and order and a request for equal justice for all. I should like to quote the opening four paragraphs of his statement:

> Tragic, lawless rioting has seared the face of American cities. It must and will be stopped.

Does anyone believe that this bill will help the situation? Does anyone advocating this measure believe that it will stop rioting? Will this help the Detroit situation?

I quote further:

> To maintain law and order is the first purpose of government and the foundation of civilization. Law enforcement must marshal all resources necessary to restore domestic tranquillity. Rioting cannot be permitted to scar the heart of America.

Mr. President, I emphasize "domestic tranquillity." How can we have domestic tranquillity by passing a law to put all law-enforcement officers under probable cause for a Federal crime by interfering with or intimidating a citizen?

The impetus, the emphasis, and the stress result in saying, "Mr. Citizen, you are supreme and above the law. Your individual right is all powerful." Salus populi suprema lex—the welfare of the people is the supreme law.

We are giving them the wrong message.

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

Mr. HOLLINGS. I am glad to yield.

Mr. TYDINGS. I am interested in the distinguished Senator's comments about the impartial enforcement of the law, and his reference to impartial enforcement by law officers.

Does the Senator maintain that the State law, the criminal law, generally speaking, has been uniformly maintained and applied impartially without regard to race or color throughout the United States, in all sections of the United States?

Mr. HOLLINGS. No, sir.

Mr. TYDINGS. Would the Senator advocate that the sheriff and deputy sheriff in the county which he well knows, who in effect, held up and then had kidnaped and murdered two or three individuals who were working on voter registration, one white man and one Negro, were impartially prosecuted under the State laws in that county?

Mr. HOLLINGS. Mr. President, it is interesting that what the distinguished Senator from Maryland is advocating would give protection to those by diversity of race; namely, where I think one was white and two were colored.

Mr. TYDINGS. That is right, without regard.

Mr. HOLLINGS. Without regard I would give them protection but in connection with those found in the soil bank in Mississippi, the Negroes would have gotten their rights but the dead white boys would have gotten no rights at all.

Mr. TYDINGS. That is not the way it reads.

Mr. HOLLINGS. Mr. President, I ask unanimous consent that I may ask a question without yielding my right to the floor.

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

Mr. HOLLINGS. Mr. President, does the Senator from Maryland maintain that you do not have to prove on account of race in this particular measure in order to indict?

Mr. TYDINGS. The measure would protect the individual regardless of his color, if he were assaulted, intimidated, beaten, shot, or coerced because he was working in the area of civil rights. It would have no regard for his color.

Mr. HOLLINGS. Mr. President, in connection with page 7 of H.R. 2516, unless there is a mistake in our reading of it, we can stop a good bit of this, but unfortunately the Senator would have to eliminate this language:

> § 245. Interference with civil rights
>
> Whoever, whether or not acting under color of law, by force or threat of force—
>
> (a) knowlingly injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person because of his race, color, religion, or national origin—

The distinguished Senator from Maryland knows that as an element of the crime or offense you are going to have to prove they injured, intimidated, or interfered with the person so interfered with because of his race, color, religion, or national origin, and then there follows the clause, and it is not preceded by "or" but "and"—"and because he is or has been engaging or seeking to engage," in these rights. It is cumulative and it is a part to be proved.

Mr. TYDINGS. Is the Senator referring to section (b)?

Mr. HOLLINGS. I am referring to the act. Apparently you knock out the other language and submit this.

Mr. TYDINGS. Mr. President, I wish to read section (b) on page 9.

> (b) knowingly injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with any person (1) to discourage such person or any other person or any class of persons from lawfully participating or seeking to participate in any such benefits or activities without discrimination on account of race, color, religion, or national origin, or (2) because he is or has been urging or aiding others to so participate, or is or has been engaging in speech or peaceful assembly opposing any denial of the opportunity to so participate—

The whole guts of the measure is to protect any person who is endeavoring to work in the area of protected activities, regardless of the color of his skin.

Mr. HOLLINGS. Mr. President, if that were the case, we would agree to the Ervin amendment, which does say "without regard to color of the skin." However, the proposal of the distinguished Senator from Maryland and others on the Committee on the Judiciary, by way of a majority—a majority of one, I might emphasize—insisted upon including the language because of "race" and then because of these rights enumerated in the section that the Senator from Maryland was reading from, and also section 8(c), which particularized the right and particularized what the proponents had in mind. However, in their zeal to provide against discrimination, and this is our point, they have discriminated. That is the whole point.

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

Mr. HOLLINGS. I yield.

Mr. TYDINGS. Does the Senator feel that this bill would not have protected the individuals who were murdered, who were white, who were working in the field of voter registration? Is that the conclusion the Senator draws from reading this bill?

Mr. HOLLINGS. Generally, yes. That is generally what the argument has been. It is obvious that anybody could be indicted and tried if there is diversity of race, such as white against Negro or Negro against white, a diversity of religion or national origin, as is contained there.

There is involved this element of the inner reasons of a man's mind in a struggle. The Senator and I are white and we might disagree as to what is going on. We see a struggle going on over here with respect to the right to vote or going to school. If I were to attack you, they would not convict me because we are both white, although they could charge it, and I could come into court on the ground that I did not like

what he said, rather than on a racial difference, and that is the point.

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

Mr. HOLLINGS. I yield.

Mr. TYDINGS. Mr. President, I think the Senator from South Carolina can rest assured with respect to that matter because we went into this in some detail. I can assure the Senator I would not have supported this measure if it had not provided protection for any person, regardless of color, who is working in these protected areas.

I can assure the Senator that he can rest his mind on that point. It is specifically covered in the report and it has been covered in debates on the floor of the Senate.

If the Senator will examine the bill closely he will see it is covered in section (b) on page 9, which I read.

I point out that in this particular area a great deal of real vehement criminal activity has been unleashed on young people, and students, who went into certain areas of the country to work in connection with voter registration and assist those who were less fortunate, a majority of whom had a color different from the color of the people assisting them. We must realize we work not in a vacuum but in an area of reality.

I think the Senator is too wise not to realize that there are certain areas where prejudices and emotions run very high; that in the area of voter registration or similar types of civil rights activities, intimidation and force and violence are frequently directed with more ferocity against those who happen to be white working in the area than those who are colored. This bill is designed to protect all of those persons from violence, intimidation, and coercion, and similar acts.

Mr. HOLLINGS. Mr. President, I do not know whether it would be proper for me, in keeping with the decorum of this body, to give meaningful examples of what could occur.

We do know that an example of what the distinguished Senator from Maryland is talking about would be Reverend Coffin, from Yale, who has gone into the South. If he were to be attacked the defense could be that it was not because of his religion, if he is an Episcopal minister. I am not certain of that.

But someone of the same religion and the same race would say, "I did not attack and do violence, or attempt to do violence, or interfere with, or intimidate, or attempt to intimidate the reverend because of his race. We are of the same race. I did not attack or do violence because of a difference in religion, because we are of the same religion. I just do not like the so-and-so."

Where is the evidence in the trial, in case we get a conviction under the bill? Proof must be shown that there is a diversity, because it states, "because of race, because of color, religion, or otherwise."

Mr. TYDINGS. Mr. President, will the Senator from South Carolina yield?

Mr. HOLLINGS. I gladly yield to the Senator from Maryland.

Mr. TYDINGS. I think the area of the specific case would be judged by a jury on the facts surrounding it. If the individual clergyman came down into an area which had a history of refusing to register persons to vote because of their color, or intimidated persons or prevented them from serving on grand or petit juries, or prevented them from attending schools, and so forth, and he went down and worked in those fields and then he were beaten up, murdered, or whatever the crime might be, I think it would go before a jury considering all the facts and circumstances, as to whether they felt a crime was committed because he was endeavoring to assist persons in the specific areas he was assisting them in. It would be up to the jury to pass on the facts, as to that, or any other crime, indictment, or presentment.

I think that juries are reasonable people. I have confidence in the jury system. It is not always infallible, but it has worked better than any other system I have ever heard of.

Mr. HOLLINGS. If my distinguished colleague from Maryland would only lend me a group of his speeches on behalf of the jury system, I would be glad to use them in just a few minutes because once more we hit at one of the key points of concern in the motivation for this particular measure.

My good friend from Maryland has been an experienced trial attorney with the U.S. attorney in Maryland for several years. He was considered by the U.S. attorneys—we have two in South Carolina—to be one of the outstanding prosecutors in this Nation. His words, therefore, would not be taken lightly with respect to juries. But the advocates of this measure do not believe in the juries of the South. That is what they are trying to get at. That is really what they are trying to get at. They are trying to get at it, to see whether or not true bills come out of grand juries in the State courts, so that they can have a Federal reason for coming in down there on the Federal side.

Let us see if they explain it in the testimony.

If the distinguished Senator from Maryland, who is a member of that committee, would read this, they said in the hearing before the Judiciary Committee that a more broadly based Federal jury was more likely to bring about a true bill. Let us agree with that because, certainly, it is not just what you and I describe, but evidence to go to a jury in Charleston, S.C., Selma, Ala., Atlanta, Ga., or Jackson, Miss. They have not put in a bill to do away with that. What we have got is a bill where the jurors, if they have the propensity of not being broadly based, as the Attorney General's testimony was, to be partial, provincial, unfair, and prejudiced, have every justifiable reason under the enactment of this particular statute because of race, to say conscientiously, "I could not really determine beyond a reasonable doubt. I know the fellow hit him. I know they stuck him in the soil bank and buried him, or whatever occurred. I know that is what one did. But I am not sure he did it because of race. There is no evidence." The prosecutor has made an argument but there has been no witness who says he knows in his mind that that was the motivation.

Going further, Mr. President, with respect to the distinguished Senator's beliefs, with respect to that not being required to be proved, minority views were submitted and have been signed by the distinguished Senator from North Carolina [Mr. ERVIN]; the distinguished Senator from Florida [Mr. SMATHERS]; the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN]; and the distinguished Senator from Nebraska [Mr. HRUSKA]—all outstanding Members of this body.

They differ with what the Senator from Maryland has just commented on.

Let me read the minority views:

The Judiciary Committee adopted a bill to protect persons in the exercise of their civil rights through imposition of criminal sanctions. This same subject matter was approached differently by title I, sections 101-103, of the bill reported by the Subcommittee on Constitutional Rights. The members of the committee joining in these views favor the subcommittee approach to this legislation and oppose the version reported on favorably by the majority of the committee.

The vote by which the committee accepted one version of H.R. 2516 and rejected another reflects the majority's belief that special rights and protections can and should be extended to a limited group of citizens. The minority vote, on the other hand, reflects a theory of government which would apply the guarantees of law to all citizens, regardless of race, creed, color, or national origin.

While we agree with the majority that the purpose of H.R. 2516, protection from violence, is worthy, we do not believe that the means they have chosen to meet that purpose is justified. This is especially so when, as here, a more effective alternative is available which would apply in like manner to all persons in like circumstances.

In urging rejection of the committee proposal and the adoption of an alternative, our purpose is to preserve our constitutional and legal systems so that they will continue to protect all citizens of all races and all generations.

THE SUBCOMMITTEE APPROACH

The subcommittee, in sections 101–103 of title I, proposed a stronger and more effective bill. The majority legislation, apparently because of its reliance on the 14th amendment, requires an additional element not required in the subcommittee bill—that the crime of violence be committed "because of race, color, religion, or national origin" of the victim. This element necessarily restricts the protection offered by the bill to members of certain races, colors, religions, or national origins. The proponents candidly state that they do not propose to guarantee to all Americans protection from violent interference with their right to vote, to pursue their employment, or to travel. Indeed, this was one of the reasons they rejected the subcommittee's alternative.

The subcommittee substitute dispenses with this outrageous and self-defeating limitation. The substitute treats all citizens equally before the law. Crimes between persons of the same race, or color, or national origin are immune from the provisions of the majority's bill. Crimes admittedly done without racial motivation are beyond prosecution even though they purposefully are intended to deny the victim his statutory and constitutional rights.

Further successful prosecutions will be difficult to obtain under the committee bill. To prove a crime was committed "because of race, color, religion, or national origin,"

the prosecutor must prove beyond a reasonable doubt a motive hidden in the innermost recesses of the defendant's mind.

Mr. President, that is what the distinguished Senator from Maryland just stated was not necessary to be proved, but here, having heard all the testimony and witnesses, equally outstanding members of the Judiciary Committee, Senators ERVIN, SMATHERS, DIRKSEN, and HRUSKA, find it is necessary. Of course, a reading of the particular measure is self-explanatory.

I am now again referring back to the minority views:

Despite the fact that the subcommittee's draft corrects these defects, and so makes convictions easier to obtain for violent interferences of Federal rights, it was disregarded by the committee majority.

If it is to work for any, the machinery of Federal justice should work for all. The premise of our Constitution is equal justice under law. Just as it is unconstitutional to legislate against particular individuals or groups, so the mantle of Federal protection should not be spread over one group of citizens who are injured or threatened in the exercise of their Federal rights, and not over all others. Our forefathers fled the tyrannies of governments based on special rights for special citizens. They knew the dangers of legislation which serves only the few, and it was for this reason they determined that in America all men should stand equal before the law. They meant that this principle should be respected by all three branches—by Congress as well as by the executive and the judicial branches of government.

In the past, Congress has exercised restraint in enacting criminal statutes. Congress has consistently preferred not to enact Federal criminal law except where it has been clear that State law is inadequate to the task.

I break into the quotation to comment again, it is not an inadequacy of the law, as the Senator from Maryland is pointing out; it is an inadequacy of the jury system. The jury system has certain inadequacies, but it has been tried and found true and the best system under our form of government.

Quoting again:

And even where Federal law has been adopted, enforcement generally has been deferred to the States wherever possible. An example of this tradition of restraint is the Federal fugitive felon law. Adopted to aid local authorities in the pursuit of fugitives who flee across State lines, its implementation seldom results in Federal prosecution. Persons apprehended under its provisions are regularly delivered over to the State from which they fled and subjected to the processes of State law.

It is the intent of the writers of these views that the executive branch should exercise similar restraint in enforcing any legislation designed to protect persons in the exercise of their civil rights through the imposition of Federal criminal sanctions.

Equality is not achieved when we protect only citizens of one religion, or one political affiliation, or one race, or one nationality. Unless all citizens are protected to the same degree, we violate the spirit of equal protection.

Congress has a duty to assure that the laws it enacts are constitutional. The elected representatives of the people should discharge their sacred obligation by taking time to draft legislation properly and adequately. Indeed, the Supreme Court has consistently recognized this obligation by presuming constitutionality of acts of Congress. This Congress has no authority to dictate that the power of government shall be invoked in behalf of a few and not all Americans.

There are two key sentences to this observation by the minority. One is, "The premise of our Constitution is equal justice under law." And here the legislation proposes unequal justice under law. The other, of course, is "The prosecutor must prove beyond a reasonable doubt a motive hidden in the innermost recesses of the defendant's mind."

In other words, in order to get better law enforcement, they have thwarted and frustrated law enforcement. In order to give encouragement and support to the law enforcement officer, they have hindered and hampered and burdened the law enforcement officer. In order to assist the prosecutor, when 100 more U.S. attorneys are needed, they now propose, at this hour of our history, a bill to hinder, hamper, and burden the prosecutor, to "prove beyond a reasonable doubt a motive hidden in the innermost recesses of the defendant's mind." In order to prevent riot, they pass legislation which is discriminatory on its face and bound to provoke riot, because those who are engaged in peaceful demonstrations in the exercise of constitutional rights have now gone from the nonviolent demonstrator to the violent demonstrator.

They have gone from the individual Negro who resented second class citizenship to the church group who now discuss, and recommend in some instances, a moral compulsion to disobey those laws with which they do not morally agree.

Then, of course, there is the Communist element, as found in the annual report of the Honorable J. Edgar Hoover, the Director of the Federal Bureau of Investigation. The Communist element is present.

These are groups who will convene this long, hot summer, in the urban areas of America. And what will they do? They are all courthouse lawyers. As I have said, I had the task of law enforcement for 4 years. We have seen the news magazines, like Life magazine, on its cover and everywhere else, showing us how workshops and schools are held to prepare them for a long, hot summer. What are they going to be told? "We have this law passed. Just remember, when a law enforcement officer gets near you, cuss and holler at him to make sure he will interfere with you. Use loud language. Then he will have to tell you to quiet down, and you are interfered with. We have the officer's name."

"We have a list of every officer in Detroit. We know every one, his term of service and hours of duty. We have every officer listed who is going to be out there at 12 o'clock noon. We have all their names. We have them on the warrants. We have talked to the U.S. attorney. He said, 'Yea, yea, yea, that is a Federal law.' He is going to enforce all of the Federal laws. We have that workshop going. Once you get there, start going in all directions. Serve the warrants. We are going to take over this town. Burn, baby, burn."

Mr. President, who has promoted it? You and I, Mr. President. That is what we are doing today by this particular law.

Now I want to quote the Honorable Ramsey Clark, Attorney General, before the committee. He said:

A people prove their greatness by strength of purpose in times of adversity. For civil rights, this is a time of adversity. After a solid decade of firm commitment—

Let me interrupt, Mr. President. Is it a time of adversity for civil rights? Or is it a time of adversity for poverty, disease, unemployment, slums, and poor housing? Would the authorities of the city of Detroit ever plead guilty that the riot was caused on account of race? I doubt it. Mr. President, I think all the reports are going to come out with all the ailments and frailties of human nature listed as elements, but they are not going to say "an adversity of race." Are they going to say the Attorney General is trying to correct the riots? will they say they are caused because of bad housing, unemployment, disease, or slums, or because someone interfered with somebody else? Was it because violence was intended in the exercise of a right? They do not want to say that.

They do not want to say that, because that does not get any vote group. The poor have no votes. I say that, and elaborate with the thought that the distinguished Senator from Delaware is always talking about special privilege in connection with the revenue laws and taxation laws of this country.

If I take you out on the Potomac, on my yacht—if I had a yacht—and serve you a highball and a delicious dinner, and I am in business, and take it off as a business expense, I am provided for. Congress has seen to that. The privileged we have laws for. But for the fellow with a can of beans, there is no exemption. There are no laws to provide for him. He is down in that slum.

I have had so-called leaders—I do not like to say "so-called," but I say there are so-called because they are listed as such—of civil rights movements tell me—I only recently visited poverty areas in South Carolina; and I have heard these so-called civil rights leaders say "Do not bother with going down there; there are not any votes in the slums. They do not hold any elections come fall."

I was immediately charged, upon my vote here in the U.S. Senate against the confirmation of Justice Marshall; one of the leaders said, "They never have heard, down in Black Bottom or Little Mexico, of Thurgood Marshall, and they never will. You are wasting your time."

So it is not poverty. It is not slums. It is not housing. It is—and this is something we have always argued, down in my backyard of the Southland—opportunity. Do not misunderstand me; I do not say we have provided it. We are working on it. We are third from the bottom in per capita income. We have the least resources of any section financially; and, constrained as we are, as to various innovations under the Constitution, such as urban renewal, quite frankly we have not taken advantage of certain provisions of our Federal structure to clear some of the slums under urban renewal and other provisions of the law.

But be that as it may, the groups which are organized are not the slums; they are the rights groups. In Detroit, they are going to say the need was established not by demonstration, on account of riots, or race, it was on account of the slums and poverty and hard-core unemployment, to use the expression of the President of the United States.

Then comes his Attorney General and says:

To maintain law and order is the first purpose of government and the foundation of civilization. Law enforcement must marshal all resources necessary to restore domestic tranquility. Rioting cannot be permitted to scar the heart of America.

A people prove their greatness by strength of purpose in times of adversity.

Yet they would not make them impartial, or equal rights for all. They say only for a few. Only because of race, color, or political belief.

Quoting further from the Attorney General:

After a solid decade of firm commitment, America is ambivalent. Expressions of hatred, rioting, and violence inflame, world tensions distract, general unrest and disunity among leadership divide, new issues crowd for higher priority. Now is a time to prove our greatness. No mission of America can outrank its urgent quest for equal justice for all.

Then why did they not advocate, Mr. President, equal justice for all and not special treatment for a certain group, on account of race or religion?

We have proclaimed from the beginning our goal of equal justice and, while we have at times let decades lapse without notable progress, we have never altered the ideal. More recently we have acted in accord with out faith and moved forward.

For ourselves and our children this is essential because it is indisputably right. It is essential to demonstrate this commitment to the growing millions among us who are not sure we will act to end discrimination.

Can you imagine that, to end discrimination, and yet the bill says, "Let us discriminate"?

It is essential also to demonstrate to the growing billions of this world that America would practice as it preaches. For those who believe this, nothing will change their love for this country because human nature cherishes justice.

Mr. President, it is very shaky and very dangerous for the Congress of the United States to enter into the field of criminal law with the intent to demonstrate anything. We had better go at it from a very sober and very objective viewpoint, with the Constitution in mind, and the requirement of proof beyond a reasonable doubt being considered with respect to the question of enforcement.

It is nice to demonstrate, but I could list many, many more things for the Attorney General that he could demonstrate, without a law, that would help the United States of America at this hour.

If the Attorney General would arrest H. Rap Brown and Stokely Carmichael, the people of America would get a lot more significance out of that action than all of these provisions under H.R. 2516. But, Mr. President, I am convinced that they do not want that; they want politics.

Mr. President, these are worthy objectives. However, the question one must ask one's self, when considering this or any other piece of legislation, is, "Does the bill do what it purports to do?"

Obviously not. In my opinion, this bill does not guarantee equal rights to all citizens; and in fact, it is discriminatory on its face. The proponents of this legislation contend:

Experience teaches that racial violence has a broadly inhibiting effect upon the exercise by members of the Negro community of their Federal rights to non-discriminatory treatment. Such violence must therefore be broadly prohibited, if the enjoyment of those rights is to be secured.

Accordingly, this bill makes it a Federal crime to do violence to a citizen while engaged in the exercise of certain rights, such as—

(1) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

(2) enrolling in or attending any public school or public college;

(3) participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States, or by any State or subdivision thereof;

(4) applying for or enjoying employment, or any perquisite thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

(5) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States or of any State;

(6) using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

(7) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance, or

(8) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments;

However, this legislation states that these actions become a Federal crime only if the violence of intimidation is because of race, color, religion, or national origin. In other words, instead of making certain that no one is denied because of race, this bill gives Federal protection only because of race.

This gives use to the ludicrous situation where the jurisdiction of the Federal court would affix upon the diversity of race.

As my distinguished colleague, Senator ERVIN, pointed out on Friday last: "Is it not absurd to make the jurisdiction of a court depend, not upon the character of the acts committed, but upon the race or the religion or the national origin of the accused or of the prosecuting witness? Why should we fragmentize our society on the basis of race, religion, or national origin, and give the Federal courts jurisdiction where there is a difference between the prosecuting witness and the accused in those respects, but leaves the cases in the State courts where no such difference exists but where the acts committed are identically the same?"

I say yes to the distinguished Senator from North Carolina. It is absurd.

It is my personal belief that acts of this type should be left to the jurisdiction of State courts and while I cannot speak for every State judicial system—although I feel sure they are highly competent—I know that the fine judicial system in South Carolina is perfectly capable and willing to handle any crime that would be covered by this bill. Additionally, I am not the least bit hesitant to say that I have complete faith and confidence in the ability and willingness of South Carolina's law enforcement officers to enforce the law, and to fully investigate every crime and attempt to apprehend the guilty party without regard to race, color, or national origin.

As chief law enforcement officer of South Carolina for 4 years, this was my policy and it has been the policy of my predecessors.

Mr. President, this brings me to another point. As the elected representative of the State of South Carolina, I am thoroughly fed up with the attempts of some to paint one entire area of the country as a sinister, backward place where human dignity and equal rights takes a back seat to bigotry and personal prejudice.

Mr. President, I do not intend to try and maintain that my area of the country is without problems, nor do I pretend that prejudice does not exist. But I do not believe that any Member of this body would make similar claims for his area of the country. However, the fact is that we in the South, and South Carolina in particular, are making progress toward solving our problems. And we are solving them by South Carolinians working with South Carolinians of both races, and we are progressing without the help of outside agitators whether coming under the guise of black power militants or Justice Department officials. And I suspect from the racial strife of last summer in our northern cities that we are making more progress toward racial harmony than many of our northern neighbors.

At this point, I would like to call to the attention of this body an exchange that took place on September 21, 1967, during the hearing on this bill between my distinguished colleague, Senator ERVIN and Attorney General Clark and Assistant Attorney General Doar:

Senator ERVIN. Are you contending that violence never occurs in the North?

Attorney General CLARK. How do you mean? The threats?

Senator ERVIN. It is aimed at society, in general, is it not?

Attorney General CLARK. This is aimed at where the problem is.

Senator ERVIN. Is the problem in the South?

Attorney General CLARK. The problem on account of race has been largely in the South.

Senator ERVIN. Were there no threats made surrounding the recent riots?

Attorney General CLARK. If there have been threats in the riots, they are probably in violation of State law, and they ought to be prosecuted.

* * * * *

Senator ERVIN. Please tell me a situation that has risen in the North at which this bill is directed.

Mr. DOAR. Well, the need for the bill arose because of enforcement problems in the particular area of the country in the South; that is true.

I should first like to address myself to the Attorney General's comment that "the problem on account of race has been largely in the South." My State of South Carolina is very proudly a part of the South. Since we are a part of the South then obviously we must be part of the problem the Attorney General finds "largely in the South." Let us examine the record and see just how much problem we have in South Carolina.

During the hearings on various civil rights bills on June 8, 1966, while then Attorney General Nicholas Katzenbach was testifying, the distinguished Senator from New York [Mr. JAVITS], included in the hearing record two statements. One was published as a part of a magazine called the New South issued by the Southern Regional Council in November of 1965 and entitled "Some Race Related Deaths in the United States, 1955 to 1965. According to the publication:

These are cases involving violent death between the races in the South . . . it is not restricted to cases involving civil rights.

I repeat, according to the publication it is not restricted to cases involving civil rights.

This list contains some 85 cases of violent deaths between the races in the South which may or may not have involved civil rights. My State of South Carolina appears once in 85 cases restricted only to the South and in that case the accused was acquitted on the grounds of self-defense and there is no evidence that the incidence was related to civil rights.

The second statement included by Senator JAVITS was a compilation issued by the Library of Congress entitled "Recent Murders of Persons Working for or Exercising Civil Rights."

Mr. President, South Carolina does not appear at all on that list.

That is the scope of Mr. Clark's "problem" in South Carolina.

I wonder how many of my colleagues from any State, North, East or West, can claim that in that same 10-year period there was only one violent death between the races in his State and that in that one instance there was no evidence of civil rights involved and the accused was acquitted on grounds of self-defense.

I would again like to emphasize that South Carolina did not appear on the list of deaths attributed to working for or exercising civil rights. This then, Mr. President, is the nature of the so-called problem. This is the situation obviously beyond the control of State jurisdiction. This is the situation that requires urgent passage of this bill.

With all due deference to my colleagues from other areas of the country and without maligning any other State, I would like to respectfully point out that, if this is a problem that my State is unable to handle without the aid of the Federal Government, then the disorders in our large cities this last summer must call for complete martial law by the Federal Government.

No, Mr. President, I submit that, while my State certainly has problems, violence and disorder, whether racially motivated or not, is not one of them, and the State government is perfectly able to handle what problems we have.

We are making progress in South Carolina. We shall continue to make progress. We shall do it by black and white working together. And I submit that the cause of progress will not be advanced by statements such as the one made by the country's top law enforcement officer.

I would like to turn now to Attorney General Clark's second statement in the aforementioned exchange after the Attorney General had said the problem was in the South.

Senator ERVIN asked:

Were there no threats made surrounding the recent riots?

The Attorney General answered:

If there have been threats in riots, they are probably in violation of State law, and they ought to be prosecuted.

This is interesting in two regards. One, since the South has experienced nothing on the scale of the Newark, Detroit, and Watts incidents, and since the Attorney General says that the largest problem is in the South, he obviously thinks that the riots were not racially motivated and this bill would not apply. I am in disagreement on both counts.

Second, the Attorney General said that if there had been threats they were probably in violation of State law and ought to be prosecuted. This once again points up the localized nature of this bill. The Attorney General feels that, unlike the South, other States in other areas of the country are capable of prosecuting their own criminal acts. Or perhaps the Attorney General thinks that Southern States do not have laws against violence and threats of violence.

Once again, I disagree with the Attorney General on both counts. We in South Carolina have adequate laws and law enforcement and we do not need Federal legislation to maintain law and order.

It might be well to point out South Carolina's record not only in law enforcement, but also with reference to the fact that, as Governor, we set out standards for employing members of the Negro race with respect to State law enforcement. For the first time I appointed a Negro to the draft board. That was back in 1961 or 1962.

I have heard that action advocated in the Halls of this great body recently. I have heard it said that this is what we should do. We have had outstanding communications between the Negro leadership and the white leadership. The Federal Bureau of Investigation has had 100-percent cooperation. There was one little hitch that would not interfere with the percentage, and that is that there was some question or complaint respecting voting rights and the registration to vote. There was another area in another State wherein voting records were burned or lost.

In the State of South Carolina, the U.S. Attorney General, then Robert F. Kennedy, swooped down with 20 agents and terrified the whole community without any justification.

We finally got the agents out. We got the records for them. We took pictures. No records were destroyed. None of them were done away with. There was no violation. We register our voters.

The main thing is that if we are going to include one class, we should include all.

I have an amendment that would not only knock out the "under the color of law" provision, but would also spell out definite language for law enforcement. However, if we insist upon the "under the color of law" provision, we are going back again to the impartiality that is so fundamental to effective law enforcement.

I have on my desk one of the pronouncements I issued as Governor. I would not want to occupy much time of the Senate with all of the quotations. However, it so happens that this was on March 10, 1960, almost 8 years ago, at the initial stages of these bury-ins, walk-ins, sit-ins, ride-ins, or wade-ins. We have had them all.

I wish that other Senators could have been there to see the competition among the groups. They would have seen that the action taken in South Carolina led to understanding and respect.

That was contained in my admonition when I said on March 10, 1960, as Governor of the State of South Carolina and chief law enforcement officer:

The general law of maintaining the peace applies to all cities and sections of our state and it will be enforced. I also emphasize this pertains to colored and white alike, and to demonstrator and spectator alike.

At one time, until they had some mass student demonstrations, the record of the State of South Carolina was that we had arrested far more alleged spectators who were standing on the side trying to get in trouble with those who were in a peaceful demonstration than we arrested demonstrators.

When they understood this, we were then able to maintain law enforcement.

I cannot overemphasize this particular fact.

I come right back to the demonstration that the proponents of the pending measure are looking for. And I say that through hard experience.

At the initial stage, during the freedom ride to South Carolina, which finally went to Birmingham, Ala., it did not attract enough notoriety.

It did not get headlines in the press. It did not cause big, mass dealings. It did not cause any type of dramatic action. It was reported by the news media—radio, television, and newspapers; and in particular, by the "Today" program. One morning, I was Governor of

South Carolina at the time, I watched the program.

It was said then by newscaster Frank Blair, who is from South Carolina—I am pretty sure he was a newscaster at the time—he was educated in the schools around Charleston—"On Monday we are going down into Rock Hill, S.C., en masse." That was public notice, and I knew what they were looking for.

They were not going back to Rock Hill to get anybody a job. Nobody went there to clean out a slum. Nobody went there to correct the poor housing. No one went back to that community to help to alleviate economic distress or illness and disease. They just wanted, as the Attorney General inadvisedly characterized and used the word, to demonstrate. That is all the bill before us is—a demonstration. Those people wanted publicity. They realized that this was a game.

I would not attempt to say the number of members of the Negro race who were on the police force of Rock Hill. Suffice to say, they did not tell me. I know of my own knowledge that they saved the life of one poor, little Negro boy who was misidentified as the cause of some trouble, allegedly because of accosting a woman. But the record will show that the place he raced for was the police station. If anyone thinks there is no law enforcement in South Carolina, let him ask those people, and they will tell him where the protection comes from. They are proud of their police officers.

I ask and defy the proponents of the bill to show me the police brutality they are talking about in South Carolina. The Senator from Michigan says that he would get impartial enforcement in Detroit. He knows that. But there are other places. The Senator from New York [Mr. JAVITS] listed unfinished cases in Alabama, Mississippi, and Georgia. We all have common sense. We know what the bill is aimed at.

In any event, as Governor, I assembled a group of law enforcement officers from various police departments in the State, from the college campus, and from other places. When they rode into Rock Hill on that Monday morning, there was a fine-looking, most outstanding group of Negro law enforcement officers waiting. They asked the city of Rock Hill to pull back and let them take over the enforcement of the law. When the demonstrators got out of line, a Negro officer hit a Negro demonstrator on the head and put him in the paddy wagon. Then they took the TV cameras home. That ended the freedom rides in South Carolina, and the demonstrators finally went to Alabama.

They were not looking for freedom. They were looking for headlines. They were looking for political favors. That is what they are looking for in this bill.

If the partiality is not cut from this measure, we will end up with more rout, more riot, more persons hurt, more persons injured and less southern cases in which a verdict is found than you ever heard of before. In the name of eliminating discrimination, they are going to discriminate. In the name of trying to prevent the riot, they are going to provoke the riot. In the name of helping ease the tension, they make tense the one group in our society who should not be tense in concern—the law enforcement officers.

As I stated earlier, no sane, deliberate law enforcement officer is going to get involved in these matters and in these incidents. A man can be on the force 20 years, and when one of these matters comes up in his hometown, the next thing he knows, he winds up behind bars or becomes an object of discussion and dispute, and he loses his effectiveness. Even if he is not convicted, when he is later on the stand testifying to a particular finding he made as a law enforcement officer, a keen trial attorney will say, "Aren't you the officer who was indicted?" or, "Aren't you the officer that got into trouble?"

The other attorney will jump up and object and say, "You can't bring up these crimes." But the damage is done. The rumor spreads: "That sergeant is the one who got into trouble in the Federal court." That will ruin law enforcement.

Mr. President, I have indicated what we are trying to do, not to filibuster. We are trying to bring, as forcibly as we can, to the minds of those who propose this measure, that the exact opposite will occur.

We are not only concerned about the South; we are also concerned about the Nation's Capital. I am proud to have joined with and supported the distinguished Senator from Arkansas [Mr. MCCLELLAN], and the distinguished Senator from Nevada [Mr. BIBLE], who is chairman of the subcommittee, that handled the omnibus crime bill in the District of Columbia.

The people desire to walk the streets of Washington, to sit in the parks, and to operate their businesses, in the exercise of civil rights. Is it not curious, and is it not a shame, that that is exactly what one cannot do in the Nation's Capital? In the land of the free and the home of the brave, you become one of the terrorized. Why does not the Federal Government protect them in the exercise of their civil rights?

Why are not more tears shed for them by some of the same people and groups who are pressing for the passage of this bill? That is the problem with which we must concern ourselves. Oh, no. They have had that favor done, you see. Unfortunately, we must address ourselves not to the problems of America, but to the politics of the problems.

Now, Mr. District of Columbia, you have Mayor Washington—and I do not say that disparagingly. I understand that he is outstanding. In any event, we are now on the stump, all of us—all of us, mentally. We have done that. We got you your crowd, and you got your mayor, and let us forget about the fellow who wants to sit on the bench or walk the street.

As a Senator, visiting in this town and staying in this town, with a staff working for me, I have done as other Senators have done. I have said, "Don't go out after dark. Call me or call somebody else. Have one of the male members of the staff escort you home or get you to the parked car, because it is not safe in the District of Columbia."

Everybody takes judicial notice of that situation except the proponents of this type of legislation. They are not looking for that civil right to be protected. They only want to say "because of race" and go back to the vote group and say, "Look what we passed for you." That is their only design. Equal justice under law means nothing to them.

I plead guilty to having made—depending on how one views them—some of the finest segregation talks or the worst integration talks or the worst segregation talks and the finest integration talks. But some of us grow in office, and we hope to learn more each day. I am speaking from the standpoint of experience. I have had this job before. The fundamental feature of it all is that the safety of the people is supreme.

If we have a curfew that provides you do not come out of your house on a particular street—I do not care about the freedom of speech, the freedom of assembly, and the freedom of this and that. It is the freedom of the people which is supreme. And at times we have to enforce curfews; we have to split up groups; we have to see that they do not congregate.

At times, the Supreme Court has differed with respect to congregation. In the Little Rock case, the Governor of that State, our distinguished friend Orval Faubus, said that he was refusing the admission for the reasons of public safety. The Supreme Court found that that really was not the reason, and the children were admitted to the school in Little Rock. But Chief Justice Holmes admonition against shouting "Fire!" in the theater goes right to the heart of this problem, that the safety of the people is supreme.

Mr. President, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STENNIS. Mr. President, I wish to highly commend the distinguished Senator from South Carolina for a very fine presentation this afternoon. He spoke not only on the merits of the bill but also of his experience as the Governor, and therefore chief executive, of that great State where a man really has to grapple with these problems from the ground level, if I may use that expression, and has to plan ahead and think ahead and provide ways and means to meet these situations.

I had known before that the Senator had been outstanding in this field but just listening to him relate these experiences, with his excellent manner of expression, makes one realize, without his boasting about it, what the problem was and how he met it.

I think the Senator gave his counsel

also from the standpoint of human nature, logic, and commonsense, which is unanswerable, with respect to handling these problems.

I think I am free to state to the Senator that other Senators in the Chamber, who do not share the position on the bill that he does, have been most favorably impressed with his presentation and his logic. He is a great asset to his State and to the Nation.

I thank the Senator and I commend him. I mean that literally. Senators have told me how impressed they were. They said he did not quite convince them, but he greatly impressed them. I am glad to be able to make that statement for the RECORD.

I thank the Senator.

Mr. HOLLINGS. I thank the Senator from Mississippi.

STATE ADMINISTERED ACTIVITIES

Mr. TYDINGS. Mr. President, we consider today legislation to assure the protection of many rights created or reaffirmed by Federal legislation. Congress has enacted laws prohibiting racial discrimination in voting, public accommodations, employment, public facilities, and education. It is a truism to state that laws affirming these rights are meaningless if all persons are not afforded full and forceful protection from those who would defeat their exercise by means of violence or intimidation.

H.R. 2516 creates penalties for racially motivated threats or acts of force aimed at preventing Negro citizens from enjoying equal benefits in certain enumerated areas of public activity. From the committee bill's enumeration of protected activities, opponents to this version would omit all those which are administered by the States without aid from the Federal Government: participation in State elections, attendance at schools not receiving Federal funds, participation in State-administered services or facilities, employment by State or municipal governments, and service on State court juries.

This opposition is based on a restrictive analysis of congressional power under the 14th amendment and a minimization of the actual need for such coverage. In urging enactment of the committee bill, therefore, I wish to emphasize particularly the constitutionality, propriety, and necessity of providing Federal sanctions against terrorists who would prevent Negro citizens from enjoying the benefits which the States are required by the Constitution and laws of this Nation to provide equally to all persons.

The first section of the 14th amendment provides that "no State shall deny to any person within its jurisdiction the equal protection of the laws." This language does not, of its own force, forbid private discrimination. But, phrased as it is in the form of a prohibition addressed to the States, neither does it limit Congress to legislation directed at State officials. Instead, section 5 of the amendment broadly empowers Congress to enforce the article by "appropriate legislation." And what could be more appropriate and necessary than legislation to deter persons from acts or threats of violence which undermine the very benefits the States must provide?

Any doubt that congressional power can reach private acts tending to obstruct equal access to State facilities and benefits was resolved by the opinions of Justices Clark and Brennan, each writing for three of the Justices, in the 1966 case of United States against Guest. Both opinions—and thus six out of nine Justices—made it clear that section 5 of the 14th amendment empowers Congress to enact laws punishing all conspiracies—with or without State action—that interfere with 14th amendment rights.

Since the Guest case involved a conspiracy, the Justices limited their comments accordingly. However, there is nothing in the nature of a conspiracy that distinguishes it, for constitutional purposes, from an individual's criminal act. Thus, it is clear that the committee bill is a valid exercise of the power granted Congress by section 5 of the 14th amendment.

This analysis applies to the protection afforded participation in State elections by H.R. 2516, as well as to enjoyment of other State benefits. However, the first section of the 15th amendment provides specifically that "the right of the citizens of the United States to vote shall not be denied or abridged by any State on account of race." Here, too, the enabling clause permits Congress to enact criminal legislation directed at private individuals. Indeed, sections 11 and 12 of the Voting Rights Act of 1965, which provides penalties for the intimidation of persons seeking to vote, were enacted upon that premise. Since the language of the 14th and 15th amendments reveals no difference in scope of congressional power between the two, we should have no more hesitation in enacting the bill now before us.

Since it is clear that we have the power to enact this legislation, the next question is the appropriateness of further Federal entry into this area of criminal law enforcement. Of course, the major responsibility for prosecuting acts of violence rests in local law-enforcement authorities. In most places local authorities enforce the law vigorously and even-handedly. However, in a few areas, where resistance to equal rights for Negroes is acute, local officials have sometimes been either unable or unwilling to prosecute or obtain convictions of persons who engage in racially motivated acts of violence. In such places Federal jurisdiction is imperative to protect the rights and the physical security of persons seeking equal access to State programs and privileges.

In addition, since such violence is intended to prevent the exercise of affirmative Federal rights, the will of Congress is being flouted. When this occurs, a crime is being committed against the Federal Government, in which authority to prosecute, if necessary, should be lodged. The Department of Justice is certain to continue its strict policy of giving local law enforcement authorities the opportunity to act before instituting Federal prosecutions. Thus, this bill, insofar as it protects participation in State-administered activities, is not an unjustified invasion of State jurisdiction, but rather a necessary means of giving substance to Federal rights already affirmed by the Constitution and laws of the United States.

The question of whether this bill is needed today must also be emphatically answered in the affirmative, in view of both the inadequacy of existing Federal law and the circumstances in some areas which cry out for such legislation. The acts of terrorism which have occurred have not been limited to interference with equal access to federally funded or administered activities, nor to employment or public accommodations situations covered by the Civil Rights Act of 1964.

It is true that these activities have probably accounted for the majority of violent incidents in the past, but this is primarily because the right of nondiscriminatory treatment has been more vigorously implemented thus far by the Federal Government than by some local authorities. Certainly, as each State progresses further toward the goal of administering its programs, hiring its employees, and bestowing its privileges of voting and jury service without regard to race, the forces of bigotry will refocus their attention accordingly. It is well within the discretion of Congress to enact a bill such as this, with the hope of deterring violence before it arises.

This is not to say, however, that such incidents of racial violence, directed against the participation by Negroes in State benefits, have not occurred in the recent past. In the area of employment by local governmental agencies, there have been several notorious incidents, involving brutal intimidation of Negro law enforcement officers by white persons who resented the entry of Negroes into that profession. Private individuals have also attempted to intimidate Negroes seeking to use public parks and similar facilities.

Existing Federal laws are not adequate for the effective prosecution and deterrence of such acts. Section 242 of the criminal code applies only to deprivation of Federal rights by persons acting under color of law. The bill before us increases the maximum penalty of this statute, but the new section 245 which this bill would enact is intended primarily to deal with the problem of intimidation by private individuals.

Section 241, the penalties of which are also strengthened by the committee bill, proscribes conspiracies to injure or intimidate persons seeking to enjoy any federally granted right or privilege. The Justice Department has been powerless to prosecute under this statute when the perpetrator of racial violence was a lone individual or when the elements of a conspiracy were impossible to prove.

A second problem is that the language of section 241 is so general that the Supreme Court has held due process to require proof of "specific intent" to deprive the victim of a particular Federal right. Although proof of intent will be a part of the Government's case under the new section 245, the clear enumeration of protected activities eliminates any re-

quirement of proof of "specific intent." And, most significantly, this explicit enumeration should have a far more substantial deterrent effect on prospective violators than the general wording of section 241.

The inadequacy of section 241 which is most peculiarly applicable to protection of equal rights to State benefits is the uncertainty as to the statute's coverage of such rights. Until recently, the Justice Department has prosecuted only cases in which violent acts were committed either under color of law, or to discourage enjoyment of benefits conferred by the Federal Government or covered by positive Federal legislation. The Supreme Court may soon be confronted with the question of whether section 241 protects 14th amendment rights as well. But regardless of the Court's resolution of this issue, there is no question but that the new section 245 will be a more effective means of guaranteeing such protection.

Finally, a word should be said about the overlap between section 245(a) of this bill and sections 11 and 12 of the Voting Rights Act. Although the right to vote in State elections is given similar protection in both, section 245(a) also covers the right to run for office, which is not explicitly included in the Voting Rights Act. Further, the punishment provided in the bill before us is greater, and more commensurate with the gravity of the offense. There is also much to be said for setting out, in one statute, a comprehensive list of activities to be protected by Federal law. Amending the Voting Rights Act, so as to avoid duplication of coverage, would be a far wiser course than weakening the committee bill in such an important area.

We must meet our responsibilities by passing H.R. 2516 without delay.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. 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. EASTLAND. Mr. President, I rise in opposition to H.R. 2516. This is another misnamed civil rights bill.

This proposal is unsound, unwise, and not needed. In many material respects it is unconstitutional.

I believe that when the Senate and the American people fully understand the tragic consequences that would inevitably result from the enactment of this bill, this body, in its wisdom, will refuse to approve H.R. 2516.

I want to here and now assure my colleagues, and the American people, that I will expend every energy and effort to alert the Senate and the people to the dreadful consequences which would follow the passage of this legislation. The faults and weaknesses of this bill are so many and varied that they cannot all be encompassed in one speech. I intend to join in with other of my colleagues who are deeply concerned with, and fearful of, this proposed legislation in an effort to defeat this bad bill.

I sincerely hope and trust that all of my colleagues give full and fair consideration to our objections to H.R. 2516.

This bill purports to be directed to acts of violence or threats of violence. In order to properly consider the propriety of this legislation as an expression of desirable public policy, it is necessary to briefly review the recent events pertaining to mob violence and civil disorders in this Nation.

In my judgment, the most serious domestic crisis facing America today is the ominous threat of riots and mob violence that hangs like a pall over many of our cities. I believe that the vast majority of the people share in this opinion.

If the widespread eruptions of riots, mob violence, and civil disorders of 1964, 1965, and 1966, whch resulted in scores of killings and wholesale destruction and theft of property, failed to demonstrate the truthfulness of this proposition, then the events of this past summer should have convinced the most skeptical. In the summer of 1967, more than 100 American cities were hit by riots, mob violence, or civil disorders. Detroit and Newark became the scenes of mass depredations of the mindless mob against persons and property. The American people were treated to the spectacle of the Armed Forces patrolling the streets to save a great city from anarchy.

The majority of the Judiciary Committee has responded to this crisis by ordering reported a bill which will give added protection to roving fomentors of violence, such as Stokely Carmichael and H. Rap Brown.

An amendment was offered to this bill in the Judiciary Committee to attach H.R. 421, the House-passed antiriot bill, to H.R. 2516. This amendment was voted down.

If the Senate follows the lead of a majority of the Judiciary Committee in enacting this bill without having first enacted a meaningful antiriot bill, then the American people will get the clear and unmistakable message that this body is more interested in protecting the agitators and incitors to riot who travel about this country than it is in punishing these persons for their misdeeds in causing loss of lives and property.

Under the terms and provisions of this bill as ordered reported to the Senate, if a white person had been present during the inflammatory speech of H. Rap Brown which led to the Cambridge riots on July 24, 1967, and, becoming enraged at the inflammatory statements made by Brown, had shouted a threat to him from the audience, that person could be tried under this act and fined up to $1,000 and imprisoned for 1 year. If such person had jumped up on the platform and struck Brown, giving him a bloody nose, he could be punished by 10 years in prison and fined up to $10,000. No punishment could be imposed on H. Rap Brown under these circumstances. This would have been cured by attaching the antiriot bill as an amendment.

I strongly believe that under these conditions the majority of the Senate and the vast majority of the American people rightly believe that H. Rap Brown should be punished under the Federal criminal law, and that the person who became angry at him should not be punished. If I am wrong, then the Senate should enact this bill in its present form.

If there are those who doubt that a person who heckled Brown at the Cambridge speech could be indicted and convicted under the terms of this bill, I will apply the provisions of the bill to the facts in that case.

First, during the course of his speech Brown complained about inadequate schools afforded the Negro community. He also complained about the police protection given the Negro community by the city of Cambridge. The bill would make it a crime to knowingly, by force or threat of force, injure, intimidate, or interfere with any person because he has engaged in speech or peaceful assembly opposing any denial of the opportunity to participate in eight specified categories of activities without discrimination on account of race, color, religion, political affiliation, or national origin. The third of the eight specified categories of rights is "participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States or by any State or subdivision thereof." Obviously, the public schools are a benefit, privilege, facility, or activity provided or administered by the State of Maryland and/or the city of Cambridge. Also, police protection falls in the same category.

It is important to understand that the bill speaks of "speech or peaceful assembly." The word "peaceful" modifies "assembly," but it does not modify "speech."

Any interference with even the most violent and inflammatory speech, such as the one made by Brown, which opposed the denial of the opportunity to participate in any activity or benefit mentioned in the eight categories, which embrace practically all human activities and actions, on account of race, et cetera, would be punished under this bill, and at the same time deter the police from keeping the peace.

I was happy and pleased that on the first day this bill was brought up for discussion by the Senate, January 18, 1968, my distinguished and able colleague, the junior Senator from Louisiana, with his usual thorough understanding and grasp of the issues, made reference to this fatal flaw of the bill.

In the course of discussing this bill on the floor, Senator LONG asked the following questions, page 329:

> Is it possible that this bill could be used to help Rap Brown conduct his activities and protect him while he goes around making incendiary speeches?
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> Is it not possible that this bill could be helpful to him on the basis that if he went somewhere and his conduct might lead to burning down Cambridge, Detroit, or Baton Rouge, La., and if someone should act precipitously before he got around to setting the place on fire and before he consummated his evil conduct, and acted against him before that time, that this could be a bill for the protection of Rap Brown; in other words, prior to the time he had gone overboard with his conduct?

I can assure my esteemed colleague that, unfortunately, the answer to both of his questions is "Yes." He apparently has come to the same conclusion, because at a later point in the discussion he made the following statement, page 332:

So it can well be contended that this bill could properly be entitled "A bill to aid and abet H. Rap Brown and Stokely Carmichael."

The House of Representatives, when it considered H.R. 2516 last August, was concerned about whether its provisions would afford protection to agitators and criminal elements such as Brown and Carmichael. In order to assure that this bill could not be used in such a perverted fashion, the House insisted on adding this language as a floor amendment:

As used in this section, the term "engaged in speech or peaceful assembly" shall not mean the urging, instigating or inciting of other persons to riot or to commit any act of violence in furtherance of a riot.

There is no such provision in the bill ordered reported to this Senate by the majority of the Judiciary Committee.

Another great danger posed by H.R. 2516 is that it could be used to prosecute National Guardsmen, State and local law-enforcement officers, and even members of the Armed Forces of the United States engaged in suppressing a riot. If a white law enforcement officer inflicted bodily harm upon a Negro citizen while engaged in suppressing a riot, because the colored person was using the public streets or sidewalks—which are facilities provided by a State or subdivision thereof, as set out in paragraph 3 of the categories of protected rights—and because of the race or color of the Negro, then such law enforcement officer could be prosecuted under this bill.

I think it manifestly unfair to put those who are on the front lines of the struggle to maintain a society of ordered liberty under the terrible omnipresent threat of being hailed into Federal court on a criminal charge because the Attorney General of the United States or a grand jury determined weeks or months after the fact that in the heat of conflict they had used an unreasonable amount of force in suppressing a riot.

The House of Representatives was also concerned that this evil result might flow from the use of this proposed criminal law. When considering this bill, the House insisted on adding the following proviso on the floor:

Provided, however, That nothing within this section shall be construed so as to deter any law enforcement officer from lawfully carrying out the lawful duties of his office and no such officer shall be considered to be in violation of this section for carrying out the lawful duties of his office or enforcing lawful ordinances and laws of the United States or their political subdivisions.

The bill ordered reported by the majority of the Judiciary Committee fails to contain any provisions which would protect our law enforcement officers. In my judgment, this alone is a fatal flaw of the bill.

Senator ERVIN offered an amendment in the committee which would have assured that this bill could never be used for such a bad purpose. His amendment provided as follows:

Nothing in this Act shall apply to acts or omissions on the part of law enforcement officers, members of the National Guard, as defined in section 101(9) of title 10, United States Code, members of the organized militia of any State or the District of Columbia, not covered by section 101(9), or members of the Armed Forces of the United States who are engaged in suppressing a riot or civil disturbance or restoring law and order during a riot or civil disturbance.

For some strange reason the proponents of this legislation in its present form rejected this amendment by a vote of 8 to 7. Senator ERVIN has introduced his amendment on the floor, and it should be supported.

There is one portion of the majority report filed to accompany this bill which I think is deserving of comment at this time. On page 4 of the printed report, under the heading of "The Need for the Legislation" is found the following language:

Under the Federal system, the keeping of the peace is, for the most part, a matter of local and not Federal concern. Racial violence almost invariably involves a violation of State law. Where the administration of justice is colorblind, perpetrators of racial crimes will ordinarily be apprehended by local police and appropriately punished by local courts; and, as a natural consequence, other would-be lawbreakers will be deterred.

In some places, however, local officials either have been unable or unwilling to solve and prosecute crimes of racial violence or to obtain convictions in such cases—even where the facts seemed to warrant. As a result, there is need for Federal action to compensate for the lack of effective protection and prosecution on the local level.

This sounds like a good reason to enact a strong antiriot bill rather than this so-called civil rights bill, which is admittedly aimed at the States of the South.

It is ironic, indeed, that the proponents of this legislation should cite these reasons for the enactment of this civil rights bill when almost everybody in America has witnessed on television and in newspaper photographs the spectacle of Negro rioters and looters strolling out of stores carrying liquor, radios, television sets, appliances, and many other types of stolen goods while policemen are shown calmly looking on.

We all know of "deals" and "truces" arranged between some local law-enforcement authorities and rioters who have, for some racial motives, inflicted serious damage on the property and persons of white citizens.

It is also a notorious fact that comparatively very few of these rioters and killers who have committed racially motivated crimes have even been brought to trial, and even fewer have been convicted.

The evidence is overwhelming that the South is not the area where local justice is not colorblind. Some of the proponents of this bill should look to their own States before they make such an accusation of the Southern States.

In my judgment, the people of the United States have had enough of legislative lynching of the Southern States. I think that most of the people of the country have come to realize that for the past 7 years and more, the southern people have had to bear insults, intimidation, agitation, provocation, ridicule, and scorn, and that the people of the South have, by and large, responded with restraint and sometimes outraged and righteous indignation.

The discussion on this floor on January 18, the first day this bill was brought to the floor, illustrates the need for a full and thorough discussion of all aspects of the bill. At page 332 of the CONGRESSIONAL RECORD of that date is found a colloquy between my esteemed colleagues, the senior Senator from Florida [Mr. HOLLAND], the senior Senator from North Carolina [Mr. ERVIN], and the senior Senator from Michigan [Mr. HART]. Senator HOLLAND expressed concern over the definition of the word "color" as used in section 245(a) when it refers to "race, color, religion, or national origin."

I quote, in part, the discussion between my colleagues on this question, page 332:

Mr. HOLLAND. Mr. President, I am somewhat disturbed by the question of racial difference, the question of color difference.

Is there any definition, in the pending measure or in the Federal law otherwise, that fixes the differential between races and between colors?

Mr. ERVIN. No. The word "color" is not brought up. If there is any difference of color, it is one man's suntan and another man's red face, as far as this bill is concerned.

Mr. HOLLAND. I doubt if that is what was intended.

Mr. ERVIN. I do not think so, either.

Mr. HOLLAND. I wonder if there is any definition, as there is under State law in my State and in other States that I know about, as to, for instance, what degree of Negro blood is necessary to designate an individual possessing it as a Negro, and similarly with reference to Indians and Orientals.

Mr. ERVIN. No, this bill leaves that to the judges, whom it assumes to be able to unscrew the inscrutable.

Mr. HOLLAND. I ask the Senator this question:

Would a mulatto—who, under our law, is a halfbreed, half white and half colored—be considered as white or colored for the purposes of this law?

Mr. ERVIN. I am not an expert in that regard. I leave the matter of color entirely out of my proposal.

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Mr. HOLLAND. Mr. President, I at one time served as judge in a minor court. I know that it sometimes became very difficult to fix the question of color, at least in the Southland, and I am sure that would be true everywhere in the Nation. Certainly it would be true under a criminal statute that differentiates between citizens or individuals according to their color or race.

Mr. HART. Mr. President, Congress, generally over the bitter objection of some who are present on the floor, has consistently passed a series of laws that establish certain rights based upon color and provide against the deprivation of rights because of color. I am aware of no difficulty that has been created over the years because of the adoption of those laws.

I would imagine that my distinguished colleague from Michigan had in mind the provisions of the civil rights acts of 1957, 1960, and 1964, and of the Voting Rights Act of 1965, which made discrimination on account of color a basis for the granting of injunctive or other civil relief.

However, the fact that a word of such vague meaning as "color" can or should be used as a basis for the granting of injunctive or other civil relief is certainly

no reason why it should be used as a basis for punishment under the criminal laws. In my judgment, my colleagues from Florida and North Carolina have raised a serious question which should be thoroughly explored in considering this legislation.

As all of us know, it is an elemental principle of law that all criminal laws must be specific, so that a potential offender may have reasonable notice that he is about to violate the law. If this requirement of specificity is not met, then the criminal law will be declared unconstitutional by the courts because of vagueness. It certainly seems to me that the use of the word "color" in this criminal statute would render it void for vagueness.

There are other portions of this bill which I also think are void on account of vagueness.

It is strange that the proponents of this legislation claim that one reason it should be supported is that the criminal civil rights statutes presently in force, especially title 18, United States Code, sections 241 and 242, are vague and overly broad, while H.R. 2516 states in specific and precise terms the conduct which is made criminal thereby. However, when we analyze the provisions of the pending bill, we see that it, too, is vague and overly broad, and, indeed, would punish almost all conceivable racially motivated acts of violence or threats of violence.

I do not believe that we would want to so drastically expand Federal criminal jurisdiction, even if it were constitutionally permissible to do so.

For instance, paragraph (7) of the enumerated categories of protected activities, deprivation of which is made punishable by fine and/or imprisonment, is as follows:

Participating in or enjoying the benefits of any program or activity receiving Federal financial assistance;

I have obtained from the Office of Economic Opportunity a current catalog of Federal assistance programs dated June 1, 1967. This catalog purports to list all domestic programs receiving Federal financial assistance. It contains a list of 459 program descriptions. The alphabetical subject index of these programs ranges from "accident control" to "youth opportunity centers." Of course, it would be utterly impossible for any citizen to be aware of all of these federally assisted programs. Yet, under the provisions of H.R. 2516, any citizen could be punished for attempting to interfere with the right of any person to participate in or enjoy the benefits of any of these programs. In my judgment, this falls far short of the promise made by the supporters of the bill that it deals in specifics, and not generalities.

Paragraph (3) of the enumerated categories of protected rights, interference with which would be punished by fine and/or imprisonment, is even more broad, vague, and loose. That paragraph is as follows:

Participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States or by any State or subdivision thereof;

This really covers the waterfront.

It is difficult to imagine a person engaging in many activities outside of his home that would not be covered by this provision. Certainly, the public streets and sidewalks are facilities provided by a State or subdivision. So are public parks and highways.

I believe it is unreasonable to expect a citizen to be aware of all of the "benefits, services, privileges, programs, facilities, or activities" provided or administered by the United States or by any State or subdivision thereof. I doubt seriously if there is any person present here who could enumerate all of the specific rights protected by these broad and general categories. For this reason I believe that this bill is void for vagueness.

There is another important aspect of this bill which does not live up to its promise. The proponents of this legislation tell us that this is a bill to protect federally secured rights, and to punish interference therewith on account of race, color, religion, or national origin. In fact, the first sentence of the majority report on this bill under the heading of "Purpose of the legislation as reported" reads as follows:

H.R. 2516, as reported, adds a new section 245 to title 18, United States Code, in the form of a criminal statute designed to deter and punish interference by force or threat of force with activities protected by Federal law or the Constitution and specifically set out in the bill.

The fact of the matter is that there are provisions of H.R. 2516 which go far beyond existing Federal law. For instance, subsection 4 of the enumerated categories of rights is as follows:

Applying for or enjoying employment, or any perquisite thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

This is much broader than title VII of the Civil Rights Act of 1964, which deals with equal employment opportunity? For instance, subsection (4) applied to employment by any agency of the United States or any State or subdivision thereof, but section 701(b) of title VII of the Civil Rights Act of 1964 provides, in part, as follows:

The term "employer" . . . does not include (1) the United States, a corporation wholly owned by the Government of the United States, an Indian tribe, or a State or political subdivision thereof.

Section 701(b) of title VII also restricts the definition of the term "employer" to a person engaged in an industry affecting commerce who has 25 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, with a proviso that during the first year after the effective date of the title—which was 1 year after enactment, or July 2, 1965—persons having fewer than 100 employees—and their agents—shall not be considered employers, and during the second year after such date, persons having fewer than 75 employees—and their agents—shall not be considered employers, and during the third year after such date, persons having fewer than 50 employees—and their agents—shall not be considered employers.

We are now in the third year after the effective date of title VII, so that any person having fewer than 50 employees engaged in an industry affecting commerce is not covered by the provisions of title VII.

If we are going to punish the deprivation of federally secured rights in the field of employment, then it certainly should be limited to the provisions of existing Federal law.

Another portion of the pending bill which goes far beyond existing Federal law is paragraph (8) of the categories of protected rights, interference with which would be made punishable by fine and/or imprisonment, which deals with the right to service in a place of public accommodation. Said paragraph (8) states the following as a protected right under the criminal laws:

Enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments;

Here, again, the provisions of the criminal law would go far beyond the provisions of the civil law contained in title II of the Civil Rights Act of 1964, dealing with places of public accommodation.

Section 201(b) of title II gives the following definition of a place of public accommodation:

Each of the following establishments which serves the public is a place of public accommodation within the meaning of this title if its operations affect commerce, or if discrimination or segregation by it is supported by State action:

(1) any inn, hotel, motel, or other establishment which provides lodging to transient guests, other than an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of such establishment as his residence;

(2) any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of any retail establishment; or any gasoline station;

(3) any motion picture house, theater, concert hall, sports arena, stadium or other place of exhibition or entertainment; and

(4) any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.

In the first place, section 201(b) of title II restricts coverage of the statute to establishments whose operations affect commerce, or whose policy of discrimination or segregation is supported by State action.

One of the worst features of paragraph (8) as a provision of the criminal law is the catchall provision at the end, in which after a long list of covered establishments, it is added "or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments." It is the last clause, "within the premises of which is physically located any of the aforesaid establishments" which causes me concern. In other words, if there is a 20-story bank building which serves the public, and there is a restaurant which serves the public on the top floor, then any racially motivated threat of violence occurring anywhere in the bank building on account of a person seeking to engage in transacting business with the bank would be punished under this bill with fine and/or imprisonment.

This type of criminal statute offends the basic requirements of due process of law, because a person is not given any notice that he is about to violate the law. If there were no restaurant or other covered establishments in the bank building, there would be no violation of the Federal criminal law. It is indefensible to make guilt of a Federal crime depend upon such unknown and unknowable circumstances.

This is another example of the civil counterpart being much more narrow and specific than the broad, general, vague provisions of this proposed criminal law. This is very strange, and the complete reverse of the general rule that a criminal law should be more narrow and specific than its civil counterpart, which can, within reason, be in broad and general terms.

The catchall provisions of section 201 (b) (4) of title II of the Civil Rights Act of 1964 are in stark contrast to the catchall provisions of paragraph (8) of the pending bill. Section 201(b) (4) provides that the following additional establishments shall be covered:

Any establishment (A) (i) which is physically located within the premises of any establishment otherwise covered by this subsection, or (ii) within the premises of which is physically located any such covered establishment, and (B) which holds itself out as serving patrons of such covered establishment.

Thus, the catchall provisions of section 201(b) (4) are confined to such matters as a barbershop located in a hotel covered by the act which holds itself out as serving patrons of the hotel, or a bar serving alcoholic beverages located within the same premises as a restaurant covered by the act and which holds itself out as serving patrons of the restaurant.

This is reasonable coverage for a provision of civil law, but the broad catchall provisions of paragraph (8) of H.R. 2516 certainly have no place in the criminal law.

Mr. President, the provisions of H.R. 2516, presently pending before the Senate are objectionable for many and various reasons. However, there is one basic constitutional question which challenges the very premise upon which this bill is based. The question is, simply stated: Does the equal protection clause of the 14th amendment authorize Congress to provide criminal penalties for the acts of individuals, not acting "under the color of law," against the exercise of rights enumerated in this legislation? If this question is answered in the negative, the entire bill must fall in its entirety. I submit that it does thus fail to meet the constitutional test and address my remarks to that question.

The Supreme Court, as early as 1875, considered the power of Congress to legislate pursuant to the authority of the fifth section of the 14th amendment in the case of *United States* v. *Cruikshank*, 92 U.S. 542, involving an indictment containing 16 counts for conspiracy under section 6 of the Enforcement Act of May 31, 1870, which reads as follows:

That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen, with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the constitution or laws of the United States, or because of his having exercised, the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both at the discretion of the court—the fine not to exceed $5,000 and the imprisonment not to exceed ten years; and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit or trust created by the constitution or laws of the United States.

The indictments alleged actions by individual whites against two citizens "of African descent and persons of color." Mr. Chief Justice Waite, delivering the opinion of the Court, stated:

The fourteenth amendment prohibits a State from depriving any person of life, liberty, or property, without due process of law, but this adds nothing to the rights of one citizen as against another. It simply furnishes an additional guaranty against any encroachment by the States upon the fundamental rights which belong to every citizen as a member of society.

* * * * *

The fourteenth amendment prohibits a State from denying to any person within its jurisdiction the equal protection of the laws; but this provision does not, any more than the one which precedes it, and which we have just considered, add any thing to the rights which one citizen has under the Constitution against another. The equality of the rights of citizens is a principle of republicanism. Every republican government is in duty bound to protect all its citizens in the enjoyment of this principle, if within its power. That duty was originally assumed by the States; and it still remains there. The only obligation resting upon the United States is to see that the States do not deny the right. This the amendment guarantees, but no more. The power of the national government is limited to the enforcement of this guaranty.

In 1879, the Court stated in *Virginia* v. *Rives*, 100 U.S. 313:

The provisions of the Fourteenth Amendment of the Constitution we have quoted all have reference to State action exclusively, and not to any action of private individuals. It is the State which is prohibited from denying to any person within its jurisdiction the equal protection of the laws, and consequently the statutes partially enumerating what civil rights colored men shall enjoy equally with white persons, founded as they are upon the amendment, are intended for protection against State infringement of those rights. Sec. 641 was also intended for their protection against State action, and against that alone.

In that same year the Court stated in *Ex parte Virginia*, 100 U.S. 39:

The prohibitions of the Fourteenth Amendment are directed to the States, and they are to a degree restrictions of State power. It is these which Congress is empowered to enforce, and to enforce against State action, however put forth, whether that action be executive, legislative or judicial.

* * * * *

We have said the prohibitions of the Fourteenth Amendment are addressed to the States. They are, "No State shall make or enforce a law which shall abridge the privileges or immunities of citizens of the United States, . . . nor deny to any person within its jurisdiction the equal protection of the laws."

* * * * *

But the constitutional amendment was ordained for a purpose. It was to secure equal rights to all persons, and, to insure to all persons the enjoyment of such rights, power was given to Congress to enforce its provisions by appropriate legislation. Such legislation must act upon persons, not upon the abstract thing denominated a State, but upon the persons who are the agents of the states in the denial of the rights which were intended to be secured.

In 1883, the Court, in a clear and comprehensive statement handed down its landmark decision in the civil rights cases, which were all founded on the first and second sections of the act of Congress known as the Civil Rights Act, passed March 1, 1875, entitled "An act to protect all citizens in their civil and legal rights." The facts of the case, as stated by the Court, were as follows:

Two of the cases, those against Stanley and Nichols were indictments for denying to persons of color the accommodations and privileges of an inn or hotel; two of them, those against Ryan and Singleton, were, one on information, the other on indictment for denying to individuals the privileges and accommodations of a theater, the information against Ryan being for refusing a colored person a seat in the dress circle of Maguire's theater in San Francisco; and the indictment against Singleton was for denying to another person, whose color was not stated, the full enjoyment of the accommodations of the theater known as the Grand Opera House in New York, "said denial not being made for any reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude." The case of Robinson and wife against the Memphis & Charleston R. R. Company was an action brought in the Circuit Court of the United States for the Western District of Tennessee, to recover the penalty of five hundred dollars given by the second section of the act; and the gravamen was the refusal by the conductor of the railroad company to allow the wife to ride in the ladies' car, for the reason, as stated in one of the counts, that she was a person of African descent. The jury rendered a verdict for the defendants in this case upon the merits, under a charge of the court to which a bill of exception was taken

by the plaintiffs. The case was tried on the assumption by both parties of the validity of the act of Congress; and the principal point made by the exceptions was, that the judge allowed evidence to go to the jury tending to show that the conductor had reason to suspect that the plaintiff, the wife, was an improper person, because she was in company with a young man whom he supposed to be a white man, and on that account inferred that there was some improper connection between them; and the judge charged the jury, in substance, that if this was the conductor's *bona fide* reason for excluding the woman from the car, they might take it into consideration on the question of the liability of the company.

The Civil Rights Act referred to declared in section 1:

That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color regardless of any previous condition of servitude.

Section 2 of the act provided criminal penalties for "any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial."

Thus, the issue before the Court was whether the prohibitions of the 14th amendment applied only to "State action" in violation thereof, or whether the scope of the 14th amendment also included acts by individuals not acting "under color of law."

As stated by Justice Bradley, who delivered the opinion of the Court:

Are these sections constitutional? The first section, which is the principal one, cannot be fairly understood without attending to the last clause, which qualifies the preceding part.

The essence of the law is, not to declare broadly that all persons shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances and theaters; but that such enjoyment shall not be subject to any conditions applicable only to citizens of a particular race or color, or who had been in a previous condition of servitude. In other words, it is the purpose of the law to declare that, in the enjoyment of the accommodations and privileges of inns, public conveyances, theaters, and other places of public amusement, no distinction shall be made between citizens of different race or color, or between those who have, and those who have not been slaves. Its effect is to declare, that in all inns, public conveyances, and places of amusement, colored citizens whether formerly slaves or not, and citizens of other races, shall have the same accommodations and privileges in all inns, public conveyances, and places of amusement as are enjoyed by white citizens; and vice versa. The second section makes it a penal offense in any person to deny to any citizen of any race or color, regardless of previous servitude, any of the accommodations or privileges mentioned in the first section.

Has Congress constitutional power to make such a law? Of course, no one will contend that the power to pass it was contained in the Constitution before the adoption of the last three amendments. The power is sought, first, in the Fourteenth Amendment, and the views and arguments of distinguished Senators, advanced whilst the law was under consideration, claiming authority to pass it by virtue of that amendment, are the principal arguments adduced in favor of the power. We have carefully considered those arguments, as was due to the eminent ability of those who put them forward, and have felt, in all its force, the weight of authority which always invests a law that Congress deems itself competent to pass. But the responsibility of an independent judgment is now thrown upon this court; and we are bound to exercise it according to the best lights we have.

The first section of the Fourteenth Amendment (which is the one relied on), after declaring who shall be citizens of the United States, and of the several States, is prohibitory in its character, and prohibitory upon the States. It declares that:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject-matter of the amendment. It has a deeper and broader scope. It nullifies and makes void all State legislation, and State action of every kind, which impairs the privileges and immunities of citizens of the United States, or which injures them in life, liberty or property without due process of law, or which denies to any of them the equal protection of the laws. It not only does this, but in order that the national will, thus declared, may not be a mere brutum fulmen, the last section of the amendment invests Congress with power to enforce it by appropriate legislation. To enforce what? To enforce the prohibition. To adopt appropriate legislation for correcting the effects of such prohibited State laws and State acts, and thus to render them effectually null, void, and innocuous. This is the legislative power conferred upon Congress, and this is the whole of it. It does not invest Congress with power to legislate upon subjects which are within the domain of State legislation; but to provide modes of relief against State legislation, or State action, of the kind referred to. It does not authorize Congress to create a code of municipal law for the regulation of private rights; but to provide modes of redress against the operation of State laws, and the action of State officers executive or judicial, when these are subversive of the fundamental rights specified in the amendment. Positive rights and privileges are undoubtedly secure by the Fourteenth Amendment, but they are secured by way of prohibition against State laws and State proceedings affecting those rights and privileges, and by power given to Congress to legislate for the purpose of carrying such prohibition into effect; and such legislation must necessarily be predicated upon such supposed State laws or State proceedings, and be directed to the correction of their operation and effect.

* * * * *

And so in the present case, until some State law has been passed, or some State action through its officers or agents has been taken, adverse to the rights of citizens sought to be protected by the Fourteenth Amendment, no legislation of the United States under said amendment, nor any proceeding under such legislation, can be called into activity; for the prohibitions of the amendment are against State laws and acts done under State authority.

* * * * *

Hence, in all those cases where the Constitution seeks to protect the rights of the citizen against discriminative and unjust laws of the State by prohibiting such laws, it is not individual offences, but abrogation and denial of rights, which it denounces, and for which it clothes the Congress with power to provide a remedy. This abrogation and denial of rights, for which the States alone were or could be responsible, was the great seminal and fundamental wrong which was intended to be remedied. And the remedy to be provided must necessarily be predicated upon that wrong. It must assume that in the cases provided for, the evil or wrong actually committed rests upon some State law or State atuhority for its excuse or perpetration.

Of course, these remarks do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject, accompanied with an express or implied denial of such power to the States, as in the regulation of commerce with foreign nations, among the several States, and with the Indian tribes, the coining of money, the establishment of post offices and post roads, the declaring of war, etc. In these cases Congress has power to pass laws for regulating the subject specified in every detail, and the conduct and transactions of individuals in respect thereof. But where a subject is not submitted to the general legislative power of Congress, but is only submitted thereto for the purpose of rendering effective some prohibition against particular State legislation or State action in reference to that subject, the power given is limited by its object, and any legislation by Congress in the matter must necessarily be corrective in its character, adapted to counteract and redress the operation of such prohibited State laws or proceedings of State officers.

If the principles of interpretation which we have laid down are correct, as we deem them to be (and they are in accord with the principles laid down in the cases before referred to, as well as in the recent case of *United States* v. *Harris*, 106 U.S. 629), it is clear that the law in question cannot be sustained by any grant of legislative power made to Congress by the Fourteenth Amendment. That amendment prohibits the States from denying to any person the equal protection of the laws, and declares that Congress shall have power to enforce, by appropriate legislation, the provisions of the amendment. The law in question, without any reference to adverse State legislation on the subject declares that all persons shall be entitled to equal accommodations and privileges of inns, public conveyances, and places of public amusement, and imposes a penalty upon any individual who shall deny to any citizen such equal accommodations and privileges. This is not corrective legislation, it is primary and direct; it takes immediate and absolute possession of the subject of the right of admission to inns, public conveyances, and places of amusement. It supersedes and displaces State legislation on the same subject, or only allows it permissive force. It ignores such legislation, and assumes that the matter is one that belongs to the domain of national regulation. Whether it would not have a more effective protection of the rights of citizens to have clothed Congress with plenary power over the whole subject, is not now the question. What we have to decide is, whether such plenary power has been conferred upon Congress by the Fourteenth Amendment; and, in our judgment, it has not.

It is interesting to note that Justice Bradley foresaw that if the true meaning of the 14th amendment were to be per-

verted and twisted to include individuals not acting "under color of law," that theory extended to its logical conclusion would lead to Federal laws purporting to protect every right, of every person, in every case. As stated by the Justice:

If this legislation is appropriate for enforcing the prohibitions of the amendment, it is difficult to see where it is to stop? Why may not Congress with equal show of authority enact a code of laws for the enforcement and vindication of all rights of life, liberty, and property? If it is supposable that the States may deprive persons of life, liberty, and property, without due process of law (and the amendment itself does suppose this), why should not Congress proceed at once to prescribe due process of law for the protection of every one of these fundamental rights, in every possible case, as well as to prescribe equal privileges in inns, public conveyances, and theaters? The truth is, that the implication of a power to legislate in this manner is based upon the assumption that if the States are forbidden to leigslate or act in a particular way on a particular subject, and power is conferred upon Congress to enforce the prohibition, this gives Congress power to legislate generally upon that subject, and not merely power to provide modes of redress against such State legislation or action. The assumption is certainly unsound.

It is also interesting to note that of the eight Justices who constituted the majority in the civil rights cases, the Virginia Commission on Constitutional Government has written:

It is passing interest also to note who these justices were. Plainly they had no Southern bias. Bradley, who wrote the opinion, was 70 years old in 1883, a native of New York, a Rutgers graduate, and ardent Unionist who publicly had denounced secession as treason. Samuel Blatchford, 63, also a New Yorker, a Columbia graduate, formerly private secretary and later law partner of William H. Seward. The colorful Stephen J. Field, 66, a native of Connecticut, had been appointed from California. Horace Gray, 55, was a Bostonian, a Harvard graduate, a renowned scholar and jurist who had served as a colonel of Ohio infantry in the Union Army. William Burnham Woods, 59, also an Ohioan, served as a Union officer at Shiloh, in the siege of Vicksburg, and in Sherman's march to the sea. Samuel F. Miller, 67, started out to be a doctor in Kentucky, practiced medicine for 12 years, took up the law, and moved to Iowa where his emancipationist views were more acceptable. Chief Justice Morrison Waite, 66, was a native of Connecticut, a Yale graduate, a staunch Unionist who settled in Toledo and identified himself prominently with the Northern cause.

The principle set forth in the civil rights cases has been reiterated in an endless procession of cases, and as noted by constitutional authority Charles Bloch:

Since then Waite, Fuller of Illinois, White of Louisiana, Taft of Connecticut (and Ohio), Hughes of New York, Stone of New York, Vinson of Kentucky, Warren of California have served as Chief Justices. The doctrine of Civil Rights cases of 1883 has not been overruled. Since 1883, approximately 50 men from various States have been appointed to the Supreme Court but there has been no reversal of the rulings in the Civil Rights cases.

Presidents Arthur, Cleveland, Benjamin Harrison, William McKinley, Theodore Roosevelt, Taft, Wilson, Harding, Coolidge, Hoover, Franklin D. Roosevelt, Truman, Eisenhower, Kennedy and Johnson have served since 1883 with Congresses from the 48th to the 90th, and no amendment to the Constitution of the United States has been ratified, or even submitted by the Congress which would effectuate a change in that established principle of law.

It would serve only to labor the question to cite to you the many, many decisions of the Supreme Court which have reaffirmed the doctrine.

The 1882 case of *United States* v. *Harris*, 106 U.S. 609, involved an indictment charging that several defendants "unlawfully, with force and arms, did conspire together with certain other persons for the purpose of depriving 'several citizens' of the equal protection of the laws." From a difference of opinion upon the defendants demeanor, the case was appealed to the Supreme Court.

Holding "against the constitutionality of the law," Mr. Justice Woods, delivering the opinion of the court, stated:

These authorities show conclusively that the legislation under consideration finds no warrant for its enactment in the Fourteenth Amendment.

The language of the amendment does not leave this subject in doubt. When the State has been guilty of no violation of its provisions; when it has not made or enforced any law abridging the privileges or immunities of citizens of the United States; when no one of its departments has deprived any person of life, liberty, or property without due process of law, or denied to any person within its jurisdiction the equal protection of the laws; when, on the contrary, the laws of the State, as enacted by its legislative, and construed by its judicial, and administered by its executive departments, recognize and protect the rights of all persons, the amendment imposes no duty and confers no power upon Congress.

Section 5519 of the Revised Statutes is not limited to take effect only in case the State shall abridge the privileges or immunities of citizens of the United States, or deprive any person of life, liberty, or property without due process of law, or deny to any person the equal protection of the laws. It applies, no matter how well the State may have performed its duty. Under it private persons are liable to punishment for conspiring to deprive any one of the equal protection of the laws enacted by the State.

In the indictment in this case, for instance, which would be a good indictment under the law if the law itself were valid, there is no intimation that the State of Tennessee has pasesd any law or done any act forbidden by the Fourteenth Amendment. On the contrary, the *gravamen* of the charge against the accused is that they conspired to deprive certain citizens of the United States and of the State of Tennessee of the equal protection accorded them by the laws of Tennessee.

As, therefore, the section of the law under consideration is directed exclusively against the action of private persons, without reference to the laws of the State or their administration by her officers, we are clear in the opinion that it is not warranted by any clause in the Fourteenth Amendment to the Constitution.

In 1901 the Court considered *Hodger* v. *United States*, 203 U.S. 1, a case involving an indictment charging that several defendants did "knowingly, willfully, and unlawfully conspire to oppress, threaten and intimidate" certain "citizens of the United States of African decent, in the free exercise and enjoyment of rights and privileges secured to them and each of them by the Constitution and laws of the United States." It was not alleged that the defendants were acting under "color of law." The lower court overruled defendants' demeanor, whereupon the case was appealed to the Supreme Court.

Reversing and remanding, Justice Brewer, delivering the opinion of the Court, stated:

That prior to the three *post bellum* Amendments to the Constitution the National Government had no jurisdiction over a wrong like that charged in this indictment is conceded; that the Fourteenth and Fifteenth Amendments do not justify the legislation is also beyond dispute, for they, as repeatedly held, are restrictions upon state action, and no action on the part of the State is complained of. Unless, therefore, the Thirteenth Amendment vests in the Nation the jurisdiction claimed the remedy must be sought through state action and in state tribunals subject to the supervision of this court by writ of error in proper cases.

In *United States* v. *Powell*, 212 U.S. 564, 1909, the judgment of the circuit court sustaining demurrer to an indictment for conspiracy, the Court decided per curiam:

The judgment is affirmed on the authority of *Hodger* v. *United States*, 203 U.S. 1.

As stated in 162 A.L.R. at page 1383 (e):

In United States v. Powell (1909) 212 U.S. 564 . . . (affirming 1907 . . . 151 Fed. 648, and adopting the opinion therein), the statute was held to afford no protection against the act of private individuals in taking a prisoner from the state officers and murdering him to prevent his trial. But in ex parte Riggins (1904: C. C.), 134 Fed. 404, involving the sufficiency of an indictment based upon the same facts the court held that the statute did give such protection provided there was no attempt to alter or interfere with the state laws or the authority of its officers in executing them. The case was reversed (sic) in (1905) 199 U.S. 547 . . . on other grounds. In United States v. Powell (U.S.) supra, the government urged the court to adopt the position taken by the Circuit Court in ex parte Riggins, but since the Supreme Court did not go into the question on appeal, the court held that taking a prisoner from state officers and murdering him did not constitute an impairment of the right of trial by jury, the court citing Hodges v. United States (1906), 203 U.S.1 . . . where it was held that the Thirteenth Amendment did not empower Congress to make it an offense for private individuals to impair employment and contract rights of negroes because of race, color, or previous condition of servitude.

In 1926, the Supreme Court decided the case of *Corrigan* v. *Buckley* (271 U.S. 323). At page 330 the Court said:

And the prohibitions of the 14th amendment "have reference to State action exclusively, and not to any action of private individuals." *Virginia* v. *Rives*, 100 U.S. 313, 318; *United States* v. *Harris*, 106, U.S. 629, 639. "It is State action of a particular character that is prohibited. Individual invasion of individual rights is not the subject matter of the amendment." *Civil Rights Cases*, 109 U.S. 3, 11.

In 1948, the Supreme Court held, in *Shelley* v. *Kraemer* (334, U.S. 1), that for State courts to enforce racially restrictive covenants was State action forbidden by the 14th amendment. Writing for the Court, Chief Justice Vinson said:

Since the decision of this Court in the *Civil Rights Cases*, 109 U.S. 3 (1883), the principle has become firmly embedded in our constitutional law that the action in-

hibited by the first section of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful.

We conclude, therefore, that the restrictive agreements standing alone cannot be regarded as violative of any rights guaranteed to petitioners by the 14th amendment. So long as the purposes of these agreements are effectuated by voluntary adherence to their terms, it would appear clear that there has been no action by the State and the provisions of the amendment have not been violated.

In *Burton* v. *Wilmington Parking Authorities*, 365 U.S. 715, the Court stated at page 721:

The *Civil Rights Cases*, 109 U.S. 3 (1883) "embedded in our constitutional law" the principle "that the action inhibited by the first section [equal protection clause] of the 14th amendment is only such action as may fairly be said to be that of the States. That amendment erects no shield against merely private conduct, however discriminatory or wrongful."

Mr. Justice Douglas, concurring in *Garner* v. *Louisiana*, 368 U.S. 175, said:

It is, of course, State action that is prohibited by the 14th amendment, not the actions of individuals. So far as the 14th amendment is concerned, individuals can be as prejudiced and intolerant as they like. They may as a consequence subject themselves to suit for assault, battery, or trespass, but those actions have no footing in the Federal Constitution. The line of forbidden conduct marked by the equal protection clause of the 14th amendment is crossed only when a State makes prejudice or intolerance its policy and enforces it, as held in the *Civil Rights Cases*, 109 U.S. 3.

Mr. Justice Bradley, speaking for the Court, said: "* * * civil rights, such as are guaranteed by the Constitution against State aggression, cannot be impaired by the wrongful act of individuals, unsupported by State authority in the shape of laws, customs, or judicial or executive proceedings."

In the case of *Peterson* v. *City of Greenville*, 373 U.S. 244 (1963), the Chief Justice writing for the Court said:

It cannot be disputed that under our decisions "private conduct abridging individual rights does no violence to the equal protection clause unless to some significant extent the State in any of its manifestations has been found to have become involved in it."

It has been suggested that the long history of legal precedent limiting the scope of the 14th amendment to "State action" was overturned with the decision in United States of America against Guest.

Thus the basic constitutional issue before Congress was clearly and simply stated by Charles Bloch, testifying before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, on September 19, 1967. Mr. Bloch said:

Practically speaking, as far as this bill is concerned, one of the main questions is this: "How far have century-old, established principles of constitutional law been nullified by the opinions of various justices in the case of *United States of America* v. *Guest*, et al, 383 U.S. 745?"

Mr. Bloch continued:

Did the Supreme Court in the *Guest* case reverse or overrule the time-honored principle which Justice Fortas the very same day stated on page 799 of the *Price* case, and hereinbefore quoted?

Said he: "As we have consistently held 'The 14th amendment protects the individual against State Action not against wrongs done by individuals'." That is in the *Price* case.

In the *Guest* case in the opinion of the Court (page 746) delivered by Mr. Justice Stewart, at page 754, is:

"Unlike the indictment in *Price*, however, the indictment names no person alleged to have acted in any way under the color of State law. The argument is therefore made that, since there exists no equal protection clause rights against wholly private action, the judgment of the district court on this branch of the case must be affirmed." Just listen to this, Mr. Chairman: "On its face, the argument is unexceptionable."

Now, I interpolate. Let me quote the next sentence, before I interpolate, however.

"The equal protection clause speaks to the State or to those acting under the color of its authority."

The opinion continues at page 755:

"It is commonplace that rights under the equal protection clause itself arise only where there has been involvement of the State or of one acting under the color of its authority. The equal protection clause 'does not * * * add anything to the rights which one citizen has under the Constitution against another'."

And they even go back beyond the Civil Rights Cases; they go back to 17 volumes beyond it—or before it. They refer to *United States* v. *Cruikshank*, 92 U.S. 542, pp. 554–55. (October term, 1875.)

Then, Justice Steward, delivering the opinion of the Court, quotes the very same words of Mr. Justice Douglas, which Mr. Justice Fortas quoted in the *Price* opinion.

But he adds:

"This has been the view of the Court from the beginning, *United States* v. *Cruikshank, supra; United States* v. *Harris*, 106 U.S. 629; *Civil Rights Cases*, 109 U.S. 2; *Hodges* v. *United States*, 203 U.S. 1; *United States* v. *Powell*, 212 U.S. 564. It remains the Court's view today. See e.g., *Evans* v, *Newton*, 382 U.S. 296; *United States* v. *Price*, post page 787."

The case of *Evans* v. *Newton* is a case which came up from my hometown, Macon, Ga. It was argued either the day before or the same day the *Price* and *Guest* cases were argued. It involved the validity of a provision in the will of the late Senator Bacon, of Georgia, who was chairman of the Foreign Relations Committee for so many years; he was chairman in 1914 at the time of the declaration of war overseas, the time when World War I opened. He died in 1914. He left a will in which he left property in Macon for use as a park by the white citizens of the town. That came under attack. I was very much interested in reading what the Court had to say about *Evans* v. *Newton* which was decided at about the same time as *Price* and *Guest*. The provision in the will was invalidated because there was State action. The park was put into the hands of the city to administer, and the city trustees were the ones who had it in hand. The city tried to get rid of the trustees as Philadelphia did in Girard College, but it could not do so, and the State action had become established, and it could not be eliminated at that late date. That was in 1966. It has changed. How did the opinion of the Court avoid the impact of that view in the *Guest* case that day?

It avoided that impact by holding at page 756:

"This case, however, requires no determination of the threshold level that State action must attain in order to create rights under the equal protection clause. This is so because, contrary to the argument of the litigants"—plural; notice that plural, it was not only Guest, et al., but the United States of America, the whole staff of the Department of Justice over there—"the indictment in fact contains an express allegation of State involvement sufficient at least to require the denial of a motion to dismiss." I will not interpolate.

If the Supreme Court of the United States had not held in March 1966, that that indictment did charge State action, then would it not have followed that the majority of the Court would have sustained Judge Bootle in his opinion and held that he was perfectly correct and that the act was that of individuals?

So what comfort can anybody get from the ruling in the case—the Court in the *Guest* case or the Court in the *Price* case, because in the *Price* case the individuals who were accused of murdering the people down there were State officers—some of them were—and they were all acting in concert, and the fact that some of them were State officers spread the State action, so to speak, covering the acts of all of the other individuals.

Thus the Court in Price and Guest cited and reaffirmed the line of decisions preceding and following the civil rights cases. Therefore, the present bill which reaches private conspiracies against the exercise of rights under the equal protection clause of the 14th amendment cannot meet the constitutional test, and must therefore fail in its entirety. The basic premise upon which the entire bill is founded being in contravention of the Constitution, it is difficult to see how any compromise could remedy its patent illegality. Therefore, for these and other reasons, I cannot vote for this legislation under any circumstances.

THE U.S.S. "PUEBLO"—A NECESSARY RESERVE CALLUP

Mr. KUCHEL. Mr. President, the Reserve callup announced today by the President is necessary. I support it. It demonstrates our steadfast position and our will to meet Communist provocation. We need to proceed with firmness, but without war hysteria.

Our first duty is to save the 83-man crew of the *Pueblo*. The secrets of her sophisticated intelligence hardware may by this time be lost. But her loyal men have every right to an abiding faith that America will take all measures to assure their release.

Diplomatic channels must be exploited, bolstered by a clearly evident and determined military capability. Our diplomatic options are increased and strengthened, if our Nation has an alert military force ready.

The American people wonder how this incident could have happened. I respectfully suggest that the President has a duty to explain the circumstances as fully and as soon as national security permits.

Freedom of the seas has been an international right that has been completely ignored in some parts of the open seas in recent years. America has had more unhappy experience in this regard than most of us realize. Some 54 American vessels have been illegally seized in international waters off the coast of Latin America in these last few years. Obviously the terrible peril to peace

existing in the *Pueblo* hijacking incident is infinitely greater. Nevertheless, the experience of the captains of these several U.S.-flag vessels could be important and relevant.

The captains have sent a telegram to me offering to testify at some subsequent time to aid any inquiry into the *Pueblo* incident. It could be that their testimony would be most helpful.

I ask unanimous consent that the text of the telegram I have received be printed at this point in the RECORD.

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

WASHINGTON, D.C.,
January 24, 1968.

Senator THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.:

Our members deeply concerned alarmed and apprehensive about the seizure of the USS Pueblo on high seas of the Pacific Ocean by naval forces of North Korea and present detention of such vessel under guard in Wonsan. We know that you and others have fought a lonely battle in defense of this country's historic position on the freedom of the seas and its application to the problems that beset the U.S. flag tuna clippers in the eastern Pacific. The incident of the USS Pueblo demonstrates and justifies your activities in Congress on this country's sovereign interest in the freedom of the sea doctrine. The American Tuna Boat Association and its members are prepared to testify on their seizure experiences upon your request on the subject of whether this country's historic concept of the freedom of the seas is being properly asserted and sustained by those in Government that have such responsibility. The fact that in 1967 alone 11 U.S. flag tuna clippers have been wrongfully seized by naval vessels of Peru and Ecuador, the fact that 54 such vessels have been wrongfully seized on the high seas by such country in the past years provide our membership with experience and qualification to testify on the subject. Please advise.

AUGUST FELANDO,
General Manager, American Tuna Boat Association.

Mr. HART. Mr. President, I have a comment to make on this subject matter, although I admit that it is a somewhat risky note to introduce right after the *Pueblo* incident.

I am sure that we all share the concern that the Senator from California voices with respect to the points he makes. Having said that, I hope I protect my flank in what I now say.

While we react firmly, as the Senator from California proposes, with relation to this incident, every time an incident like this comes along, it should remind us also of the incredible danger which surrounds all of us so long as we tell ourselves that it is dangerous to negotiate a treaty of disarmament, or sign a consular treaty or a treaty on the peaceful uses of outer space and say that we need a thin screen antimissile system because it is too dangerous not to have it. It is said: "We cannot trust the Russians. So don't get too serious about extending the nuclear treaty. We cannot trust the Russians."

We then have a U–2 that overflies, and all of a sudden we are in danger because the U–2 was there.

We are now in danger all of a sudden because the U.S.S. *Pueblo* was there.

I am not second-guessing the presence of the vessel at that place. I merely wonder if some time we should not use these awful events and at least store them up for the time when somebody says that it is too dangerous to negotiate downwards our weapons closet, so that we can cite these events which go on because we have not negotiated down our weapons closet.

I sense that the Senator from California does feel that perhaps we emphasize only one size of the danger problem.

The dangers are incredibly great under any set of circumstances, but to suggest that we cannot give the United Nations too much power to look into the question because it is dangerous is to miss the point that if they had had a little more power, maybe some of the things that we do that get us into these incredibly dangerous situations would not have to be done.

Mr. KUCHEL. Mr. President, I thank the Senator. Surely most of us in this Chamber, I think, would favor a stronger United Nations. However, on this occasion, I simply wanted to reiterate some of the thoughts which I felt bound to say yesterday with respect to the officers and men, all Americans, on this vessel, the *Pueblo*, and to indicate today that I approve the announced callup. Speaking as an American citizen and Senator, it appeared to me that American diplomacy would be infinitely strengthened by an American defensive force in being in the area of the Sea of Japan.

No one is more devoted to the question of a just peace than my friend, the Senator from Michigan [Mr. HART]. I thank him for his comments.

Mr. PELL. Mr. President, I warmly congratulate our President on his bringing the heinous capture of the *Pueblo* to the United Nations Security Council and on his good efforts to resolve this problem through diplomatic and political means rather than militarily.

I wish him well in these efforts. We are a large and great enough Nation to be concerned with long-range results and not with temporarily saving face.

THE PRESIDENT SUBMITS AN IMPORTANT TOOL TO HELP STABILIZE AMERICA'S FARM ECONOMY

Mr. BYRD of West Virginia. Mr. President, President Johnson has submitted to the Senate today a matter of vital importance to the economic vitality and well-being of the American farmer.

I am referring, of course, to the International Grains Arrangement, which President Johnson rightly believes to be a step forward in the administration's efforts to improve the financial position of our farming community.

This arrangement will set minimum and maximum prices for wheat involved in international trade at levels substantially higher than was true formerly under the International Wheat Agreement of 1962.

Thus, the new arrangement will protect our farmers against price cutting in world markets, and insures that American wheat will be priced competitively. Under this arrangement, no exporting member country will be at a disadvantage because of fluctations on the world market.

Our wheat farmers want and need this arrangement. And the Senate must support the President and render important assistance to our farmers by promptly enacting what is really a new lease on life for America's wheatgrowers.

I commend the President for his leadership and determination to provide these important protections for our farmers. I am sure that my colleagues will render prompt and positive support to this extremely important matter.

HUNTINGTON (W. VA.) NEWSPAPER CRITICIZES SUPREME COURT

Mr. BYRD of West Virginia. Mr. President, there appeared in the January 19 edition of the Huntington Advertiser a cogent editorial about the permissive atmosphere in which crime is presently nourished in this country.

The editorial calls for a nationwide "get tough" policy toward criminals and asks Congress to "close the loopholes created by the Supreme Court for law violators."

Of recent Supreme Court decisions, especially the one in the Mallory case, the Huntington Advertiser comments:

The decisions have also created an air of permissiveness that has encouraged others in defiance of the law and law enforcement officers.

This spirit has no doubt been a significant factor in the brazen performances of those who have preached sedition.

Allowing these troublemakers to continue on their way is an invitation to riots. Such people should be promptly arrested and imprisoned.

Mr. President, I commend this editorial to the Senate, and I ask unanimous consent that it be printed in the RECORD.

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

FIRM ENFORCEMENT OF LAW PROPER WAY TO CURB CRIME

President Johnson declared in his State of the Union address Wednesday night that the American people are fed up with the rising rate of crime.

The prolonged applause of members of the two Houses of Congress was clear indication that they had been hearing similar expressions from many of their constituents.

To deal with conditions President Johnson proposed some measures that he said would strike at the causes of crime and others intended to speed the arrest and prosecution of criminals.

He asked specifically that Congress pass the Safe Streets Act and other crime legislation that he recommended last year. In addition, he asked for funds that would permit the employment of 100 additional FBI agents, 100 more assistant U.S. attorneys to help prosecute criminal cases and more federal drug and narcotics control officials.

Later in the session, he said, he will propose an act providing stricter penalties for those trafficking in LSD and other such dangerous drugs.

His proposals for removing the causes of crime included a request for $1 billion to speed the rebuilding of cities, with a goal of 300,000 housing starts for low and middle income families during the next year and six million during the coming decade.

For an attack upon the idleness that encourages criminal activity he proposed a $2.1 billion manpower training program to qual-

ify the 500,000 persons in the major cities now unemployed for work in private industry.

A housing and job training program are justified not only for lowering the rate of crime in festering areas of cities but out of justice to disadvantaged people.

But the experience of those who deal with the problems of the disadvantaged indicates that these efforts alone will not by any means end the disgraceful wave of crime.

Besides those who lack skills for work, there are those in the ghettos who are unqualified for employment because they live in the dream world of dope.

There are also the Carmichaels and the H. Rap Browns who would rather preach hatred and sedition than work at any productive job.

And there are others who, under the paternal protection of the radical majority of the United States Supreme Court, find that crime requires less effort and yields greater returns than honest work.

As effective as other proposals may be, the alarming problem of crime in this country cannot possibly be met until officials at all levels decide to crack down on criminals and Congress closes the loopholes created by the Supreme Court for law violators.

The court's unprecedented paternalism toward criminals first shocked the public into a consciousness of its methods when in 1957 it reversed the conviction of Andrew Mallory of a charge of rape in Washington.

The defendant had confessed, but the the court ruled the confession was not admissible because the prisoner had been held for seven and a half hours before his arraignment.

This in effect amended the Constitution of the United States to limit the time in which police could question prisoners suspected of serious crimes.

In releasing Mallory, the court also made it possible for him to go to Pennsylvania and attack another woman.

But on June 13, 1966, that dark day in the history of American justice, the radical majority of the court went even much further in handicapping police who are trying to solve vicious crimes.

The five majority headed by Chief Justice Earl Warren again in effect amended the Constitution to say that before questioning of a prisoner begins, police must tell him that he need not talk, that anything he says may be used against him as evidence and that he has a right to the presence of an attorney during the interrogation.

If the prisoner wants a lawyer and has no money to employ one, the questioning must wait until a court appoints one for him.

This unprecedented action for the protection of criminals not only freed a man who had confessed a rape and had been identified by the victim but acted retroactively to free many others, including multiple murderers, who had been questioned but not sentenced before the ruling.

In its series of decisions the court has acted similarly to an irate father who storms into a mayor's office to protest police arrest of his spoiled brat of a son.

By upholding the son in a mistake, the father encourages him on the way to a life of crime. And by curbing law enforcement officers instead of criminals the radical majority of the court has contributed to the rising rate of crime, the violence against good citizens and the wasted lives of those who live by crime instead of honest work.

The decisions have also created an air of permissiveness that has encouraged others in defiance of the law and law enforcement officers. This spirit has no doubt been a significant factor in the brazen performances of those who have preached sedition.

Allowing these troublemakers to continue on their way is an invitation to riots. Such people should be promptly arrested and imprisoned.

The liberals in and out of office who have adopted the court's reckless philosophy of leniency must also answer for the spreading terror of crime.

Conditions will improve only as the authorities from President down demand firm action to stop criminals and Congress gives law enforcement officers fair latitude in questioning suspects.

The time for action is now.

EFFORTS OF ADA AND NEA WITH RESPECT TO LEGISLATION

Mr. BYRD of West Virginia. Mr. President, in a recent broadcast to many parts of the Nation, news commentator Fulton Lewis III discussed the 1968 legislative programs which two organizations—the Americans for Democratic Action and the National Education Association—hope to impress upon the Congress.

Mr. Lewis took both organizations to task for threatening the Nation with dire consequences unless the legislative programs are heeded.

The following is a quote, Mr. President, from the introductory statement in the ADA program:

Tragic consequences will result for America, as a nation, if the 1967 Congressional and Administration performance is repeated in 1968. Little time is available for the Administration and the Congress to propose and enact programs that will eradicate the social conditions that result in urban upheavals.

In a news release accompanying its legislative program, the National Education Association called for a $6 billion urgent needs program aimed at curbing a national teacher revolt and providing a comprehensive education program to stem the tide of summer riots.

Mr. Lewis' remarks were significant, Mr. President, because they point up a blackmail tactic which we are seeing used more and more in these troubled times. The groundrule seems to be that one gets what one wants from the Government simply by threatening the Nation with violence.

Mr. Lewis said:

Such threats have become a major legislative device in modern America, and it is high time that the members of Congress realize this fact. It is a very dangerous thing to reward these threats financially. It is a mistake to even recognize them. Each time this device succeeds, it will only lead to further use. If and when the device fails, then there is an apparent justification for the groups in question to proceed to fulfill their promise to incite violence and disruptions.

Mr. President, I wish to make it clear that I am not condemning categorically the legislative programs being offered by these organizations. I am in agreement with the National Education Association, for instance, about the need for higher teacher salaries and better education for all. But I am in agreement with Mr. Lewis about the misguided arm-twisting tactics which are being used on Congress by many groups.

I believe some of the threats that we hear are made unwittingly by sincere Americans who want to see a solution to the ills that hurt our country. They simply echo the remarks of the troublemakers without stopping to consider what it is that they are saying.

I hope, Mr. President, that some of the people who threaten Congress to "do something, or else" will take time out for some sober reflection on what Mr. Lewis has to say on this matter. He has penetrated to the core of our current moral dilemma.

I ask unanimous consent that transcript of Mr. Lewis' remarks, the NEA press release, and the legislative programs of the NEA and ADA be printed in the RECORD.

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

NEA AND ADA WIELD PROMISES OF VIOLENCE

This, being the eve of a new Congressional session, is understandably the "hunting season" for various lobbyist and political pressure organizations assembled here in the nation's capital. Now is the time they issue their so-called "legislative programs," an assemblage of unsolicited advice which is put on the desk of every member of the House and Senate, and, depending upon the group or the Congressional member in question, the various programs are either read or discarded in the wastebasket. The legislative programs themselves are usually unimportant. The lobbyists, particularly, are hunting for as much as they can get from the Congress, and so they obviously overload their programs with requests for funds for their particular needs.

Two such programs issued here today, however, do merit some mention because they are illustrative of the thinking of the groups involved.

The first was released by the National Education Association, which has apparently learned from the Black Power movement that a threat of violence is always a good device in blackmailing the Government into giving you what you want. For the past two years, a coalition of black power militants, civil rights advocates and Congressional liberals has been exploiting the issue of real or potential racial violence to achieve a whole series of legislative programs. Using the threat of violence, this coalition has been able to push through massive federal appropriations to be channeled into the riot-prone ghetto areas of the nation's major cities. The list includes handouts for such things as housing and community development, urban renewal, rat control, mass transportation, anti-poverty warfare, aid to dependent children, and education.

Most lobbyists, at any rate, have come to learn that by using the threat of violence, they can achieve wonders in liberal Congressional circles. That is the latest strategy involved by the National Education Association, which today warned that the nation's teachers are involved in a "new militancy" that amounts to a "threat of national revolt" against the existing quality of education, in general, and teacher salaries in particular.

With this as the introduction, the NEA then proceeded to issue its financial demands for the coming year, and they are fairly substantial. The Congress, it said, must enact a $6 billion-a-year federal education program, at least half of which will be used to increase teacher salaries. That $6 billion, for the sake of comparison, is almost three times the amount spent this year under the Secondary Education Act, and this year's appropriation set an all-time record for federal spending in this field.

The demand was then again bolstered by a threat that without this federal sacrifice the nation may well experience still more teacher revolts, possibly even more summer riots on a national scale.

Not to be outdone, the left-wing Americans from Democratic Action released its proposed legislative package for 1968 today. It called for a guaranteed weekly income of $80, tax free for every American family of

four, regardless of whether any member of that family works or not. That would amount to an annual tax-free income of $4,160, fully guaranteed as a matter of legal right.

To deal with those race riots, the ADA recommended a further Congressional package of $5 billion worth of federal jobs. Various levels of government would hire those in the big-city ghettoes who wanted to work. According to ADA statistics, that one program would end up creating a total of one million new public service jobs. According to my statistics, even discounting administrative costs, that would boil down to an annual income of $5,000 for each person employed under this program.

That income, of course, would not be tax free, meaning, therefore, that a ghetto resident would be better off not working and taking advantage of the first ADA program (the one which would give him $80 a week, tax free, for NOT working). Why go out and work your head off, even if it is for the government, if your net take-home pay is going to be less than that.

That's not all, though, Great Society lovers. The ADA went on to demand a 50% increase in Social Security benefits, with a $100 monthly minimum. The Federal Government should financially guarantee a college education for all young people, federal housing subsidies should be increased to cover the difference "between what families can afford to pay and the cost of decent housing," and, of course, federally-financed medical care should be extended to all ages and conditions, not just to those on Social Security or to the poor.

Now you may be wondering how the left-wing Americans for Democratic Action plans to have the Federal Government pay for all of this Great Society face-lifting. Under the system of "new economics" that's no problem at all. In fact, the ADA says, it staunchly opposes the Johnson Administration's proposals for an income tax increase, particularly if the President's 10% tax surcharge is accompanied by the $5 to $7 billion cut in federal spending that has been threatened by Congress.

All of that is unnecessary. Instead of raising taxes, Congress should just close the various tax loopholes that allow millionaires to make excessive deductions each year. It should also increase corporate taxes and levy a general increase in income taxes for the wealthy.

Like the National Education Association, the ADA then closed out its legislative program with the clear threat that racial violence may well erupt throughout our nation if that program is not adopted by the Congress, immediately and without change.

Although the bulk of these two legislative programs needs no comment, there is one common thread that runs through them both which I think should be exposed and that is this recurrent message that "unless you do what I say, you can expect violence."

Unfortunately, that threat has become a major legislative device in modern America, and it is high time the members of Congress recognize this fact. It is a very dangerous thing to reward these threats financially. It is a mistake to even recognize them. Each time the use of this device succeeds, it will only lead to further use. If and when the device fails, then there is an apparent justification for the groups in question to proceed to fulfill their promise to incite violence and disruptions.

Although you might expect an organization like the Americans for Democratic Action to resort to these methods to achieve their ends, it is to me shocking that a group like the National Education Association would suddenly adopt the use of "threat" and "coercion." There are many just arguments supporting the contention that teachers in many sections of this nation are today underpaid. There can never be a just argument, however, for these teachers resorting to force and violence, or even using the threat of force and violence, as a device to achieve a pay raise.

NEA Asks $6 Billion To Curb Teacher Revolt and Stem Summer Riots

Washington, D.C., January 9.—The National Education Association said today it will call on Congress to approve a bold $6 billion "urgent needs" program aimed at curbing a national teacher revolt and providing a comprehensive education program to stem the tide of summer riots.

Braulio Alonso, president of the million-member organization, said the proposed legislation would provide basic grants to each state of $100 per school-age child (5–17 years). At least half of this money would be tagged for increasing teacher salaries and attracting additional qualified persons into teaching. The remainder would support new or expanded summer programs in riot-prone ghetto neighborhoods and other areas, preschool offerings, post-high school programs, and other vital educational undertakings.

"The hour has come," Alonso declared, "for a major escalation of the nation's commitment to quality education for every pupil in America. More than one-fourth of all our people now are in the school-age category. From this group, unfortunately, stem some of the most troublesome problems plaguing our land, but with this group rest our best hopes for a better tomorrow. We must wage a total war, not a limited one, against those problems that shackle education and deprive our children of their birthright."

Alonso noted that the sums which the NEA proposal would provide for summer programs and other educational activities selected by the states could be invaluable in helping ease the problems of the tense and sometimes turbulent inner cities.

The NEA last July passed a resolution on "Urban Educational Problems" which declared: "The tragedy of widespread misery, blunted aspirations, and wasted talents continues, and the alienation of many disadvantaged Americans from society bodes ill for the nation's strength, unity, stability, and progress."

Alonso stressed that summer programs geared to urban areas would be only one of many priorities for which a state might choose to use its program money.

Noting that quality teachers are the prime factor in quality education, Alonso pointed out that the proposed legislation also underscores the recruitment and retention of top-notch teachers. This could be accomplished by boosting salaries of qualified teachers; reducing the burdensome size of classes by luring additional teachers into the field; freeing teachers for professional tasks by providing teacher aides; and by expanding and enriching school programs, a deep concern of teachers.

The legislation would, for the first time, provide large general or unearmarked funds to the states to be used according to their special needs.

Supplemental grants, estimated at up to .75 billion dollars a year, would assist states having low personal income per student, thus helping equalize educational opportunities across the nation.

Alonso emphasized that state and local effort would have to be maintained in order for states to share in any part of the 3-prong program—improving teacher salaries, providing stronger educational programs, and equalizing educational opportunities. The legislation would become effective in fiscal year 1969.

The legislation, more than half again as large as any education bill yet passed by Congress, would supplement—not replace—the existing federal categorical or earmarked programs, including the $3.9 billion Elementary and Secondary Education Act. The federal government now provides about 8 per cent of the nation's school tax dollar, whereas many leaders in education and legislation believe the government's share must rise to at least 25 per cent within a few years.

Discussing the urgent need for the "breakthrough" the NEA is proposing, Alonso asserted that today's teachers are definitely determined that education, as the real cornerstone of our democracy, be measurably improved.

As evidence of this determination, Alonso pointed out that teacher strikes; sanctions against school boards, mayors, governors, and other officials; mass resignations; and other forms of vigorous protest have been gaining momentum.

Kentucky, New York, Michigan, Georgia, New Hampshire, Connecticut—in these and many other states teachers have recently been flexing their muscle in demanding what they believe is right, such as a greater voice in educational policy and more adequate teaching materials, as well as better teaching salaries. In Florida, 35,000 teachers gathered in one gigantic rally last August to protest the deterioration of Florida education. More than 30,000—the majority of all Florida teachers—have signed resignations which will be submitted en masse March 1 if the educational climate has not cleared.

"American teachers have only begun to fight—this is the beginning of a real revolution," Alonso, a Florida high school principal, declared. "Today's teachers are more aggressive, more alert, more knowledgeable. Their commitment to action to improve education is unparalleled in history."

Part of this commitment—but only one important part—is to receive a fair "slice of the pie" in our affluent society.

The NEA in Minneapolis last July approved a resolution recommending an $8,000 minimum for beginning instructional staff members, with a maximum of at least $16,000 for experienced staff. Estimated *average* salary for classroom teachers throughout the nation this year is $7,296. An "average" teacher, the NEA has found, is 38 years old, has a bachelor's degree, has taught nearly 12 years, and works 47 hours a week at school and school-related activities.

The U.S. Bureau of Labor Statistics recently said that the head of a city family of four must spend $9,191 a year to have a "moderate" way of life. This is about $1,700 more than the average salary for a male teacher and is even $180 more than the estimated total annual income of a male teacher when summer jobs, moonlighting, and all other income are included.

Engineers, physicists, and attorneys, the NEA reported last May, received about twice the salaries of public school classroom teachers. Accountants and auditors were being paid about 40 per cent more than the teachers.

"If our children are not to be shortchanged in education, we must do considerably better by our teachers," the education association official emphasized. "Unless we do better—and soon—teacher frustration and unrest may swell into widespread revolt."

Emphasizing the importance of the proposed equalization supplements, Alonso observed that teaching salaries are twice as high in some states as in others. The estimated average annual salaries of elementary school teachers in California are $8,550 and in Alaska (with its higher cost of living), $9,344. In Mississippi, on the other hand, the average is only $4,505 and in South Dakota, $4,610.

"Children must no longer be penalized by the geographical accident of birthplace," Alonso said.

NEA Legislative Commission: 1968 Legislative Program

The NEA Legislative Commission proposes that Congress:

I. Enact $6 billion-per-year federal assistance program for public elementary and secondary education, to supplement the existing legislation for school support. The NEA bill provides $100 per school-age child (ages 5–17) plus supplemental equalizing grants, to be distributed to state education agencies on the basis of school-age population. At least 50 percent of the money shall be used for improving teacher salaries. The remainder of the states' allocations may be used for any programs designed to meet urgent state and local educational needs.

1. AUTHORIZATIONS

(A) There is authorized to be appropriated for Fiscal 1969 and each succeeding fiscal year an amount equal to the product of (a) the total number of school-age children, five to 17 inclusive, in the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands, and (b) $100—based on the most recent data available to the U.S. Commissioner of Education.

From the sums appropriated for carrying out this program, the Commissioner shall apportion to each state an amount which bears the same ratio to such remainder as the school-age population of the state bears to the school-age population of all the states. For the purpose of this section, the District of Columbia is considered to be a state.

Allocations to the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be made on the basis of $100 per child.

(B) There is also authorized to be appropriated an additional $750 million, to be distributed to the states on an equalized basis, to assist states having low personal income per student.

2. STATE APPLICATIONS

The U.S. Commissioner of Education shall approve a state application which (a) sets aside at least 50 per cent of the state's allotment for hiring of additional certificated instructional personnel, or increasing the salaries of such personnel currently employed, or both, and (b) proposes expenditures of the remaining sums for programs including, but not limited to summer programs and new preschool offerings.

The state shall guarantee that there will be no commingling of state and federal funds, and that state and local fiscal effort will be maintained. The state shall also set forth such fiscal control and accounting procedures as may be necessary to assure proper disbursement of, and accounting for, federal funds paid to the state education agency.

A state plan may be amended at any time, provided that it remains in accord with the intent of this legislation.

The state education agency shall make an annual report to the U.S. Commissioner of Education on the progress and probable outcomes of programs undertaken with federal assistance provided by this legislation. Such information shall be summarized by the U.S. Commissioner and transmitted annually to the Congress.

II. Expand the educational opportunity of all citizens by providing early childhood (such as preschool and Headstart) and extending public education at least two years beyond the present high school program.

III. Establish full and early funding of all federal education programs. Congress has been consistently late in releasing funds for education, often several months after the beginning of the fiscal year, depriving school administrators of the opportunity to plan ahead and to make firm commitments for salaries and other expenses. The NEA is urging Congress to provide for longer-range authorizations and advance funding to eliminate the waste and confusion caused by late appropriations.

IV. Create a Cabinet-level Department of Education and Manpower Training. This would enhance the prestige of education in Congress and make possible the consolidation and coordination of the welter of federal aid programs now administered by more than 40 Washington agencies.

V. Establish, by legislation, that teachers' educational expenses may be deducted from gross income in the computation of federal income tax returns. Although present regulations (as a result of NEA efforts) provide uniform and equitable treatment for those who itemize their deductions on Form 1040, the matter of deduction from gross income *must be acted upon by Congress*. NEA is supporting bills now before the Congress to provide for deductions from gross income.

VI. Provide for eligibility of teachers for the hospitalization benefits of the federal Medicare program. NEA is currently supporting a bill to allow participation in this program by 700,000 teachers in 13 states who are not presently covered by social security.

VII. Revise the obsolete 1909 copyright law to provide clear and equitable guidelines for the use of copyright materials—such as newspaper and magazine articles, tape recordings, films, and other published works—in the classroom. A bill to revise this legislation, defining copyright privileges in the light of present-day technology (such as photocopying and duplicating) is before Congress. The House has passed the measure, but it is stalled in the Senate on the question of "fair" use of computer programs.

VIII. Transfer the Headstart program from the Office of Economic Opportunity to the Office of Education at an appropriate time, with the accompanying transfer of authority given to public education agencies at the state and local level. This transfer would be desirable in the Legislative Commission's view, in order to eliminate waste and duplication of effort in this important program for disadvantaged children, and encourage its extension to include all children.

The Legislative Commission has, in addition, affirmed its support of all other resolutions adopted in 1967 by the Representative Assembly, and will continue its efforts to obtain sound federal legislation reflecting the views of the teaching profession.

As part of its effort to promote this legislative program, the Legislative Commission has set a national convention of state leaders January 28 in Chicago to develop state legislative strategy.

THE 1968 LEGISLATIVE PROGRAM AS PROPOSED BY AMERICANS FOR DEMOCRATIC ACTION

Tragic consequences will result for America, as a nation, if the 1967 Congressional and Administration performance is repeated in 1968. Little time is available for the Administration and the Congress to propose and enact programs that will eradicate the social conditions that result in urban upheavals. No longer will inadequate Federal funds for summer programs pass as solutions. The piecemeal approach will not suffice.

The Administration has a responsibility to propose and the Congress has an equal responsibility to enact permanent solutions to the social ills that torment this nation. These responsibilities include a national commitment to end unemployment, raise the insufficient incomes of the poor, build livable communities and eliminate racial discrimination. These—not war—are our top priorities. To date, neither the Administration nor the Congress has begun in any significant way to meet these priorities. We will meet our national priorities only if we mobilize our national energies to the same degree that we did in our successful struggle for survival in World War II.

At best, the 1967 Congressional session represented a holding action. In some respects its legislative product was reactionary. Our national investment in our high priority areas has been negligent and negligible. Social programs must be funded to the fullest extent of the authorization. And where the authorizations are inadequate they should be increased. Moreover, and equally important, funds should be allocated for a number of years in advance so that the social programs do not have to run the risk of the annual game of Russian roulette Washington style.

The Executive Branch and the Congress must start planning so that each institution will respond to the vast changes that are occurring in this nation. We must build innovation into our national system.

So long as there exists the "other" America—communities separated from rich America by impassable walls of poverty, illiteracy, illness, and color—there will be recurrent strife. Our society has become a provocation to those who live in poverty and suffer lack of opportunity in a land of unparalleled wealth.

Very little good can come of disorder and disruption that has swept over so many of the nation's cities. But they prove further that the price of procrastination is prohibitive.

If violence and looting will not solve problems, neither will repressive police measures. These crises can only be solved by positive leadership by the Administration and by the Congress in adopting programs that will make our cities livable for all their inhabitants, and our economy able to provide jobs for all, together with equal justice for everyone.

I. GUARANTEED EMPLOYMENT

ADA supports Federal legislation which provides a job for anyone willing to work who is unable to find work in the private sector.

The O'Hara Guaranteed Employment bill and the Clark Emergency Jobs proposal are the initial steps to meet this end. The Federal government should assume leadership in an effort to provide employment for today's unemployed and underemployed. ADA supports legislation which would provide $5 billion in grants during the first year, and such sums as may be necessary for ensuing years, to federal, local and state agencies and private non-profit organizations to help bear the cost of providing one million new jobs in public service occupations. This approach to unemployment would set up a mechanism for creation of socially useful jobs that help the whole society. Criteria for program participation would include creation of (1) new careers for economically dislocated; (2) jobs that pay prevailing wage rate and fringe benefits; and (3) supplemental education, training and counseling programs.

Among the rights that employment should provide are legal guarantees for workers to bargain collectively through unions of their choice. That right is effectively denied to farm workers. ADA supports legislation that will give farm workers the same rights as other workers by permitting them to organize into unions and bargain collectively under protection of the National Labor Relations Act.

II. GUARANTEED INCOME

Those who work and those who cannot work should have incomes above survival levels. There are multiple ways of achieving decent incomes for all Americans: improved social security, minimum wage, and unemployment compensation, plus a living income guarantee.

The establishment of income guarantees is key to ending public assistance. A basic income of $4,160 for a family of four, on which the government would not impose any tax, should be guaranteed.

The welfare and social security programs

must be revamped. New programs must recognize that some people presently on welfare rolls can be rescued and others cannot.

The Social Security Amendments of 1967 are cruel attacks upon the most defenseless segments of our society and should be repealed. The 13 percent across-the-board increase in social security benefits and the new minimum benefit of $55 fall far short of the Administration's recommendations. The welfare provisions are punitive rather than helpful. It is cruel to impose a freeze on Federal matching funds for aid to dependent children so that the proportion of children in each state cannot exceed that of January 1, 1968.

It is also wrong to require all mothers of children in AFDC programs to go to work or enter work training programs. We do not need legislation to punish and further alienate the poor. We do need measures adequate to the needs of our society. ADA recommends:

As a matter of right, senior citizens should receive social security benefits which enable them to enjoy a modest but adequate standard of living. Congress should raise the minimum unit to at least $100 per month and all beneficiaries should receive at least a 50 percent benefit increase; and we should begin financing the system out of the general funds to supplement payroll taxes.

The welfare system needs total revision. 1967 welfare amendments should be repealed; benefits should be based on need and no other criteria.

III. URBAN ENVIRONMENT

A study of urban America suggests that there is a very clear link between deficiencies in housing, jobs and income, and education. ADA urges the establishment of a National Urban Development Policy which links together these key elements. We believe that in dealing separately with policies for legislative purposes, frequently policy is made in one area without consideration for its effect in another area.

A National Urban Development Policy would provide a base against which new recommendations in the separate functional areas might be tested in the future.

1. Housing

The establishment of a National Housing Policy with established goals;

To meet new housing needs, more than 2.5 million starts must occur each year—half are needed in low and middle-income categories;

Housing grants to cover the difference between what families can afford to pay and the cost of decent housing are essential. Such grants would permit families to choose alternatives; cooperative housing, residences offered for rent or residences offered for home ownership.

Legislation which gives tenants the right to organize and bargain collectively with housing management on a basis which prohibits interference, intimidation, or retaliatory evictions is needed;

Federal policy on urban renewal must insist that dislocated families be provided decent housing at reasonable rents, within a suitable living environment.

2. Mass transit should facilitate exit and entrance to key centers of employment.

3. Federal urban aid should be contingent on communities providing low-cost housing, achieving school integration and making available to its citizens the full range of community needs.

4. A major problem is lack of understanding between police departments and individuals. A crime bill must provide funds to encourage local governments to upgrade law enforcement in their jurisdictions through salaries, working conditions, recruitment standards, in-service training programs and new methods of crime control.

A new juvenile delinquency program must be adopted which places emphasis on rehabilitation of youth as distinguished from simply building more detention facilities.

IV. HIGHER EDUCATION

All financial barriers to higher education for all young people should be removed. As a prudent national investment, 10 billion dollars per year should be spent on aid to post high school education by the Federal government on a continuing basis. These funds should be used to extend the principle of free public education to higher education. Only such an approach is consistent with the needs of our time.

We must increase student enrollments in higher education—particularly from lower and lower-middle income families. Those admitted to publicly supported schools should be assured free tuition and dormitory arrangements. To meet community needs, funds for establishing accredited, non-sectarian universities and non-sectarian colleges should be provided.

V. CIVIL RIGHTS AND CIVIL LIBERTIES

We must drastically revise existing civil rights laws and enact strong new laws if we are to live up to the promise of a society of equality under law. We are barely at halfway mark on civil rights legislation.

The Civil Rights Act of 1964 should be amended with proposals to end de facto segregation and to give the Equal Employment Opportunities Commission power to issue cease and desist orders.

A bill to protect persons exercising or urging others to exercise federally guaranteed rights coupled with a broad open-housing law should be passed this session.

We oppose relaxation of historic and constitutional restraints on policy powers of arrest, search and interrogation. A floor of decency must be maintained under police and court procedures.

VI. TAXES

Under present circumstances, we are opposed to the proposed 10 percent across-the-board tax surcharge. We are especially opposed to any $5 to $7 billion spending cut as a condition precedent to enactment of a tax increase. A tax increase should only be considered if substantial additional increases for domestic programs are budgeted, for the amount of idle manpower and plant does not justify a tax increase purely as a restrictive measure.

We urge that any increase in Federal taxation give first priority to the closing of glaring tax loopholes, second priority to a substantial lifting of the corporate income tax, and third priority to a substantial lifting of personal income tax rates in the income brackets well above the middle of the income structures. Tax reform, especially the elimination of accelerated depreciation and of many other excessive incentives to special interest groups and higher income individuals, could provide most or all of any additional revenue that might be needed.

VII. FOREIGN AID

In an age of rapid technological change, no nation, especially ours, can withdraw into isolated self-sufficiency. We need a new Foreign Assistance Act which clearly recognizes the need and provides a national program for trade, aid, and development policies. We endorse the concept of multilateral aid and full use of regional and multilateral institutions.

A cohesive, integrated national program must include the following:

1. A foreign aid appropriation of $10 billion dollars annually.

2. A decrease in the proportion of aid made available in the form of loans.

3. Eliminating the requirement stipulating that repayment for food aid under the Food-for-Peace Program be made in hard currency.

4. A substantial increase in contributions to the International Development Association, soft-loan affiliate of the World Bank, which is an effective and worthy multilateral instrument for development.

VIII. RATIFICATION OF U.N. CONVENTIONS

The United States Senate has seen fit to ratify only the Supplementary Convention on Slavery.

If we are sincere about eradication of social abuses that embitter relations between countries, ratification of the Conventions listed below is mandatory:

1. On Discrimination in Employment.
2. Banning Forced Labor.
3. On Freedom of Association and the Protection of the Right to Organize.
4. Outlawing Genocide.
5. On the Political Rights of Women.

Mr. C. S. MUSSER

Mr. BYRD of West Virginia. Mr. President, the recent death of Mr. C. S. Musser, editor and publisher of the Shepherdstown, W. Va., Independent, was noted in sadness by all who knew him.

Mr. Musser was one of the last of the personal journalists. There was very little that went on in his newspaper shop that he could not do—and do well. He was able to set type, run the press, write editorials and news stories, take advertisements, and keep the books.

Mr. Musser's passing was noted in an excellent editorial published January 17, 1968, in the Martinsburg, W. Va., Journal.

I ask unanimous consent that the editorial entitled "Mr. C. S. Musser" be printed in the RECORD.

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

MR. C. S. MUSSER

The death of Mr. C. S. Musser, editor and publisher of The Shepherdstown Independent, removes from the scene the last of the "personal journalists" who made their mark in the eastern part of West Virginia in a period of years around the turn of the century and shortly thereafter.

Mr. Musser was a man who knew how to do everything around a newspaper including setting the type, running the press, typing a news story, writing an editorial, keeping the books and preparing an advertisement. He was one of an almost vanished breed of "one-man newspaper" types.

Also to be listed in that category from eastern West Virginia were Mr. Harry Snyder, of The Shepherdstown Register; Mr. S. S. Buzzerd, of The Morgan Messenger; Mr. Calvin Price, of The Pocahontas Times; and Mr. Slidell Brown, who had newspapers in both Preston and Randolph counties. All are now deceased.

Along with Mr. Musser, they all ran their newspapers from a highly personalized point of view and never hesitated to publish what they were thinking. They had few, if any, "sacred cows" in making their comments on the issues of the day, whether those issues concerned a new school building in a rural district or the issuance of free silver by the federal government.

These were the men who followed in the footsteps, on the small local level, of the giants of American newspaperdom of the preceding century such as Horace Greeley, the first William Randolph Hearst, Joseph Pulitzer, James Gordon Bennett and Adolph Ochs.

On the national level, these men made American journalism great and a power to be reckoned with. On the state level such men as Mr. Musser, Mr. Snyder, Mr. Buzzerd and the others left their mark in the same way. Those days, however, are gone forever as the nation and even the local commu-

nities have gone in for mechanization, high-speed presses and the rest.

Mr. Musser maybe was not always right but at least everyone always knew where he stood. He was a man of both character and kindness and always had a friendly word but would not hesitate to stand up and fight when a matter of principle was at stake.

The Eastern Panhandle is a better community for having come under the influence of Mr. Clifford S. Musser.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock meridian tomorrow.

The motion was agreed to; and (at 5 o'clock and 6 minutes p.m.) the Senate adjourned until tomorrow, Friday, January 26, 1968, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 25, 1968:

U.S. ADVISORY COMMISSION ON INFORMATION

The following-named persons to be members of the U.S. Advisory Commission on Information for terms of 3 years expiring January 27, 1971, and until their successors are appointed and qualified:

Palmer Hoyt, of Colorado (reappointed).

Morris S. Novik, of New York (reappointed).

HOUSE OF REPRESENTATIVES—*Thursday, January 25, 1968*

The House met at 12 o'clock noon.

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

Thou shalt keep the commandments of the Lord, Thy God, to walk in His ways and to fear Him.—Deuteronomy 8: 6.

O Lord, our God, Ruler of nations and the Father of men, we come together in this opening moment to unite our hearts in prayer unto Thee.

Continue to look with Thy favor upon us and upon our Republic. We have become great among the nations of the world and we pray that Thou wilt keep us great—in faith, in fellowship, and in the fruits of our democratic life. Help us to remember that this greatness comes from Thee and that we are to use it in Thy service and for the good of our fellow man.

Save us from pride and prejudice, from superficiality and superciliousness. Make us ever mindful of the needs of others and keep us resolute in our determination to promote good will among all, to produce justice for all, and to proclaim freedom to all in our world. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 33. Concurrent resolution to express the sense of the Congress that the Joint Economic Committee should include within its investigations an analysis of the growth and movement of population in the United States.

WE SHOULD GET THE U.S.S. "PUEBLO" AND ITS CREW

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

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

There was no objection.

Mr. BRINKLEY. Mr. Speaker, let the record show my position on the *Pueblo*—to go get it. If we do not have to use force, well and good. But should force be necessary, are we not men enough to use it if we are in the right?

It was said that the *Pueblo* crew did not recognize the urgency of the situation until it was too late; that harassment of American ships in these international waters was commonplace. Well, such interference should not have been tolerated in the first place. If we had any right at all to be there we should have been left completely alone. You give these Red Chinese and their puppets an inch and they will take a mile. If we are spread too thin, let us correct it and draw the line now; honoring the rights of all nations and requiring the same in return.

EAST-WEST TRADE HEARINGS

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

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

There was no objection.

Mrs. KELLY. Mr. Speaker, I wish to announce that beginning next Tuesday, January 30, the Subcommittee on Europe of the House Committee on Foreign Affairs will hold hearings on East-West trade.

For the opening hearing we have invited testimony from interested Members of Congress.

Various executive departments and agencies, including the Departments of State, Commerce, and Treasury, and the Export-Import Bank will testify at a later date.

At the completion of this first part of our hearings, we hope to take testimony from private individuals and organizations interested in this subject.

Mr. Speaker, these hearings represent our subcommittee's continuing effort to discharge our legislative mandate with regard to a key area of U.S. foreign policy.

The primary objective of our undertaking is to determine what changes have taken place during the past year in the structure of East-West trade and how these changes affect U.S. foreign policy objectives in Europe, in Vietnam, and in other areas.

In addition, our subcommittee is deeply interested in the impact of this trade on the soundness of the dollar and on the U.S. balance of payments.

Mr. Speaker, as Members will recall, we had originally scheduled the opening of these hearings for December 7. Unfortunately, on the appointed day none of the Members invited to testify were available. I sincerely hope that the situation will be different next Tuesday.

THE SUPREME COURT AND ITS DECISIONS

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

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

There was no objection.

Mr. POOL. Mr. Speaker, I include the following resolution of the Public Affairs Luncheon Club of Dallas, Tex., in the CONGRESSIONAL RECORD. This opinion is very well stated, and I should like to add my concurrence to the views stated therein. It follows:

THE SUPREME COURT AND ITS DECISIONS

(Statement to the Honorable JOE R. POOL, by the Public Affairs Luncheon Club)

Members of the Public Affairs Luncheon Club assembled in regular meeting this 15th day of January, 1968, commend you and express our gratitude to you and your colleagues on this subject for your zealous endeavors to bring to the threshold of every American home the dangerous threat now being perpetrated and compounded by the Supreme Court decision which permits employment of subversives and communists in the nation's defense plants.

The Court by its autocratic decision has afforded immunity and legal protection for communists to continue their nefarious activities in an effort to bring about the overthrow of this government and the ultimate destruction of this country by virtually inviting them into the very heart of our national defense mechanism, while our youth is damaged and dying in the swamps of Viet Nam.

The supreme irony—and one that chills the blood of every patriotic American—is that the highest court of the land should hand down such an opinion, citing Article I of the First Amendment to the Constitution which *forbids* the *abridgement* of the *freedom of speech* and of the press, *when our young men are engaged in a bloody war in defense of freedoms, including* the *freedom of speech*, which *"freedom" the communists obliterate and destroy first!*

The illogical interpretations of the Constitution by the Supreme Court are subjecting our children to indoctrination by communist teachers in our school and permitting communist inspired agitators to roam at will, undermining our government and giving encouragement to our enemies.

Further, in rendering these damaging decisions, the Supreme Court on one hand adheres to the literal interpretations of the Constitution and totally ignores the intent of the document and then, conversely, by the same illogical arguments, the Court adheres to that which its members determine as "intent" in other decisions.

In our opinion, the American people should demand that the Congress of the United States take appropriate steps to prevent such mandates from the Court as jeopardize our national security, either through Congressional restrictions of the Court's jurisdiction or by clarification of the wording of Article I of the First Amendment of the Constitution.

We shall very much appreciate your conveying the foregoing to Congress.

Mrs. MILAM B. PHARO,
President.
Mrs. JOHN BOOKHOUT,
Chairman, the Resolutions Committee.
Mrs. WM. L. CRAWFORD,
Cochairman.

Approved: January 15, 1968, Dallas, Tex.

THE DEMOCRATIC MEMBERS OF CONGRESS SHOULD BE GIVEN EQUAL TREATMENT

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

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

There was no objection.

Mr. HAYS. Mr. Speaker, last night I sent a telegram to Mr. Frank Stanton, president of the Columbia Broadcasting System, which I would like to read:

After watching the one hour program which you made available to the Republicans Tuesday evening, I think you should re-read 47 U.S. Code, Section 315, and especially Item four on the on-the-spot coverage. As you know, the President addressed Congress as a part of his Constitutional duty, and your network chose to cover it as a news event. I think it is fair to point out that the President did not derogate the opposition party, but presented to the Congress a program which he hoped we would enact. Your network using this as a reason gave the Republicans an hour to berate the President and Democratic Party but to offer no solutions. I believe that you should grant equal time to the Democratic Party in the interest of fair play. I demand therefore that one hour should be given to the Democrats to reply or perhaps what would be as fair, in view of the presentation Tuesday evening, give the Republicans another hour in which to make a spectacle of themselves all over again. I shall insist that you comply with the law one way or the other, in order to give the Democratic Members of Congress equal treatment.

NORTH KOREA'S BOLD VENTURE

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

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

There was no objection.

Mr. HANNA. Mr. Speaker, in regard to the statement that has just been made about the capture of our vessel in North Korea, having just come from Korea myself this morning, it is my judgment—and I give it to the House—that we are about to go through a period of extreme pressure that will be placed upon us not only through the propaganda which will be emanating from all the capitals of the world relative to the stance that should be taken in America with regard to peace efforts in Vietnam, but we will also be faced with increased instances of pressure. I was briefed by the people in South Korea and I had just left the capital there when the incident in which the North Koreans tried their bold venture to assassinate the president of South Korea was undertaken. The briefing I received indicated that the instances of the instrusion of agents into South Korea has increased over 10-fold in 1967 and will be even more increased in 1968. So I say to the gentlemen of the House that the year of travail is upon us. The time for us to be stanch and to know what our best interests are, to hold firmly to the cause to which we are committed, will at no time be more important than in this year of 1968. What we are witnessing at the opening of this year is just the opening gun of that year of travail. I am sure, as I know the Members of this House do and as I know the spirit of our country is, that we are going to find the response of the American people and their will is just as stanch and strong today as it has been when these kinds of challenges have been issued to us in the past.

CONGRESSMAN PELLY CALLS FOR NAVAL BLOCKADE OF NORTH KOREA

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

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

There was no objection.

Mr. PELLY. Mr. Speaker, there is great indignation throughout the United States over the North Koreans' seizure of the intelligence ship U.S.S. *Pueblo* in international waters, and rightfully so.

I have heard from a number of my constituents demanding that our Government obtain the return of this vessel or that we take immediate military steps to retake the ship or retaliate by bombing. My own view is that preferably our Navy should impose a complete blockade of North Korean ports until the *Pueblo* is returned.

The fact that the North Koreans feel bold enough to hijack an American naval vessel goes to show the lack of respect in which America is held in the world today. We are but reaping the harvest of a weak and vacillating foreign policy.

When American tuna fishing boats are seized on the high seas off Latin America and taken into custody for ransom, our State Department pays the money to obtain release of the boat rather than protect our fishing fleet. The very naval vessels we have loaned to South American countries have been used against us in this business of piracy.

When I have protested, I have been told that the United States does not believe in the use of force.

No wonder the North Koreans make us look so ridiculous.

GET THAT SHIP

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

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

There was no objection.

Mr. WYMAN. Mr. Speaker, American prestige and authority clear around the world will be irretrievably damaged if we leave the U.S.S. *Pueblo* in Wonsan Harbor while we beg, entreat, plead, cajole for its release through diplomatic channels.

When will the present administration understand that Communists are at war with us? Pleading to North Koreans is ridiculous. They hate us. They hate our system. They would like to see us all dead. They believe this with a deep and fanatical fervor.

The same is true for Soviet Communists, or Chinese Communists, or Cuban Communists.

You do not get anywhere facing such a philosophy through diplomatic channels except to expose this Nation to one propaganda loss after another, one insult after another.

Mr. Speaker, we should go into Wonsan Harbor and retake the U.S.S. *Pueblo*. If we do not do this now without dilly-dallying, without further delay, the situation can only get worse for us.

We have witnessed the evaporation of much of the spirit and courage that characterized the Great Britain of Winston Churchill's era. We have seen France degenerate under De Gaulle. It looks to all the world now as though the only nation left with any real guts is Israel. Israel showed us what to do. Do not talk, do it.

No nation anywhere in the world should be allowed to capture an American ship, or shoot down an American airplane, or kill an American citizen without all hell breaking loose for them—not just a protest from the U.S. State Department to fall on deaf ears in an enemy land.

When we do get the *Pueblo* back, along with its crew and commanding officer, there are some mighty embarrassing questions that need to be asked. I can think of a few examples to be directed to its skipper:

Why did you let your ship be taken without firing a shot?

Did you have orders to surrender and permit boarding?

Did Pearl Harbor not give you any instructions in response to your reports of increasing truculence on the part of North Korean vessels?

Mr. Speaker, Theodore Roosevelt admonished us to speak softly and carry a big stick. We have spoken softly long enough. Now we must use the big stick or the whole world will know that we speak softly and carry nothing that amounts to anything.

POLITICAL CONTRIBUTIONS

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

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

There was no objection.

Mr. GROSS. Mr. Speaker, yesterday the distinguished Democrat and majority leader, the gentleman from Oklahoma, Mr. ALBERT, related to the House how he had been solicited by the Republican National Committee to contribute $10 to further the high ideals and aims of the Republican Party.

On December 17, 1967, 2 days after the close of the late and unlamented Democrat-controlled session of Congress, I received a letter from the Democrat National Committee which reads in part as follows:

> We'd be proud to count your name, Fellow-American, among our supporters. . . . Just send your contribution of $10—or as much as you feel you can afford—but please do it today.

The letter was signed by John M. Bailey, chairman.

Also enclosed was a card bearing the number 1,359,192,334. I am not sure whether that refers to a recent increase in the Federal debt or the number of $10 bills Mr. Bailey has already collected for the approaching Democrat political fiasco. But then I took another look at the card and it offered me the option of contributing $500.

Mr. Speaker, since the gentleman from Oklahoma raised the issue, and since my heart is filled today with compassion and charity, I propose to take him off the horns of his dilemma by offering to contribute $10 to the Democrats if he will contribute the same amount to the Republicans.

WALL STREET FOUND INFILTRATED BY ORGANIZED CRIME RINGS

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

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, a page 1 story in the New York Times this morning reveals that organized crime has moved into Wall Street through the device of loan sharking. I will include the New York Times story in the RECORD immediately following my remarks.

Mr. Speaker, the testimony now being given before a committee of the New York Legislature on loan sharking and organized crime points up the need for swift action by the Congress to swing Federal investigators into action against loan sharking—one of the principal sources of revenue for the crime syndicates.

We have a vehicle for that purpose in a bill due to come to the House floor shortly—the truth-in-lending bill which yesterday was granted a 3-hour open rule by the House Rules Committee.

The truth-in-lending bill is urgently needed, and there will be Republican support for it in the House as in the Senate. As reported out of committee, however, the legislation would not touch upon the tremendous problem of loan-sharking.

I wish to announce that Republicans will offer an amendment to the truth-in-lending bill to give additional protection to the man who has to borrow money. Our amendment will zero in on the lending of money at illegally high rates of interest. It will unleash Federal agents in a drive to rid the country of the scourge of loan sharking and to weaken the financial underpinnings of organized crime.

It seems safe to predict that the House will overwhelmingly approve this amendment. There now is no Federal loan-sharking statute on the books.

Mr. Speaker, the Republican loan-sharking amendment has been carefully prepared by the gentleman from New Jersey, Representative WILLIAM B. WIDNALL, senior Republican on the Banking and Currency Committee, and the gentleman from Virginia, Representative RICHARD H. POFF, member of the Judiciary Committee and chairman of the House Republican task force on crime.

The loan-sharking proposal first was offered in a bill introduced last December by all members of the task force, the senior Republican on the Judiciary Committee, the gentleman from Ohio, Representative WILLIAM M. MCCULLOCH, and by me.

Mr. Speaker, the Republican amendment to the truth-in-lending bill would make it a violation of Federal law for anyone to lend money at illegal rates of interest. The interest rate involved would be deemed illegal whenever it exceeded the rate permitted in a particular State. Federal penalties of a $10,000 fine or 10 years in jail would apply whenever such a loan interfered with or affected interstate commerce, or whenever any part of the loan transactions or efforts at collecting the loan or interest on it crossed State lines.

Mr. Speaker, evidence of the infiltration of Wall Street by loan sharks and mobsters underscores the urgency of immediate action to bring the full force of Federal investigative power into play against loan sharking and all it entails.

Mr. Speaker, the House Republican task force on crime has spent months in preparing this loan-sharking legislation. The legislation resulting from this group's efforts deserves the careful consideration of the House. The loan-sharking amendment merits ringing endorsement.

The article referred to follows:

WALL STREET FOUND INFILTRATED BY ORGANIZED CRIME RINGS

(By Maurice Carroll)

Organized crime has moved into Wall Street with loan-sharking and strong-arm terror tactics, a legislative committee was told yesterday.

The committee heard through testimony and fuzzy tape recordings how a stock clerk, in debt to a loan shark at 5-percent-a-week interest, had been used as go-between in an attempted sale of stolen stock.

It heard how a Wall Street messenger who had testified about being robbed of securities was found stabbed to death. "The Medical Examiner stopped counting after 125 stab wounds," a detective said.

State Senator John Hughes, chairman of the Joint Legislative Committee on Crime, said the stories reinforced his belief in the need for liberalized wiretapping laws. The committee opened two days of testimony in the ornate hearing room of the New York County Bar Association at 14 Vesey Street.

Senator Hughes, a Syracuse Republican, said after the close of yesterday's public testimony that he expected the "bits and pieces" of various cases that the committee would study to show that "wiretapping is an important piece of law enforcement."

New York law now permits wiretapping by law officers with court permission, but Senator Hughes said he felt that there were "great big holes" in the law and that it should be made more specific.

Conversations that had been recorded through telephone taps and by tiny tape recorders—one carried by a cooperating witness, another by a detective masquerading as the would-be buyer of stolen stock at one-tenth of the market price—boomed in blurred tones through the hearing room.

Detective Carl Bogan gave a commentary while, over the amplifiers, his recorded voice argued the terms of a proposed purchase of stolen stock.

WE'VE NEVER BEEN CAUGHT

"Whoever gets bagged gets bagged on his own," said the recorded voice of the alleged seller. "We've done this all our lives, and we've never been caught—never, because we deal discreetly and we're 100 per cent our word . . ."

Moments later there was an amplified hubbub as detectives closed in on the parked car where the transaction had allegedly occurred.

Michael Metzger, an assistant New York County district attorney, told how his office, in preparing a false identity for Detective Bogan, had even put a "yellow sheet" of his fictitious criminal record in its files. He was making no allegations that organized crime could obtain the information in those files, he said, but if some out-of-town law-enforcement agency asked the New York office for such data, it would be sent. "It wouldn't be classified material," he said.

Loan-sharking, said Mr. Metzger, is "the principal vehicle by which the underworld may infiltrate otherwise legitimate areas."

Detective Bogan had been introduced to the man with the stolen stock by a clerk who had borrowed money from the man at 5 per cent interest a week, Mr. Metzger said. It was "mob money," he said. When the clerk had been told that he could work off some of his debt by helping to sell stolen stock, the clerk went to the District Attorney's office instead.

Mr. Metzger said that the money had originated with the Mafia organization of John (Sonny) Franzese, but he did not say specifically what the loan shark's connection with organization was.

The clerk, who at one time was struggling to pay $250-a-week interest on an outstanding debt of $5,000, was identified as Jerry Wolff, and the loan shark as Nathan Sackin.

A WARNING OF DEATH

The recorded warning of the loan-shark was played yesterday at the hearing. "Anything slips, you're the one who gets the beating," the voice said.

"I know this," answered the clerk.

"You are dead—dead," said the loanshark.

Detective Bogan said that the clerk was now living out of the state. He said that the loanshark, who had cooperated in a case against a higher-up, was running a dry-cleaning store in Greenwich Village.

Detective Hans Johnson testified about the

case of Richard LoCicero, an 18-year-old messenger who had told a grand jury how he was robbed of more than $300,000 in securities.

Eight months later, he said, the youth was found stabbed to death.

The committee also heard a recording of two men talking about plans to pay a $4,000 bribe to win a lenient sentence for a convicted extortionist. Today, according to the committee's general counsel, Edward J. McLaughlin, there will be testimony about organized crime in the meat-packing business.

During a recess yesterday Senator Hughes said that he did not expect the committee to develop an over-all picture of the magnitude of organized crime in legitimate business, but to look into a series of cases in which it had happened.

Law-enforcement experts, interviewed later, said that loansharking in the Wall Street area alone was a multi-million-dollar racket.

THE WAIT FOR THE FACTS ON THE "PUEBLO" INCIDENT

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

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

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I am sure I reflect the grave concern of most Americans this morning over the seizure by North Korean forces of our vessel, *Pueblo*. At this hour, a great deal is not yet known about the circumstances surrounding this incident and it behooves all Americans to hold their verbal fire until the White House has an opportunity to obtain the facts and report to the people.

If the facts reveal that the *Pueblo* was in international waters at the time it was boarded, then North Korea has committed an act of war against this country, and our answer must be clear cut, powerful, and instantly decisive. We must use whatever force is necessary—and I bar none—to retrieve our vessel and its men, and use that force at once. The people of the United States will be satisfied with nothing less; they will not tolerate the least degree of pussyfooting on our part. They will not stand for the United States being humiliated by a Communist flyspeck of a nation. They will not support, either, a prolonged diplomatic ping-pong game. There is really only one fact that we need to establish, and that is whether or not the *Pueblo* was in international waters. I know that it takes time for the White House to nail down the exact truth and I am perfectly willing to bide my time for a short while until they do. But once the fact of its location is known to us, our options are cut to zero. If North Korea has violated international laws governing the freedom of the seas, this Government must act and act at once. If the *Pueblo* had, indeed, penetrated the 3-mile zone, then we have a sorry mess on our hands.

I hope that the White House and every Member of this body will take note of the disdainful attitude of the Russians in response to our request that they assist us in settling this incident quickly and effectively. They flatly refused to assist us. No one but the ivory-headed thinkers who continuously urge us to "accommodate" Russia and sign treaties with her and build bridges to communism will be surprised at Russia's attitude. Every gesture we have ever made toward that nation that was intended to promote peace in the world has received the same back-of-the-hand, humiliating treatment. This incident is a planned Communist pressure move, no more and no less. I hope, too, that every Member of the other body will recall today the pressure brought to bear on them to sign the Consular Treaty with Russia last year as a gesture of friendship and diplomacy, a treaty the Russians have still not seen fit to ratify now that we have humbled ourselves by offering it to them

Like most Americans, I am waiting for the White House to give us the facts on the *Pueblo* incident, and I hope we are not kept waiting much longer.

TIME TO PULL ALL THE STOPS IN NORTH VIETNAM

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I believe we can all agree that the crisis we are now faced with in North Korea demonstrates the futility of trying to negotiate with and trying to work with the Communists toward the goal of peace in this world.

The Communists have violated every single one of the truce agreements they signed 15 years ago when we ended hostilities in South Korea. They have turned North Korea into one of the most formidable military bastions in Asia. They have harassed our shipping. And now they kidnaped one of our ships, as one of their most brazen acts of warfare to date.

It seems to me those who have been imploring President Johnson to end the bombing in North Vietnam without any assurance that the Communists will not take advantage of the bombing pause, and those who have been trying to get the President to negotiate at all costs, at any price, ought to get a good lesson from what is happening in North Korea.

This should make them see the hopelessness of trying to deal with the Communists. It appears to me that the President would be very wise in making it clear that we are not going to be blinded be any more phony peace feelers and will proceed to prosecute the war in North Vietnam to a successful conclusion, using all methods necessary to attain that goal. We held out the olive branch to the Communists in North Vietnam long enough. We have exhausted every possible means of sitting down with these people and trying to bring the war to a successful conclusion. They turned us down and ridiculed us and insulted us. There are many of us here in Congress who on various occasions have offered various constructive suggestions that might lead to some sort of hopeful negotiations to bring the hostilities to an end there, but it is becoming abundantly clear that the Communists do not want peace in this world. They want hostilities in North Vietnam and North Korea; they want to continue their aggression; their subversion; their terror against us.

We see the growing menace of communism in the Mediterranean stirring up the troubled waters there. We see the Communists continuing to stir up trouble in the Middle East by arming the Arabs against Israel. The time has come when the President ought to serve clear notice on the Soviet Union itself that this country is not going to tolerate this kind of Communist aggression all over the world. I am hopeful that the President will be supported by all of the American people in the decisive steps he has taken to make sure that American honor will not be trampled on by a small nation such as North Korea or North Vietnam.

Mr. Speaker, I believe the President should demand the immediate release of the crew of the *Pueblo* and make clear North Korea must be prepared to suffer the full consequences if our boys are not released.

Mr. Speaker, it is also my hope that we will now proceed in North Vietnam toward a successful conclusion of this war at whatever expense. It is obvious that this is the only language the Communists understand. So long as our troops are pinned down in Vietnam, we can expect more similar provocations as the one in Korea.

AMENDING THE RAILROAD RETIREMENT ACT OF 1937 AND THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resoution 1035 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1035

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14563) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, there is no controversy whatsoever over this rule, which is a standard open rule giving 2 hours for general debate on the amendments to the Railroad Retirement Act. As far as I know, there is no controversy even over the bill. Therefore, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the purpose of the bill is to provide for an increase in railroad retirement benefits for those who because of the provisions of that act will not receive an increase either under the retirement act or the Social Security Act.

The increase granted under the bill will equal 110 percent of the increase an individual would have received if covered by the Social Security Act increases recently vetoed by the Congress.

Additionally, some widows and other members of the family will be covered and the earnings test for persons eligible for disability annuities is liberalized.

Title II of the bill increases by $2.50 per day the benefits available for unemployment and sickness. This will increase the per diem of such benefits from $10.20 to $12.70.

The cost for all benefit increases made by the bill will be financed from the income of the railroad retirement fund, and will not require any further increase in railroad retirement taxes.

The bill is supported by the administration and is agreed upon by both the unions and the railroads. There are no minority views.

Mr. Speaker, I urge the adoption of the rule and passage of the bill.

Mr. Speaker, I yield back the balance of my time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14563) to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increase in benefits, and for other purposes.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 14563, with Mr. NIX in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 1 hour and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1 hour.

The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS].

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

Mr. Chairman, the bill before the House today would provide increases in railroad retirement benefits to approximately 653,000 persons in amounts equal to 110 percent of the amounts they would receive had they been social security beneficiaries rather than railroad retirement beneficiaries, subject to certain offsets.

Many persons covered by the railroad retirement act will automatically receive increases in their benefits effective February 1, 1968, because of the recent amendments to the Social Security Act. This bill covers those persons who will not receive increased railroad retirement benefits otherwise, and will have the same effective date as the social security benefit increases.

Where the beneficiary is also receiving social security benefits as well as railroad retirement benefits, the bill provides an offset for the social security benefits; however, in no event will a person receiving benefits paid by the Railroad Retirement Board receive an increase in benefits of less than $10 a month in the case of retired employees, or $5 a month in the case of spouses, widows, children, or dependent parents of railroad employees.

This bill is an agreed on bill between railway labor and railway management. It has the approval of the Railroad Retirement Board and it came out of our committee unanimously.

Fortunately, it is possible at this time to provide the increases in benefits contained in this bill without the necessity of any further tax increase at this time. This results from the fact that the recent social security amendments automatically operated to increase the base wages subject to tax under the Railroad Retirement Tax Act, and provides an ultimate increase in railroad retirement tax rates equal to, in both instances, the new tax base, and the new tax rate increases provided under the Social Security Act.

Employees who are receiving supplemental annuities but no social security benefits will receive benefits without any offset other than that already contained in existing law. Where railroad retirement beneficiaries are also in receipt of social security benefits, there is an additional offset for the latest increase in social security benefits provided by last year's Social Security Act; however, the minimum increase will be $10 and $5, as I mentioned before. These increases are, of course, made before any reduction in annuities are made by reason of the age of the recipient.

The social security offsets contained in the bill are designed to avoid preferential treatment of beneficiaries who also are entitled to social security benefits. Without such offsets, the dual beneficiaries would receive two increases amounting to more than the single increase the nondual beneficiaries would receive under the bill.

The bill also provides some further improvements in the railroad retirement program.

The bill permits payment of benefits to employees retired for disability who earn up to $2,400 a year rather than the existing test which only permits them to earn $1,200 a year. At the time the $1,200 limitation was placed in the law in 1959, $1,200 a year was a reasonable income limitation for persons retired on disability. With increases in wages since that date, $200 a month is a much more reasonable level.

The bill also provides for crediting railroad employees with $100 a month additional for military service performed after 1967, providing $260 a month rather than $160 as is provided in existing law. This is identical to the provisions of the social security act providing credit under that act for military service. In addition, the bill provides for payment of retirement benefits to disabled widows and widowers at or above age 50 subject to an actuarial reduction in benefits, just as the social security amendments provide for such benefits. In addition, the bill makes applicable certain tests contained in the social security act for payment of family benefits, making certain additional persons eligible for benefits where, for example, a void marriage is involved.

Title II of the bill amends the railroad unemployment insurance program to permit the payment of $2.50 additional per day in unemployment or sickness benefits to railroad employees. There are some restrictions in the existing program. Maternity benefits are eliminated; however, sickness benefits may be paid to women unable to work because of pregnancy, miscarriage, or the birth of a child. In order to qualify for benefits today, an employee must have earned $750 or more during the base year. The bill increases this amount to $1,000 which is in line with the increase in wages since 1963 when the $750 test was placed in the law.

Upon attainment of age 65, the bill provides for termination of the right to extended sickness benefits and sickness benefits in an accelerated benefit year. Where an employee receives sickness benefits after attaining the age of 65, and the employee could have qualified for disability retirement benefits under the Railroad Retirement Act, transfers will be made from the retirement fund to the unemployment and sickness fund in amounts equal to disability annuities which otherwise would have been payable.

Under existing law, where an employee exhausts his rights to unemployment benefits, he may receive extended unemployment benefits for periods between 65 and 130 days depending upon the number of years of his service. The bill provides for payment of extended sickness benefits with the same qualifications as apply to unemployment; in addition; the present provision for the possible early beginning of a benefit year in cases involving days of unemployment would be expanded to provide for the possible early beginning of a benefit year in cases involving days of sickness.

An additional disqualifying condition would be added to provide that where an employee has received a separation allowance he would not receive any unemployment or sickness benefits for a

period following his separation from service, with the length of this period determined by a formula taking into account the amount of his allowance, his last daily rate of pay, and the number of days in his normal workweek.

The cost of title II of the bill would be approximately $20 million a year additional, financed out of the railroad unemployment insurance fund, which today is receiving—at existing contribution rates—approximately $60 million a year more than is being paid out; therefore, title II will require no increase in contributions from the carriers to finance the added benefits.

Title I of the bill, involving increases in benefits under the Railroad Retirement Act would, as I have mentioned before, require no increase in taxes. The $62 million a year added level cost estimated to be involved in the bill would leave the railroad retirement system in approximately the same actuarial position it was in prior to the enactment of the social security amendments last year.

Mr. Speaker, this bill was drafted to carry out an agreement between railway labor and railway management. It is approved by the Railroad Retirement Board, no objections were made to the bill at our hearings, and our committee was unanimous in recommending the bill to the House, and we urge its passage.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. DEVINE].

Mr. DEVINE. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. SPRINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SPRINGER. Mr. Chairman, we are here today to consider a long, technical, and almost unexplainable bill to modify the benefits under the railroad retirement system and the railroad unemployment system. The portion pertaining to retirement has been subject to the most continuing comment and suggestions for change.

A few years ago the railroad retirement fund had come to the point where it could not be allowed to further progress toward insolvency. It had not reached that state, but it had gradually attained a posture which could not be justified by actuarial considerations. No one wanted higher rates. Everyone would have liked to increase benefits to all recipients. After long study and consideration, the parties in interest—the railroad brotherhoods and the railroads—came to the Congress with their agreed-upon solution, and we accepted it. It raised rates higher than desired and gave somewhat less in benefits than desired, but it did balance the fund for the long pull.

Since that time medicare has come into being, and this also affected the fund and the rates which must be paid. Adjustments upward in the rates were made.

Then social security was changed to grant a 7-percent increase to beneficiaries. That automatically raised the benefits of many railroad fund beneficiaries because of the provision that no benefit will be less than 110 percent of social security. No doubt at an earlier time it was thought that this sort of automatic relationship would solve all problems. As time went on, however, more and more employees made much greater wages than those covered by social security, and so their benefits were always more than that 110 percent. As a result many retirees were left out in the cold by the 7-percent increase.

Again, recognizing the difficult problem faced by the retirement system, the brotherhoods and the railroads sat down and, while putting the finishing touches upon an experimental supplementary pension for some retirees, agreed to a small increase in rates levied upon both employees and management to provide the 7 percent for the remaining people.

Now we have a new round of changes because of the Social Security Amendments of 1967. Many retirees and other beneficiaries would again receive an increase automatically while many others would not. Knowing that this would cause difficulties, the parties again worked out the matter while consideration of the social security changes was underway. What they worked out is before you today. It takes care of those who would be bypassed and gives them a proportionate increase. It does some additional things for specified categories of recipients, and these have been described in the committee report and here on the floor.

The suggestions for changes, particularly wide liberalization of benefits and qualification for annuities, can be found at every hand. We must, however, follow the recommendation of those who are most directly concerned not only with the benefits but the continuing soundness of the system. Those recommendations are the provisions of this bill. I recommend the bill to my colleagues and trust the House will see fit to pass it as it has come from the committee.

Mr. DEVINE. Mr. Chairman, this is one of the unique situations which arise in our great Committee on Interstate and Foreign Commerce where there is agreement on both sides of the aisle, and agreement by management and by the brotherhoods on this legislation.

This will bring the railroad retirees up to the benefits granted to persons on social security as a result of the action of the Congress in the first session of the 90th Congress.

This legislation is noncontroversial, it is agreed-upon legislation, and the statement made by the chairman is right on the target, when he said that there is no controversy involving this legislation.

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

Mr. DEVINE. I yield to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, I strongly support this legislation and I call upon the Congress to pass these Railroad Retirement Act Amendments of 1968.

The meager retirement benefits of the retired railroad workers and their survivors have been continually eroded by inflation and I urge the House of Representatives to promptly adopt these amendments which were designed to restore, to these deserving people, the level of decency and comfort they have worked so hard to earn.

While these increases are not as large as I had hoped the Interstate and Foreign Commerce Committee would recommend, they would be helpful to the retired railroad employees in meeting the rising cost of living. Many persons automatically receive increases in retired railroad benefits when social security benefits increase because their benefits are computed under the social security formula and these individuals are not affected by this legislation. On the other hand, the vast majority of employee annuities and a significant portion of aged widows' annuities are computed under the regular retired railroad formula, and unless the Congress adopts these amendments, the latter will not receive the cost-of-living increase.

The legislation would provide for average increases of around $13 per month for retired employees—running from a minimum of $10 to a maximum of $21—average increases of $7 for spouses, $11 for aged widows, and $11 for other survivors. In addition, the legislation makes certain additional family members eligible for benefits, provides an increase in the credit for future military service, and liberalizes the earnings test for persons eligible for disability annuities under the Railroad Retirement Act from $1,200 annually to $2,400, and furthermore, would increase by $2.50 per day benefits for unemployment and sickness and add some restrictions on eligibility for these benefits. The increase in annuities would become effective February 1, 1968.

Last year, I appealed to the Interstate and Foreign Commerce Committee to bring recommendations to the floor of the House of Representatives providing for similar increases in retirement benefits. This legislation reflects the terms of an agreement entered into by representatives of railway labor and management and is the least the Congress could do to help alleviate the dire situation confronted by the retired railway workers and their families.

It will merely help them provide the necessities of life and should be approved forthwith.

Mr. MILLER of Ohio. Mr. Chairman, I rise today in support of the 1968 amendments to the Railroad Retirement Act.

Faced with the heavy tax of inflation, the retirement benefits of the retired railroad workers and their survivors have greatly diminished in purchasing power. While these benefits were not large in the beginning, we must attempt to restore them to the preinflation purchasing level to combat the rising cost of living, and this is a step in the right direction.

During the last session, the Congress saw fit to raise the benefits of another deserving group, social security recipients. At the same time, some persons will automatically receive increases in retired railroad benefits when the social secu-

rity increases become effective because their benefits are computed under the social security formula. Today, we are considering a bill which will aid the vast number of railroad retirement annuitants who would not otherwise benefit from the social security increases. These people are most deserving of this cost of living increase which is contained in H.R. 14563.

I strongly urge the House to promptly approve this important legislation.

Mr. BLANTON. Mr. Chairman, my support for H.R. 14563, the Railroad Retirement Act Amendments, is unqualified. I am particularly pleased to see labor and management reason together on this matter.

Important commitments in my district make it necessary for me to be absent from voting on this legislation, however I wish to go on record as being for the passage of this bill.

Mr. BROTZMAN. Mr. Chairman, I rise in support of H.R. 14563, to provide for increased benefits under the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act, which comes from my Committee on Interstate and Foreign Commerce.

The principle purpose of this legislation is to provide an increase in railroad retirement benefits to those persons who will not automatically receive an increase in either their railroad retirement or social security benefits. As you know, we adopted a 13-percent increase in social security benefits during the last session of Congress. This bill, which we are considering today, will give basically the same increase in benefits to those persons who are covered by the Railroad Retirement Act.

The vast majority of survivor annuities and some retirement and spouses' annuities are computed under the formula in section 3(e) automatically receive increases in railroad retirement benefits when social security benefits are increased.

However, many employee annuities and a large proportion of aged widows' annuities are computed under the regular railroad retirement formula. Under H.R. 14563, these persons will receive increases of $10 or more, in the case of retired employees, or $5 or more in the case of wives, widows, parents, and children.

This bill also makes certain disabled widows and widowers eligible for benefits, makes certain additional family members eligible for benefits, provides an increase in the credit for future military service, and liberalizes the earning test for persons eligible for disability annuities under the Railroad Retirement Act. Title II of the bill increases by $2.50 per day benefits for unemployment and sickness, and provides some restrictions on eligibility for these benefits.

One of the many considerations with which we are all concerned in this time of fiscal crisis is the cost of legislation which we enact here in the Congress. I am pleased to report that the cost of increasing benefits to retired railroad employees under this measure will be financed out of the increases in the income of the railroad retirement fund arising out of the recent Social Security Act amendments and will not require a further increase in railroad retirement taxes.

Mr. Chairman, this is a sound piece of legislation. It is a fair and just measure and deserves our full support. It will bring the same benefits to hundreds of deserving railroad retirees and their families which already have been provided to those covered by the Social Security Act. I urge its adoption.

Mr. BROYHILL of North Carolina. Mr. Chairman, today the House of Representatives is considering a piece of legislation of extreme importance to the many hundreds of retired railroad employees, their wives or widows, and their other dependents. I am proud to rise in support of this bill, which has received the approval of railway management and railway labor.

The bill which we have before us would provide increases in benefits for those persons who will not receive an increase in either their railroad retirement benefits or social security benefits as a result of the Social Security Amendments of 1967. As we all know, many railroad retirees automatically receive increases when social security benefits are increased. However, the remaining retirees, those who are not affected by the social security increases, are also deserving of an increase in benefits, and the purpose of this bill is to assist these individuals.

It has been calculated that this bill would provide an increase of approximately $10 for each retiree and an increase of approximately $5 for each wife, widow, or other dependent. This bill would also make disabled widows and widowers age 50 to 60 eligible for an annuity, as well as liberalizing the earnings test for persons eligible for disability benefits. In addition, this legislation would increase benefits for unemployment and sickness although it would place some restrictions on eligibility for these benefits.

Mr. Chairman, it has been a privilege for me to serve on the Interstate and Foreign Commerce Committee which has the responsibility for railroad retirement legislation, and I fully support the efforts of the committee to make certain that the railroad retirement program is as fair and equitable as possible. I urge the Members of the House of Representatives to pass this bill without delay.

Mr. POFF. Mr. Chairman, in the first session of the 90th Congress while the social security benefit increase bill was under debate, I expressed my concern that railroad workers and their families had not been included for similar treatment.

While it is true that, under the financial interchange amendments, increases in the social security program indirectly increase benefits in certain isolated categories of railroad retirement beneficiaries, in the absence of specific legislation, the general increase does not apply. The bill now under debate is such legislation. It will supply the omission. It should be promptly adopted.

I have not said that H.R. 14563 is a piece of perfection in the legislative process. Indeed, it leaves certain gaps which should be closed. I have particular references to the survivorship annuities and unemployment benefits.

Yet, this bill, which enjoys the endorsement of both the railroads and the brotherhoods, will do substantial justice to most railroad workers and their families. With certain offsets and credits for increases already received by operation of the financial interchange provisions, the railroad retiree will receive under this bill approximately 110 percent of the increase granted last year to the social security beneficiary. Considering the disparity in railroad retirement and Social Security taxes, the 10-percent bonus can hardly be challenged.

This legislation will not require further increases in railroad retirement taxes. Through operation of the financial interchange provisions, the effect of the changes in the Social Security funding program will be to create a modest surplus in the railroad retirement fund. Even after deduction for the cost of this legislation, the deficit in the railroad retirement fund will be 1.16 percent of payroll. This is only slightly more than the present deficit.

It is important to act promptly. Unless both Houses of Congress complete action without further delay, it will be impossible to make the effective date of the railroad retirement increase coincide with the effective date of the social security increase. That increase will be reflected in the March checks.

After this legislation has been placed on the statute books, the Committee on Interstate and Foreign Commerce will, I feel confident, schedule hearings later in the session on other railroad retirement legislation which railroad workers count supremely important. Such legislation includes bills to reduce the retirement age, bills to repeal the last employer clause, bills to repeal the old base period and substitute the 5 best years rule and other bills to improve the railroad retirement program and protect its solvency.

Mr. EILBERG. Mr. Chairman, I want to speak briefly but emphatically in support of H.R. 14563 which this House is now considering. The main purpose of the bill is to reflect the 1967 change in the social security benefit formula in all railroad retirement payments, not merely those falling under the minimum guaranty provision.

Because of the special minimum guaranty provision in the Railroad Retirement Act, starting this February some railroad retirement beneficiaries will receive an increase in their payments ranging from $5 to $20 a month as a result of the Social Security Amendments of 1967. As you know, this provision requires that payments to railroad retirement beneficiaries be at least 10 percent higher than they would be were railroad work covered under the Social Security Act. Many persons receiving benefits under the Railroad Retirement Act will benefit from the 1967 social security legislation. The vast majority of the retired railroad workers themselves, however, as well as other beneficiaries will not because it is in their favor for their annuities to be computed under the regular

formula of the Railroad Retirement Act. It is this group to which H.R. 14563 is mainly directed.

The reasons necessitating our increasing social security benefits apply with equal force to railroad retirement benefits. I think these reasons are sufficiently fresh in our minds so that in this brief statement I will concentrate on what H.R. 14563 provides rather than on the obvious need for the bill.

H.R. 14563 does not propose an increase which is a specific percentage applied to the benefit amount. Rather, the increase is a flat dollar amount determined by the average monthly compensation. The retired railroad worker, under the bill, would receive an increase approximately 10 percent larger than the dollar amount of the increase under the 1967 Social Security Amendments received by his social security counterpart with a similar average monthly compensation. This, of course, does not necessarily mean that his total railroad retirement payment will be 10 percent greater than that of the social security counterpart because the basic benefit is computed differently in the two systems.

Expressed in monetary terms, monthly annuities computed on the regular railroad retirement formula will be increased from $10 to $21 for retired employees and from $5 to $17 for wives and survivors. However, if the recipient also receives a social security benefit, his railroad retirement increase would be reduced by the amount of the social security increase legislated in 1967. In any event, H.R. 14563 guarantees a minimum monthly increase of $10 for a retired worker and $5 for spouses and survivors. These minimums are before reductions for early retirement.

The bill also removes the restriction imposed in the 1966 Railroad Retirement Amendments limiting the 1966 7-percent increase to monthly earnings of $450 and below.

The maximum benefit a spouse may receive would be increased. A spouse is entitled to an annuity equal to one-half that of the retired worker's annuity but a maximum is imposed on this amount. A maximum of $92.40 a month went into effect January of this year under present law. If H.R. 14563 is passed, the maximum for the remainder of this year will be $104.50. It will rise to $112.20 in January 1969 and to $115.50 in January 1970.

H.R. 14563 liberalizes the disability provisions of the Railroad Retirement Act. For the first time reduced annuities would be available to disabled widows and widowers at age 50 under similar conditions provided disabled spouses in the Social Security Amendments of 1967, except there would be no waiting period before the annuity could be paid. The bill would allow disability annuitants to earn $2,400 a year instead of $1,200 without losing annuity payments for any month in the year. Regardless of their total annual earnings, they could earn as much as $200 a month instead of $100 without losing their annuity for that month.

Again following the pattern established by the 1967 Social Security Amendments, the bill would increase the amount to be credited for each month of military service after 1967 from the present $160 to $260. The bill also would incorporate into the Railroad Retirement Act the less strict requirements adopted by the social security system before 1967 regarding the validation of certain marriages and the status of certain children born out of wedlock.

The Railroad Unemployment Insurance Act also would be amended by enactment of H.R. 14563. Included among the amendments would be a $2.50 increase in the daily unemployment and sickness benefit rate at each level, with the maximum rate being $12.70. Also, railroaders under age 65 with 10 or more years of service would be able to receive sickness benefits for longer periods, just as they are already able to receive unemployment benefits for an extended period.

In closing, I want to firmly state that passage of this bill is essential to the economic well-being of our retired railroad workers and is needed for equality of treatment in federally administered retirement plans. It is true that generally when we increase social security benefits, we eventually also increase payments to railroad retirees. But why make them wait? During this period of rising prices any lag imposes a hardship on our former railroaders and their families and survivors. I urge you, therefore, to pass this legislation promptly so that the railroad retirement increase might go into effect the same time as the 1967 social security increase—namely, this February—or as close to this date as legislatively possible.

Mr. JOHNSON of California. Mr. Chairman, as the author of H.R. 14633, a companion to the legislation which we have before us here today, I rise in support of passage of this bill.

We have here a situation where I believe early action is essential in order to permit the railroad retirement system to share in the improvements which this Congress has voted in the social security system. These improved social security benefits will go into effect February 1 and will show up in checks received March 1 by beneficiaries, including retired persons, widows, and the disabled.

Early action on this legislation is essential so that all retired railroad workers may keep pace with these benefits.

Basically the legislation provides an increase in railroad retirement benefits for persons who will not receive an increase in either their railroad retirement or social security benefits as a result of the recent amendments to the Social Security Act. There are, of course, many persons who received automatic increases in their railroad retirement benefits when the social security benefits increased. They are those retired railroad workers whose benefits are computed under the social security formula. They are not affected by this bill.

There are others who do not receive the automatic increases and this legislation would protect the retirement interests of these people by increasing their retirement benefits $10 a month or more, or in the case of wives, widows, parents, and children, $5 a month or more.

The legislation also makes certain disabled widows and widowers eligible for benefits, provides an increase in the credit for future military service, and liberalizes the earnings test for persons eligible for disability annuities under the Railroad Retirement Act.

The cost of these benefits will be financed out of increases in the income of the railroad retirement fund arising out of the recent Social Security Act amendments and will not require a further increase in railroad retirement taxes.

One other point not related to the retirement benefits should be mentioned, and that is the increase by $2.50 per day in benefits for unemployment and sickness. This increases the maximum daily benefit rate to $12.70 per day, which I believe we all agree would be an absolute minimum.

Mr. Chairman, in conclusion I would like to emphasize that we have here legislation which has the support of all concerned. Both labor and management have endorsed the legislation in testimony before the Interstate and Foreign Commerce Committee, whose distinguished chairman, the gentleman from West Virginia, [Mr. STAGGERS], authored the bill we have before us, H.R. 14563. The administration supports the legislation.

I therefore urge my colleagues to add their support to this fine piece of legislation.

Mr. DANIELS. Mr. Chairman, I rise in support of the pending measure, H.R. 14563. As all members of the House Committee on Interstate and Foreign Commerce know, I am vitally concerned with the well-being of America's railroad workers and alarmed as they fall behind other members of the labor force.

In the first session of this Congress, I introduced two bills designed to improve the lot of the railroad worker. One, H.R. 5405, would have provided a 20-percent, across-the-board increase for persons covered by the Railroad Retirement Act of 1937. The other, which has created quite a stir, would have provided full annuity for persons with 30 years of creditable service under the act. The response which I have received from thousands of railroad workers indicates to me that the grassroots is not satisfied with this system.

Mr. Chairman, I make no criticism of the distinguished chairman of this committee nor of the hard-working Members of Congress who have labored hard to keep the railroad retirement system working. Unfortunately, there are problems within the system which are far more serious than those facing the social security and civil service retirement systems, and so long as the railroad retirement system is structured as it is, I see no real hope of achieving our desired ends.

Mr. Chairman, all other members of the labor force, both in the private and public sectors of the economy, are moving toward earlier retirement. Yet, the railroad worker is wedded to a system where no progress at all is being made. I do hope that somehow the collective wisdom of this House can be brought to bear on this badly needed reform.

Mr. Chairman, I commend the distin-

guished gentleman from West Virginia, Chairman Staggers, and the members of this committee for today's bill. While some may say it is not enough, it is a step forward and, rather than stay with the status quo, I urge all Members to join with me in supporting the pending bill.

Mr. BOLAND. Mr. Chairman, I want to voice my support today for bill H.R. 14563, a measure that would make thousands of railroad workers and their families eligible for the benefits that the 1967 Social Security Amendments have granted to almost everyone but them.

Stemming from an agreement reached by railway labor and management, the bill would extend retirement benefits comparable to those other citizens now enjoy to people who will not receive an increase in either their railroad retirement or social security payments as a result of the 1967 amendments I have just cited.

The bill, sponsored by the gentleman from West Virginia, Congressman HARLEY STAGGERS, and identical to the H.R. 14625 bill I cosponsored, would amend the 1937 Railroad Retirement Act to give people left out in the cold by last year's upward revisions in the Social Security Act benefits subject to certain offsets but generally equal to 110 percent of the benefits they would have received were they subject to the Social Security Act.

In addition, the bill would extend retirement benefits to disabled widows and widowers 50 years of age and over, close the gap that now exists between the Railroad Retirement Act and the Social Security Act concerning children's eligibility for certain benefits, provide an increase in credit for future military service and liberalize the earnings test for disability annuities.

The money to pay for these increases would come from new income that last year's social security amendments provide for the railroad retirement fund, making it unnecessary for any increase in railroad retirement taxes.

Title II of the bill would increase by $2.50 a day the benefits for unemployment and sickness under the railroad unemployment insurance program.

I want to commend Congressman STAGGERS, able and distinguished chairman of the Committee on International and Foreign Commerce, for speeding action on this bill I joined him in sponsoring.

I feel sure that my fellow Members of the U.S. Congress share my vigorous support for this bill, one that would do justice to the many railroad workers ignored by last year's significant increase in social securities benefits.

The spirit of equity and fair play behind the laws governing both the Social Security Act and the Railroad Retirement Act makes swift passage of this bill necessary.

Mr. BURKE of Massachusetts. Mr. Chairman, my bill, H.R. 14596, a companion bill to H.R. 14563, embodies the provisions of a program developed jointly by railway labor and management in consultation with the Railroad Retirement Board. The bill would improve the programs providing much needed benefit increases and introducing certain new kinds of benefits.

AMENDMENTS TO THE RAILROAD RETIREMENT ACT

The purpose of title I of the bill is to take care of a difficult situation that was created for the railroad retirement program by the enactment of the Social Security Amendments of 1967. General increases in social security benefits automatically result in corresponding increases in benefits for large numbers of railroad retirement beneficiaries but not for all of them. The beneficiaries who receive increases are those whose annuities are computed under the 110 percent social security minimum guaranty of the Railroad Retirement Act and a large proportion of all wives who are paid a spouse's annuity. All other railroad retirement beneficiaries are left without increases, and this group includes the great majority of retired employees. My bill would take care of the group left out, and by doing so, it would assure that all railroad retirement beneficiaries receive equal treatment. In this respect, the bill is similar to the part of the railroad retirement amendments of 1966 which provided benefit increases for those beneficiaries who were not in line for increases as a result of the 1965 Social Security Amendments.

As for immediate effects, increases derived solely from the bill would go to some 594,000 present beneficiaries; increases derived solely from the 1967 social security amendments to 297,000 beneficiaries; and increases derived from both sources to 59,000 beneficiaries. Thus, if the bill is enacted, all railroad retirement beneficiaries, without exception, will receive benefit increases effective on the same date—February 1, 1968—and in amounts based on essentially the same formulas. The minimum basic increases—before reduction, if any, for early retirement—under the bill would be $10 a month for a retired employee and $5 for a spouse or survivor. The present maximum increase for a retired employee would be about $21 because the average monthly compensation used in the computation of an employee annuity can now be no higher than $433. All in all, title I of the bill would give increases to about 653,000 present beneficiaries, most of whom are retired employees. In addition, the bill would bring in some 3,000 beneficiaries of a new type. I am referring to disabled widows between the ages of 50 and 60 who otherwise would not be eligible for benefits under the Railroad Retirement Act. The additional benefit disbursements in the first year would be about $81 million.

AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

Title II of the bill would increase the maximum daily benefit rate for unemployment and sickness from $10.20 to $12.70 and would make it possible for railroad workers with 10 or more years of service to receive sickness benefits for longer periods. Furthermore, an accelerated benefit year, that is a benefit year beginning on a date earlier than July 1, could begin also with a day of sickness, whereas under present law it can begin only with a day of unemployment.

I strongly urge the passage of H.R. 14563.

Mrs. SULLIVAN. Mr. Chairman, it is my privilege to represent in the House one of the great railroad centers of the United States—St. Louis—and I come from what can well be called a railroader family. My husband also had close family connections with railroaders and, in addition, served prior to his death in 1951 on the House Committee on Interstate and Foreign Commerce where he took an active and leading role on all legislation affecting railroad retirement.

So I feel very strongly about the need for improvements in the railroad retirement system to keep up with changes in living costs and the ever-changing complexion of problems of our retirees. I am, therefore, happy to support this bill.

However, Mr. Chairman, it is one thing to provide a modest increase in the benefits of retirees, as we did just recently on the social security bill, and as we do now in this legislation. It is another matter entirely to try to make sure that our retirees are protected as much as possible in the purchasing power of their limited, fixed incomes, and are not victimized by deceptive or fraudulent practices which rob them of their small substance.

I have just been informed that the Consumer Credit Protection Act will be scheduled for House consideration next Tuesday, instead of a week later as originally planned. This bill, H.R. 11601, is probably the most important consumer measure we will consider in this session. It represents 8 long years of effort, initiated in 1960 by former Senator Paul H. Douglas of Illinois and pursued vigorously by him until his defeat in 1966, to pass a strong bill which will give the consumer the full facts—all of the facts—about the cost of credit in any consumer credit transaction. We are nearing the climax of this drive.

REVOLVING CREDIT EXEMPTION UNFAIR TO INDEPENDENT BUSINESS AS WELL AS TO CONSUMERS

It is therefore extremely urgent that every Member of the House who believes sincerely in helping our railroad retirees, and all citizens of modest or average income, to get full value for the dollars they spend in credit transactions be present next week for the fight on consumer credit legislation. Every family today uses credit in many forms, and millions of them have been and are being victimized by unscrupulous practices and exorbitant interest charges and hidden fees of all kinds.

H.R. 11601 is a good, strong bill in many particulars—in most particulars. But, as I told the Rules Committee yesterday, it now suffers from two extremely serious defects written into it as committee amendments in the Committee on Banking and Currency.

One is the exemption for revolving credit. Under this special interest exemption, avidly sought by the huge merchandising chains like Sears, Ward's, Penney's, and all of the major department stores using computerized revolving credit systems, the store would not have to reveal the annual rate of the interest or finance charge on the vast

bulk of its credit sales. This is grievously unfair to independent businesses, such as furniture stores, hardware stores, appliance dealers, automobile dealers, radio-TV shops, music stores and all of the thousands of small retail stores which cannot install and finance computerized revolving credit accounts and, instead, depend largely on installment credit as a sales tool. Unlike the department stores, these merchants will have to tell the customer the annual percentage rate of their credit charges. If they are charging for credit at a rate exactly the same as that charged by the department store, or mail-order house, the independent merchant would have to reveal an 18-percent rate, which sounds extremely high, while the giant competitor could say that his rate is only 1½ percent a month.

Unless we defeat that amendment next week, we will soon be seeing about half of all consumer credit in this country operated on a revolving account basis, to take advantage of this loophole on full disclosure. And the customer—the consumer—is the one who will suffer most from this deception.

The whole purpose of truth in lending is to enable consumers to compare all forms of credit offers, so as to make an informed judgment on the kind of credit to use in a particular situation, or whether to dip into savings and pay cash and save substantial credit charges. But in order to "shop for credit," as former Senator Douglas described the objective, we must have the same measuring tape for all transactions—an annual percentage rate.

PROTECTING "LOAN SHARKING"

Otherwise, it would be only fair to require that banks and other institutions offering interest or dividends on investments translate their rates into monthly terms, so instead of 4 percent on a regular savings account, they would say it is one-third of 1 percent a month. I cannot imagine our financial institutions wanting to change over to that kind of system in describing the payout they make to investors.

The other committee amendment to H.R. 11601 which I intend to fight when the bill comes up on the floor is what we call the loan shark amendment, exempting from rate disclosure of any kind those credit transactions in which the credit charge is $10 or less. This would blanket in every loan or purchase up to about $110 in total cost, which would deprive consumers of essential information on most of the credit transactions in which they engage.

It would provide a great advantage to those fringe operators in the consumer credit field who charge fantastic interest rates, up in the 100- or 200-percent level or even higher, on the small loans or modest purchases made by low-income families. In my opinion, it is immoral to exclude these transactions from the requirement to tell the consumer what the rate of the finance charge is.

Mr. Chairman, H.R. 14563, the bill now before us, helps railroad retirees, and I favor it. I am sure it will pass easily. But in voting for an improvement in the benefits of railroad retirees, I urge that we also pledge ourselves to help those same retirees in an even more meaningful fashion by enabling them, and all other consumers, to use their moderate incomes to the best advantage. And that means that we must pass a truth-in-lending bill which is strong enough and broad enough to include all types of consumer credit—across the board—on the same basis of measurement—that is, annual rate disclosure.

Mr. QUILLEN. Mr. Chairman, I join in wholehearted support of H.R. 14563, the Railroad Retirement Act amendments, and I urge the immediate passage of this legislation.

This bill will provide an increase in railroad retirement benefits for those persons who will not receive an increase in either their railroad retirement or social security benefits as a result of the recent amendments to the Social Security Act. In addition, some widows and other members of the family will be covered, and the earnings test for persons eligible for disability annuities is liberalized.

I cannot emphasize too strongly the great need for this bill. For those persons who, under present provisions of the Railroad Retirement Act, are denied increases in benefits, these amendments could mean the difference between a meager existence in their declining years and a comfortable time of well-earned rest. Through the swift enactment of this legislation, we can reassure these good people that their long years of hard work have not been forgotten.

Mr. PICKLE. Mr. Chairman, I would like to express my support for the bill now before us. It is a good piece of legislation standing on its own, and in the light of the Social Security Act of 1967, it is especially warranted.

There is one point, however, on which I must differ with the majority of my colleagues in the committee. The present procedures call for an actuarial reassessment of the railroad retirement system in 2 years. The purpose of this review is to determine whether new financial measures are needed to keep the plan on a sound footing.

This bill does not require a new review prior to the 2-year period, and in light of the new demands here made on the system, it certainly seems proper that this be done.

With a system of the size dealt with here, a deficit of 0.5 percent is the suggested maximum which can be sustained for the long run. It is indicated, however, that the new benefits added by this bill will increase the drain on the fund to a level of 1.16 percent—and all these figures are speaking of percentages of the total payroll covered by the program.

This amounts to a drain of approximately $58 million a year, as I see it, and I believe this aspect of the proposal calls for further attention.

Admittedly, there are several increases in the railroad retirement tax rates already included in the law. These will take effect in 1972 and again in 1973. Still, the adequacy of these tax rate increases has not been shown to me, and I believe the situation at least calls for a second look. I would hope that the Railroad Retirement Board would take a look at the actuarial costs sooner than 2 years, and make recommendations to Congress to insure the solvency of the fund. I am not alarmed at the present situation; I just think we ought to look sooner at the costs.

Mr. MOSS. Mr. Chairman, I want to take this occasion to commend my colleagues for their action in the passage of H.R. 14563 amending the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increases in the daily rates of unemployment compensation and sickness benefits and revising the unemployment program for railroad employees.

This legislation is a testimony to the cooperation which can exist between labor and management on our Nation's railroads. The features of the bill were agreed to by both parties and is of substantial benefit to not only the employees but management as well. Furthermore, the diligent effort which has been put into this measure resulted in the provision of benefits without a requirement for an increase in taxes at this time.

In general, the benefit increases and other modifications contained in the bill are in line with the social security amendments. The increase in benefits for each beneficiary will be equivalent to the increases he would have received had his railroad employment been social security employment, but in the case of a retired employee in no case would the benefit increase be less than $10 a month and in the case of survivors, the benefit increase will be not less than $5 a month. There is an exception to this. Where the beneficiary is receiving benefits under the provision of the Railroad Retirement Act which guarantees that benefits will be 110 percent of social security benefits, that individual receives no increases under this bill but will automatically receive an increase as the result of last year's social security bill.

The bill also provides benefits for disabled widows and widowers at age 50, provides an additional $100 a month credit for military service performed after 1967, permits disabled employees to earn $2,400 a year without reduction in benefits instead of the current $1,200 a year limitation, and makes certain additional beneficiaries eligible for benefits under the same conditions as apply under the Social Security Act.

The bill also makes amendments to the Railroad Unemployment Insurance Act. It provides an increase of $2.50 a day in the benefits which can be paid for unemployment or sickness. The bill provides some restrictions on benefits under the program. It eliminated benefits for maternity as such but permits payment of sickness benefits for time lost from work by reason of pregnancy or birth of a child. The earnings requirement to qualify for benefits is increased from $750 to $1,000 in the base year. Where an employee is paid a separation allowance, he is prohibited from drawing unemployment benefits for a period determined by the amount of the separation allowance and where sickness benefits are paid to employees who would have qualified for a disability annuity, transfers of

amounts equivalent to the disability annuity shall be made from the railroad retirement fund to the railroad unemployment insurance fund.

The enactment of this measure provides a remedy which is long overdue, and it serves as testimony that the Members of this House continue to face the responsibility of providing equitable solutions to the problems facing the citizens of this great Nation.

Mr. RANDALL. Mr. Chairman, it is a privilege to support H.R. 14563. I rise to make these brief comments in support of a measure that quite properly is receiving the early attention of the House among its first enactments in this Second Session of the 90th Congress.

No one can predict the length of debate, on any bill but I would hope the membership of our body will be so unanimously in favor of seeing quick justice done to our railroad retirees that the debate will not be lengthy and remarks limited either to explanation of the measure or in support thereof.

The bill provides that the increase in annuities will be effective beginning with the annuities accruing on February 1st, 1968. Although the total amounts to be paid are difficult to set forth in a brief explanation of the bill, it is safe to say no beneficiary will receive less than a $10 per month increase and some may receive as much as $21 per month increase. Wives, widows, parents, and children would receive a somewhat lesser increase.

The bill makes certain disabled widows and widowers eligible for benefits as well as certain additional family members eligible for benefits, and in addition liberalizes the earnings test for persons eligible for disability benefits.

This proposal will not require a further increase in railroad retirement taxes. In general the bill reflects the terms of an agreement entered into by representatives of railroad labor and management and is supported by the administration.

Title II is concerned with amendments to the Railroad Unemployment Insurance Act. It is noteworthy to know that the amount of compensation earned in a base year as a basic qualification for benefits would be increased from $750 to $1,000. The benefits rate schedule will be revised to the maximum daily rate, and increased from $10.20 to $12.70 for days of unemployment and days of sickness. It is most encouraging to find out that the amendment provided by this title would not require an increase in the contribution base or the contribution rate.

The 73-page report is somewhat difficult to follow because of the complexity of amending an act passed in 1937 and amended repeatedly since that date. It is sufficient to observe that this measure has surely enjoyed the unanimous support of the committee in that it is one of the few reports I have read in a long time that did not contain either minority views or some separate views which were critical of the report. Not a word is heard by any member of the committee. Such unanimity makes this one of those bills that the House should pass in a hurry and without lengthy debate to prove we intend to accord our railroad retirees the same adjusted increases accorded our social security recipients.

Mr. HORTON. Mr. Chairman, I rise in support of H.R. 14563, providing for benefit increases for persons under the railroad retirement system.

The railroad retirement system was the pioneer effort by the Federal Government to attend to the needs of retired non-Federal employees. The experience had under this plan led to the adoption of the Social Security Act in the 1930's. There is no question, Mr. Chairman, that we owe a debt to the millions of Americans who, having contributed to our productivity for several decades, reach the age of retirement from active employment. Although I know that the vast majority of my colleagues in the House recognize the need for financially sound and sensibly administered retirement systems, I feel compelled to note that the history of this conviction is deep rooted in the Railroad Retirement Act, which we have before us today.

Late in the first session, we passed important legislation which brought social security benefits into line with increases in the cost of living which have taken place over the past 2½ years. With the passage of that bill, many beneficiaries of the railroad retirement system, notably survivors and spouses who receive annuities, became entitled to increased payments parallel to those provided for beneficiaries of the social security system. However, the vast majority of employee annuities and a large number of aged widow annuities paid under the Railroad Retirement Act were not included in the terms of the social security legislation. The purpose of this bill is to extend to persons in these categories, benefit increases which are equivalent to those received by others in the railroad retirement under the Social Security Act.

Almost a year ago, I introduced legislation which would provide for automatic increases in the levels of both railroad retirement and social security benefits based on periodic changes in the national standard of living. Under my bill, increases in average national productivity, measured by increases in per capita disposable personal income as set against parallel increases in the consumer price index, would be shared with persons receiving retirement benefits under these two programs. The real benefit of my bill is that it eliminates the need for Congress periodically—and often too late—to review current benefit levels in light of higher cost of living figures. I would like to take this opportunity to again urge my colleagues to consider this legislation. We have already established, by repeated action over the years, the principle that these retirement and survivor benefits should at least keep pace with consumer price levels. By making these adjustments automatic, our senior citizens would be spared the constant and real fear of their fixed incomes shrinking in real value.

I heartily support the legislation now before us, which once again, provides an essential increase in benefits to thousands of railroad retirees and their families. But I reiterate that this legislation provides the very least that these people deserve—it provides them with only enough to barely keep pace with inflation. As we vote to extend these needed increases, we should ponder what more we, as the people's representatives, can do to improve the usefulness of this historic legislation to those who are its beneficiaries.

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

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

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

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

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT

SEC. 101. The eighth sentence of section 1(h) of the Railroad Retirement Act of 1937 is amended by inserting "before 1968" after "calendar month" and by adding after such eighth sentence the following new sentence: "In making such a determination there shall be attributable as compensation paid to him for each calendar month after 1967 in which he is in military service so creditable the amount of $260."

SEC. 102. The second paragraph of section 2(d) of the Railroad Retirement Act of 1937 is amended by striking out "$1,200" wherever this figure appears and inserting in lieu thereof "$2,400"; by striking out "$100" wherever such figure appears and inserting in lieu thereof "$200"; and by striking out "$50" and inserting in lieu thereof "$100".

SEC. 103. (a) Section 2(e) of the Railroad Retirement Act of 1937 is amended by striking out "reduction" and inserting in lieu thereof "reductions", and by striking out "section (a)3(1) of this Act" and all that follows and inserting in lieu thereof "section 3(a)(2).".

(b) Section 2(1) of such Act is amended by striking out "the first two provisions in section 3(a)(1)" and all that follows and inserting in lieu thereof "the second proviso in section 3(a)(2), except that, notwithstanding other provisions of this subsection, the spouse's annuity shall (before any reduction on account of age) not be less than one-half of the amount computed in section 3(a)(1) increased by $5 or, if the spouse is entitled to benefits under the Social Security Act, by the excess of $5 over 5.8 per centum of the lesser of (i) any benefit to which such spouse is entitled under title II of the Social Security Act, or (ii) the spouse's annuity to which such spouse would be entitled without regard to section 3(a)(2) and before any reduction on account of age, but in no case shall such an annuity (before any reduction on account of age) be more than the maximum amount of a spouse's annuity as provided in subsection (e)."

SEC. 104. (a) Section 3(a) of the Railroad Retirement Act of 1937 is amended by striking out all that appears therein and inserting in lieu thereof the following:

"SEC. 3. (a)(1) The annuity of an individual shall be computed by multiplying his 'years of service' by the following percentages of his 'monthly compensation': 3.58 per centum of the first $50; 2.69 per centum of the next $100; and 1.79 per centum of the remainder up to a total of (i) $450, or (ii) an amount equal to one-twelfth of the current maximum and taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater.

"(2) The annuity of the individual (as computed under paragraph (1) of this sub-

section, or under that part of subsection (c) of this section preceding the first proviso) shall be increased in an amount determined from his monthly compensation by use of the following table:

"Monthly compensation:	*Increase*
Up to $100	$9.13
$101 to $250	11.22
$151 to $200	12.87
$201 to $250	14.63
$251 to $300	16.17
$301 to $350	17.82
$351 to $400	19.47
$401 to $450	20.90
$451 to $500	22.55
$501 to $550	24.09
$551 to $600	27.83
$601 and over	31.46

The amount of the increase shall be the amount on the same line as that in which the range of monthly compensation includes his monthly compensation: *Provided, however,* That, for months with respect to which the individual is entitled to a supplemental annuity under subsection (j), the increase provided in this paragraph shall be reduced by 6.55 per centum of the amount determined under paragraph (1), or under that part of subsection (e) of this section which precedes the first proviso, which is based on the first $450 of the monthly compensation or an amount equal to the amount of the supplemental annuity payable to him, whichever is less: *Provided further,* That for months with respect to which the individual is entitled to a benefit under title II of the Social Security Act, the increase shall be reduced by (i) 17.3 per centum of such social security benefit if the increase has not been reduced pursuant to the preceding proviso or (ii) 11.5 per centum of such social security benefit if the increase has been reduced pursuant to the preceding proviso (disregarding for the purpose of this and the following proviso any increase in such benefit based on recomputations other than for the correction of errors after the first adjustment and any increases derived from legislation enacted after the Social Security Amendments of 1967): *And provided further,* That the amount computed under this subsection for any month shall not be less than the amount computed in accordance with paragraph (1), or under that part of subsection (e) of this section which precedes the first proviso, plus (i) $10 minus any reduction made pursuant to the first proviso of this paragraph or (ii) if the individual is entitled to a benefit under title II of the Social Security Act and no reduction is made pursuant to the first proviso of this paragraph, $10 minus 5.8 per centum of the lesser of the amount of such social security benefit, or of the amount computed in accordance with paragraph (1), or under that part of subsection (e) of this section which precedes the first proviso."

(b) The first paragraph of section 3(e) of such Act is amended by striking out the language before the first proviso beginning with "except that" and continuing through "amended in 1966"; by striking out the language beginning with "(deeming" and continuing through "the Social Security Act)"; and by adding at the end thereof the following three new paragraphs:

"For the purposes of the first proviso in the first paragraph of this subsection, (i) completely and partially insured individuals shall be deemed to be fully and currently insured, respectively; (ii) individuals entitled to insurance annuities under subsections (a)(1) and (d) of section 5 of this Act shall be deemed to have attained age 62 (the provisions of this clause shall not apply to individuals who, though entitled to insurance annuities under section 5(a)(1) of this Act, were entitled to an annuity under section 5(a)(2) of this Act for the month before the month in which they attained age 60); (iii) individuals entitled to insurance annuities under section 5(a)(2) of this Act shall be deemed to be entitled to insurance benefits under section 202 (e) or (f) of the Social Security Act on the basis of disability; (iv) individuals entitled to insurance annuities under section 5(c) of this Act on the basis of disability shall be deemed to be entitled to insurance benefits under section 202(d) of the Social Security Act on the basis of disability; and (v) women entitled to spouses' annuities pursuant to elections made under section 2(h) of this Act shall be deemed to be entitled to wives' insurance benefits determined under section 202(q) of the Social Security Act; and, for the purposes of this subsection, any possible deductions under subsections (g) and (h)(2) of section 203 of the Social Security Act shall be disregarded.

"Notwithstanding the provisions of section 202(q) of the Social Security Act, the amount determined under the proviso in the first paragraph of this subsection for a widow or widower who is or has been entitled to an annuity under section 5(a)(2) of this Act, shall be equal to 90.75 per centum of the primary insurance amount (reduced in accordance with section 203(a) of the Social Security Act) of the employee as determined under this subsection, and the amount so determined shall be reduced by three-tenths of 1 per centum for each month the annuity would be subject to a reduction under section 5(a)(2) of this Act (adjusted upon attainment of age 60 in the same manner as an annuity under section 5(a)(1) of this Act which, before attainment of age 60, had been payable under section 5(a)(2) of this Act); and the amount so determined shall be reduced by the amount of any benefit under title IV of the Social Security Act to which she or he is, or on application would be, entitled.

"In cases where an annuity under this Act is not payable under the first proviso in the first paragraph of this subsection on the date of enactment of the Social Security Amendments of 1967, the primary insurance amount used in determining the applicability of such proviso shall, except in cases where the employee died before 1939, be derived after deeming the individual on whose services and compensation the annuity is based (i) to have become entitled to social security benefits, or (ii) to have died without being entitled to such benefits, after the date of the enactment of the Social Security Amendments of 1967. For this purpose, the provision of section 215(b)(3) of the Social Security Act that the employee must have reached age 65 (62 in the case of a woman) after 1960 shall be disregarded and there shall be substituted for the nine-year period prescribed in section 215(d)(1)(B)(i) of the Social Security Act, the number of years elapsing after 1936 and up to the year of death if the employee died before 1946."

SEC. 105. (a) Section 5(a) of the Railroad Retirement Act of 1937 is amended by inserting "(1)" before "A widow"; by inserting before the colon the following: ", except that if the widow or widower will have been paid an annuity under paragraph (2) of this subsection the annuity for a month under this paragraph shall be in an amount equal to the amount calculated under such paragraph (2) except that, in such calculation, any month with respect to which an annuity under paragraph (2) is not paid shall be disregarded"; and by inserting at the end thereof the following new paragraph:

"(2) A widow or widower of a completely insured employee who will have attained the age of fifty but will not have attained age sixty and is under a disability, as defined in this paragraph, and such disability began before the end of the period prescribed in the last sentence of this paragraph, shall be entitled to an annuity for each month, unless she or he has remarried in or before such month, equal to such employee's basic amount but subject to a reduction by three-tenths of 1 per centum for each calendar month she or he is under age sixty when the annuity begins. A widow or widower shall be under a disability within the meaning of this paragraph if her or his permanent physical or mental condition is such that she or he is unable to engage in any regular employment. The provisions of section 2(a) of this Act as to the proof of disability shall apply with regard to determinations with respect to disability under this paragraph. The annuity of a widow or widower under this paragraph shall cease upon the last day of the second month following the month in which she or he ceases to be under a disability unless such annuity is otherwise terminated on an earlier date. The period referred to in the first sentence of this paragraph is the period beginning with the latest of (i) the month of the employee's death, (ii) the last month for which she was entitled to an annuity under subsection (b) as the widow of such employee, or (iii) the month in which her or his previous entitlement to an annuity as the widow or widower of such employee terminated because her or his disability had ceased and ending with the month before the month in which she or he attains age sixty, or, if earlier with the close of the eighty-fourth month following the month with which such period began."

(b) Section 5(h) of such Act is amended by striking out all that follows: "be increased to $18.14" and inserting in lieu thereof a period.

(c) Section 5(i)(1)(ii) of such Act is amended by inserting ", deeming such an individual who is entitled to an annuity under subsection (a)(1) of this section to have attained age sixty-two unless such individual will have been entitled to an annuity under subsection (a)(2) of this section for the month before the month in which he attained age sixty", after "an activity within the United States".

(d) Section 5(j) of such Act is amended by striking out all after the colon and inserting in lieu thereof the following: *"Provided, however,* That the annuity of a child, qualified under subsection (l)(1)(ii)(C) of this section, shall cease upon the last day of the second month following the month in which he ceases to be unable to engage in any regular employment by reason of a permanent physical or mental condition unless in such second month he qualifies for an annuity under one of the other provisions of this Act and unless his annuity is otherwise terminated on an earlier date."

(e) Section 5(l)(1) of such Act is amended by changing the period at the end of subdivision (i) thereof to a semicolon; by striking out "which began" from subdivision (ii)(C) and inserting in lieu thereof "which disability began"; and by striking out "216(h)(1) of the Social Security Act, as in effect prior to 1957, shall be applied" where such language first appears and inserting in lieu thereof "216(h) of the Social Security Act shall be applied deeming, for this purpose, individuals entitled to an annuity under section 2 (e) or (h) to be entitled to benefits under subsection (b) or (c) of section 202 of the Social Security Act and individuals entitled to an annuity under subsection (a) or (b) of this section to be entitled to a benefit under subsection (e), (f), or (g) of section 202 of the Social Security Act".

(f) Section 5(l)(9) of such Act is amended by inserting "or January 1, 1951, whichever is later" before ", eliminating any excess over $300"; by striking out "for any calendar year before 1955 is less than $3,600" and inserting in lieu thereof "in the period before 1951 is less than $50,400, or for any calendar year after 1950 and before 1955 is less than $3,600"; by inserting "period or such" before "calendar year 'wages' as defined in para-

graph (6) hereof"; by striking out "for such year and $3,600 for years before 1955" and inserting in lieu thereof "for such period and $50,400, and between the compensation for such year and $3,600 for years after 1950 and before 1955"; by striking out "closing date: *Provided*, That for the period prior to and including" and inserting in lieu thereof "closing date or January 1, 1951, whichever is later: *Provided*, That for the period after 1950 but prior to and including"; by inserting "after 1950" after "That there shall be excluded from the divisor any calendar quarter"; and by inserting ", any calendar quarter before 1951 in which a retirement annuity will have been payable to him and any calendar quarter before 1951 and before the year in which he will have attained the age of 20" before ". An employee's 'closing date' shall mean (A)".

(g) Subdivision (i) of section 5(l) (10) of such Act is amended by striking out beginning with "$450; plus (C)" down to and including "multiplied by" and inserting in lieu thereof "(i) $450, or (ii) an amount equal to one-twelfth of the current maximum annual taxable 'wages' as defined in section 3121 of the Internal Revenue Code of 1954, whichever is greater, plus (C) 1 per centum of the sum of (A) plus (B) multiplied by"; and by striking out "after 1936 in each of which the compensation, wages, or both, paid to him will be equal to $200 or more" and inserting in lieu thereof "after 1950 in each of which the compensation, wages, or both, paid to him will have been equal to $200 or more plus, for the years after 1936 and before 1951, a number of years determined in accordance with regulations prescribed by the Board".

(h) Section 5(m) of such Act is amended by striking out all that appears therein and inserting in lieu thereof the following:

"(m) The amount of an individual's annuity calculated under the other provisions of this section (except an annuity in the amount determined under the proviso in subsection (a) or (b) shall (before any reduction on account of age) be increased in the amount of 82.5 per centum in the case of a widow, widower, or parent and 75 per centum in the case of a child of the increase shown in the table in section 3(a)(2) on the same line on which the range of monthly compensation includes an amount equal to the average monthly wage determined for the purposes of section 3(e) (except that for cases involving earnings before 1951 and for cases on the Board's rolls on the enactment date of the 1967 amendments to the Railroad Retirement Act, an amount equal to the highest average monthly wage that can be found on the same line of the table in section 215(a) of the Social Security Act as is the primary insurance amount recorded in the records of the Railroad Retirement Board shall be used, and if such an average monthly wage cannot be determined, the employee's monthly compensation on which his annuity was computed shall be used; and in the case of a pensioner, his monthly compensation shall be deemed to be the earnings which are used to compute his basic amount): *Provided, however*, That the increase shall (before any reduction on account of age) be reduced by 17.3 per centum of any benefit under title II of the Social Security Act to which the individual is entitled (disregarding for the purpose of this and the following proviso any increase in such benefit based on recomputations other than for the correction of errors after the first adjustment and any increases derived from legislation enacted after the Social Security Amendments of 1967): *And provided further*, That the amount computed under this subsection shall (before any reduction on account of age) not be less than $5, or, in the case of an individual entitled to benefits under title II of the Social Security Act, such amount shall not be less than $5 minus 5.8 per centum of the lesser of the social security benefit to which such individual is entitled or the benefit computed under the other provisions of this section."

SEC. 106. Section 10(a) of the Railroad Retirement Act of 1937 is amended by striking therefrom the last sentence and inserting in lieu thereof the following new sentence: "Upon the expiration of his term of office a member shall continue to serve until his successor is appointed and shall have qualified."

SEC. 107. All pensions under section 6 of the Railroad Retirement Act of 1937 and all annuities under the Railroad Retirement Act of 1935 are increased as provided in that part of section 3(a)(2) of the Railroad Retirement Act of 1937 which precedes the provisos (deeming for this purpose (in the case of a pension) the monthly compensation to be the earnings which would be used to compute the basic amount if the pensioner were to die); joint and survivor annuities shall be computed under section 3(a) of the Railroad Retirement Act and reduced by the percentage determined in accordance with the election of such annuity; all survivor annuities deriving from joint and survivor annuities under the Railroad Retirement Act of 1937 in cases where the employee died before the month following the month in which the increases in annuities provided by section 104(a) of this Act are effective are increased by the same amount they would have been increased by this Act if the employee from whose joint and survivor annuity the survivor annuity is derived had been alive during all of the month in which the increases in annuities provided by section 104(a) of this Act are effective; and all widows' and widowers' insurance annuities which began to accrue before the month following the month in which the increases in annuities provided by section 14(a) of this Act are effective and which, in accordance with the proviso in section 5(a) or section 5(b) of the Railroad Retirement Act of 1937, are payable in the amount of the spouse's annuity to which the widow or widower was entitled are increased by the amount by which the spouse's annuity would have been increased by this Act had the individual from whom the annuity is derived been alive during all of the month in which the icrease in annuities provided by section 104(a) of this Act are effective: *Provided, however*, That in cases where the individual entitled to such a pension or annuity (other than an individual who has made a joint and survivor election) is entitled to a benefit under title II of the Social Security Act, the additional amount payable by reason of this subsection shall be reduced by 11.5 per centum of such benefit (disregarding any increases in such benefit based on recomputations other than for the correction of errors after such reduction is first applied and any increases derived from legislation enacted after the Social Security Amendments of 1967): *And provided further*, That (i) such an annuity under the Railroad Retirement Act of 1935 or a pension shall be increased by not less than $10, (ii) such a survivor annuity derived from a joint and survivor annuity shall be increased by not less than $5, and (iii) such a widow's or widower's annuity in an amount formerly received as a spouse's annuity shall be increased by not less than $5, but not to an amount above the maximum of the spouse's annuity payable in the month in which the increases in annuities provided by section 104(a) of this Act are effective.

SEC. 108. (a) Except as otherwise provided, the amendments made by this title, other than section 102, subsections (f) and (g) of section 105, and section 106, shall be effective with respect to annuities accruing for months beginning with the month with respect to which the increase in benefits under title II of the Social Security Act provided for by the Social Security Amendments of 1967 is effective, and with respect to pensions due in calendar months next following the month with respect to which the increase in benefits under title II of the Social Security Act provided for by the Social Security Amendments of 1967 is effective. The amendments made by section 102 shall be effective with respect to annuities accruing for months in calendar years after 1967. The amendments made by section 105 (f) and (g) shall be effective with respect to benefits payable on deaths occurring on or after the date of enactment of this Act. The amendments made by section 106 shall be effective on the enactment date of this Act.

(b) In cases where an annuity is payable in the month before the month with respect to which increases in benefits under title II of the Social Security Act provided for by the Social Security Amendments of 1967 become effective in an amount determined under the Railroad Retirement Act, other than under the first proviso of section 3(e) of such Act, the provisions of this Act shall be presumed, in the absence of a claim to the contrary, to provide a higher amount of increase in the annuity than the provisions of the Social Security Amendments of 1967 would provide as an increase in the amount determined under the first proviso of section 3(e) of the Railroad Retirement Act.

(c) All recertifications required by reason of the amendments made by this title shall be made by the Railroad Retirement Board without application therefor.

TITLE II—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT

SEC. 201. (a)(1) Section 1(k) of the Railroad Unemployment Insurance Act is amended by striking out "or which is included in a maternity period" and inserting in lieu thereof ", or, with respect to a female employee, a calendar day on which, because of pregnancy, miscarriage, or the birth of a child, (i) she is unable to work or (ii) working would be injurious to her health".

(2) The said section 1 (k) is further amended by striking out from the first proviso "$750" and inserting in lieu thereof "$1,000."

(b) Section 1 (l) of such Act is amended by redesignating subsections "(l)" and "(l) (1)" as "(l) (1)" and "(l) (2)", respectively; by striking out from subsection (l) (2), as redesignated, "and the term 'statement of maternity sickness' means a statement with respect to a maternity period of a female employee, in each case"; and by striking out the present subsection (l) (2).

SEC. 202. (a) (1) The first paragraph of section 2(a) of the Railroad Unemployment Insurance Act is amended by striking out (i) "(other than a day of sickness in a maternity period)"; and (ii) ", and (iii) for each day of sickness in a maternity period."

(2) The said section 2(a) is further amended by striking out the third paragraph thereof.

(3) The said section 2 (a) is further amended by striking out the first line from the table thereof; by striking out "5.50", "6.00", "6.50", "7.00", "7.50", "8.00", "8.50", "9.00", "9.50" and "10.20" and inserting in lieu thereof "$8.00", "8.50", "9.00", "9.50", "10.00", "10.50", "11.00", "11.50", "12.00", and "12.70", respectively; and by striking from the proviso "$10.20" and inserting in lieu thereof "$12.70".

(b)(1) Section 2 (c) of such Act is amended by striking out ", other than days of sickness in a maternity period," wherever it appears; by inserting "and" after "base year;" where it first appears, and by striking out "; and the total amount of benefits which may be paid to an employee for days of sickness in a maternity period shall in no case exceed the employee's compensation in the base year on the basis of which the employee was

determined to be qualified for benefits in such maternity period".

(2) The said section 2(c) is further amended (i) by striking out "leave work without good cause or voluntarily retire" from the second proviso and inserting in lieu therefore the following: "retire and (in a case involving exhaustion of rights to benefits for days of unemployment) did not voluntarily leave work without good cause"; (ii) by inserting after the words "normal benefits for days of unemployment", the first time they appear in the second proviso, the following: "or days of sickness"; (iii) by inserting after "for, unemployment" in the second proviso the following: "or sickness (depending on the type of benefit rights exhausted)"; (iv) by inserting after "compensable days of unemployment" in the second proviso the following: "or days of sickness, as the case may be,"; (v) by inserting after "first day of unemployment" in the schedule in the second proviso the following: "or sickness, as the case may be,"; (vi) by inserting after the words "days of unemployment" in the schedule in the second proviso the following: "or days fo sickness"; (vii) by striking out "leave work without good cause or voluntarily retire" from the second sentence and inserting in lieu thereof the following: "retire and (in a case involving unemployment) did not voluntarily leave work without good cause"; (viii) by inserting after "unemployment," in the second sentence, the following: "or fourteen or more consecutive days of sickness,"; (ix) by inserting after the words "such employment", wherever they appear inthe last sentence, the following: "or sickness"; and (x) by adding the following two sentences at the end of such section: "Notwithstanding the other provisions of this subsection, an extended benefit period for sickness benefits shall terminate on the day next preceding the date on which the employee attains age 65, except that it may continue for the purpose of the payment of unemployment benefits; and, except in the case of a succeeding benefit year beginning with a day of unemployment, the next preceding sentence shall not operate to permit the payment of benefits in the period provided for in such sentence for any day of sickness beginning with the day on which age 65 is attained and continuing through the day preceding the first day of the next succeeding general benefit year. For purposes of this subsection and section 10(h), the Board may rely on evidence of age available in its records and files at the time determinations of age are made."

SEC. 203. Section 3 of the Railroad Unemployment Insurance Act is amended by striking out "$750" and inserting in lieu thereof "$1,000".

SEC. 204. (a) Section 4(a–1) of the Railroad Unemployment Insurance Act is amended by inserting at the end thereof the following new paragraph:

"(iii) if he is paid a separation allowance, any of the days in the period beginning with the day following his separation from service and continuing for that number of consecutive fourteen-day periods which is equal, or most nearly equal, to the amount of the separation allowance divided (i) by ten times his last daily rate of compensation prior to his separation if he normally works five days a week, (ii) by twelve times such rate if he normally works six days a week, and (iii) by fourteen times such rate if he normally works seven days a week;".

(b) Section 4(a–2) (i) of such Act is amended by striking out from paragraph (A) thereof "$750" and inserting in lieu thereof "$1.000".

SEC. 205. Section 10 of the Railroad Unemployment Insurance Act is amended by inserting in subsection (a) thereof before "; (iii)" the following: "and pursuant to subsection (h) of this section", and by inserting at the end thereof the following new subsection:

"(h) At the close of the fiscal year ending June 30, 1968, and each fiscal year thereafter, the Board shall determine the amount, if any, which, if added to the railroad unemployment insurance account, would place such account in the same position it would have been in at the close of such fiscal year if every employee who has been paid benefits in the fiscal year for days of sickness in an extended benefit period under the first sentence of section 2(c), or in a 'succeeding benefit year' begun in accordance with the second sentence of section 2(c), and who upon application therefor would have been entitled to a disability annuity under section 2(a) of the Railroad Retirement Act of 1937 with respect to some or all of the days for which such benefits were paid, had been paid such annuity with respect to all days of sickness for which he was paid benefits which were also days with respect to which such annuity could have accrued. In determining such amount, the Board shall presume that every such employee was in respect to his permanent physical or mental condition, qualified for such an annuity from the date of onset of the last spell of illness for which he was paid such benefits, if (a) he died without applying for such an annuity and before fully exhausting all rights to such benefits; or (b) he died without applying for such an annuity but within a year after the last day of sickness for which he had been paid such benefits, and had not meanwhile engaged in substantial gainful employment; or (c) he applied for such an annuity within one year after the last day of sickness for which he was paid such benefits and had not engaged in substantial gainful employment after that day and before the day on which he filed an application for such an annuity. The Board shall also have authority to make reasonable approximations deemed necessary in computing annuities for this purpose. The Board shall determine such amount no later than June 15 following the close of the fiscal year, and within ten days after such determination shall certify such amount to the Secretary of the Treasury for transfer from the Railroad Retirement Account to the railroad unemployment insurance account, and the Secretary of the Treasury shall make such transfer. The amount so certified shall include interest (at a rate determined, as of the close of the fiscal year, in accordance with subsection (d) of this section) payable from the close of such fiscal year to the date of certification."

SEC. 206. (a) Section 12(f) of the Railroad Unemployment Insurance Act is amended by striking out ", or maternity" wherever it appears; and by substituting "or"

(i) for the comma between "unemployment-compensation" and "sickness" in the first sentence,

(ii) for the comma between "unemployment" and "sickness" in the second sentence, and

(iii) for the comma between "unemployment-compensation" and "sickness" in the second sentence.

(b) The first paragraph of section 12(g) of such Act is amended by substituting "or" for the comma between "unemployment" and "sickness", and by striking out ", or maternity". The second paragraph of such section is amended by striking out ", or maternity" wherever it appears, and by substituting "or" for the comma wherever it appears between "unemployment" and "sickness".

(c) The third paragraph of section 12(i) of such Act is amended by striking out "and, in case of maternity sickness, the expected date of birth and the actual date of birth of the child".

(d) Section 12(n) of such Act is amended by striking out

(i) "or maternity" wherever it appears, and

(ii) "or as to the expected date of birth of a female employee's child, or the birth of such a child".

SEC. 207. Section 13 of the Railroad Unemployment Insurance Act is amended by striking out the following phrases: "and maternity"; "or for maternity"; "or maternity" wherever it appears; and "or to maternity".

EFFECTIVE DATES

SEC. 208. The amendments made by sections 201(a)(1), 201(b), 202(a)(1), 202(a)(2), 202(b)(1), 206, and 207 shall be effective as of July 1, 1968. The amendments made by sections 201(a)(2) and 203 shall be effective with respect to base years beginning in calendar years after December 31, 1966, except that with respect to the base year in calendar year 1967 the amendments made by section 203 shall not be applicable to an employee whose compensation with respect to that base year was not less than $750 but less than $1,000; further, as to such an employee, the amendments made by section 202(a)(3) shall not be applicable with respect to days of unemployment and days of sickness in registration periods in the benefit year beginning July 1, 1968. The amendments made by section 202(a)(3) shall otherwise be effective with respect to days of unemployment and days of sickness in registration periods beginning on or after July 1, 1968. The amendments made by sections 202(b)(2)(i) through (vi) shall be effective to provide the beginning of extended benefit periods on or after July 1, 1968. The amendments made by sections 202(b)(2) (vii) through (ix) shall be effective to provide for the early beginning of a benefit year on or after July 1, 1967. The amendment made by section 204(a) shall be effective with respect to calendar days in benefit years beginning after June 30, 1968, and the amendment made by section 204(b) shall be effective with respect to voluntary leaving of work (within the meaning of section 4(a–2)(i) of the Railroad Unemployment Insurance Act) after the enactment date of this Act.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, and that it be printed in the RECORD and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

On page 2, in line 14, change "(a)3(1)" to "3(a)(1)".

On page 2, in line 17, change the word "provisions" to "provisos".

On page 2, in line 23, insert "title II of" after "under".

On page 3, in line 23, change "(c)" to "(e)".

On page 4, after line 2, opposite "Monthly compensation:" and above "$9.13", insert "Increase", and in the second line of the table change "$250" to "$150".

On page 7, in line 19, change "IV" to "II".

On page 8, in line 3, change the word "services" to "service".

On page 10, in line 9, strike out the colon.

On page 12, in line 25, strike out the word "be", and insert in lieu thereof "have been".

On page 15, in line 5, insert a comma after "of 1937".

On page 15, in line 6, insert a comma after "of 1935".

On page 16, in line 2, change "14(a)" to "104(a)".

On page 16, in line 9, change "icrease" to "increases".

On page 18, in line 16, strike out the word "and".

On page 19, in line 2, insert a quotation mark before "(1)(1)" where it appears the second time in that line.

On page 21, in line 7, change "such employment" to "such unemployment".

On page 21, in line 8, change "inthe" to "in the".

On page 21, in lines 15 to 16, delete "except in the case of a succeeding benefit year beginning with a day of unemployment, the next preceding", and substitute therefor the following: "in the case of a succeeding benefit year beginning in accordance with the next preceding sentence by reason of sickness, such".

On page 22, in line 18, change "A" to "(A)".

On page 25, in line 25, strike out the comma after "206".

On page 26, in line 19, change "sections" to "section".

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the committee amendments be dispensed with, and that they be considered en bloc.

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

There was no objection.

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. NIX, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 14563, to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act to provide for increases in benefits, and for other purposes, pursuant to House Resolution 1035, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DEVINE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 321, nays 0, not voting 111, as follows:

[Roll No. 6]

YEAS—321

Abbitt	Adair	Addabbo
Abernethy	Adams	Albert
Anderson, Tenn.	Gilbert	Murphy, N.Y.
Andrews, Ala.	Gonzalez	Myers
Andrews, N. Dak.	Goodell	Natcher
Annunzio	Goodling	Nedzi
Arends	Green, Oreg.	Nelsen
Ashley	Green, Pa.	Nix
Ashmore	Griffiths	O'Hara, Ill.
Aspinall	Gross	O'Hara, Mich.
Barrett	Grover	Olsen
Bates	Gubser	O'Neill, Mass.
Belcher	Gude	Ottinger
Bell	Gurney	Passman
Bennett	Hagan	Patten
Betts	Haley	Pelly
Bevill	Hall	Perkins
Biester	Halleck	Pettis
Bingham	Halpern	Philbin
Blackburn	Hamilton	Pike
Blatnik	Hammer-schmidt	Pirnie
Boggs	Hanley	Poff
Boland	Hanna	Price, Ill.
Bolling	Hansen, Idaho	Price, Tex.
Bolton	Hardy	Pucinski
Bow	Harrison	Purcell
Brasco	Harsha	Quie
Bray	Harvey	Randall
Brinkley	Hays	Rees
Brock	Hechler, W. Va.	Reid, Ill.
Brooks	Helstoski	Reid, N.Y.
Brotzman	Herlong	Reifel
Brown, Calif.	Hicks	Reinecke
Brown, Mich.	Holland	Reuss
Broyhill, N.C.	Horton	Rhodes, Ariz.
Buchanan	Howard	Rhodes, Pa.
Burke, Fla.	Hungate	Riegle
Burke, Mass.	Hunt	Rivers
Burleson	Hutchinson	Roberts
Button	Ichord	Rodino
Byrne, Pa.	Irwin	Rogers, Colo.
Byrnes, Wis.	Jacobs	Rogers, Fla.
Cabell	Joelson	Rooney, N.Y.
Cahill	Johnson, Calif.	Rooney, Pa.
Carter	Johnson, Pa.	Rosenthal
Celler	Jonas	Roth
Chamberlain	Jones, Mo.	Roudebush
Clancy	Karsten	Roush
Clawson, Del	Karth	Roybal
Cleveland	Kastenmeier	Rumsfeld
Cohelan	Kazen	Ruppe
Collier	Kee	Ryan
Colmer	Kelly	St Germain
Conable	King, N.Y.	Sandman
Corbett	Kirwan	Satterfield
Corman	Kleppe	Saylor
Cowger	Kluczynski	Scherle
Culver	Kornegay	Scheuer
Curtis	Kuykendall	Schneebeli
Daddario	Kyros	Schwengel
Daniels	Laird	Scott
Davis, Ga.	Langen	Shipley
Davis, Wis.	Latta	Sikes
de la Garza	Leggett	Skubitz
Delaney	Lloyd	Slack
Dellenback	Long, La.	Smith, Calif.
Denney	Lukens	Smith, Iowa
Dent	McCarthy	Smith, N.Y.
Derwinski	McClory	Smith, Okla.
Devine	McCloskey	Snyder
Dickinson	McDade	Staggers
Dingell	McDonald, Mich.	Steed
Donohue	McEwen	Steiger, Ariz.
Dorn	McFall	Stephens
Dowdy	Macdonald, Mass.	Stuckey
Downing	MacGregor	Sullivan
Dulski	Machen	Taft
Duncan	Madden	Taylor
Dwyer	Mahon	Teague, Calif.
Eckhardt	Mailliard	Tenzer
Edwards, Ala.	Marsh	Thompson, Ga.
Edwards, Calif.	Martin	Thompson, N.J.
Eilberg	Mathias, Calif.	Thomson, Wis.
Esch	Mathias, Md.	Tiernan
Everett	Matsunaga	Tunney
Evins, Tenn.	May	Udall
Fallon	Mayne	Ullman
Farbstein	Meskill	Utt
Fascell	Michel	Vander Jagt
Feighan	Miller, Calif.	Vanik
Findley	Miller, Ohio	Vigorito
Fino	Mills	Waggonner
Fisher	Minish	Waldie
Flynt	Minshall	Watkins
Ford, Gerald R.	Mize	Watts
Ford, William D.	Monagan	Whalen
Friedel	Montgomery	Whalley
Fulton, Pa.	Moore	White
Fuqua	Moorhead	Whitener
Galifianakis	Morgan	Whitten
Gallagher	Morris, N. Mex.	Widnall
Garmatz	Morton	Wiggins
Gathings	Mosher	Williams, Pa.
Gettys	Murphy, Ill.	Willis
Wolff	Yates	Wilson, Charles H.
Wyatt	Zablocki	Winn
Wylie	Zion	Zwach

NAYS—0

NOT VOTING—111

Anderson, Ill.	Frelinghuysen	Pepper
Ashbrook	Fulton, Tenn.	Pickle
Ayres	Gardner	Poage
Baring	Giaimo	Pollock
Battin	Gibbons	Pool
Berry	Gray	Pryor
Blanton	Hansen, Wash.	Quillen
Brademas	Hathaway	Railsback
Broomfield	Hawkins	Rarick
Brown, Ohio	Hébert	Resnick
Broyhill, Va.	Heckler, Mass.	Robison
Burton, Calif.	Henderson	Ronan
Burton, Utah	Holifield	Rostenkowski
Bush	Hosmer	St. Onge
Carey	Hull	Schadeberg
Casey	Jarman	Schweiker
Cederberg	Jones, Ala.	Selden
Clark	Jones, N.C.	Shriver
Clausen, Don H.	Keith	Sisk
Conte	King, Calif.	Springer
Conyers	Kupferman	Stafford
Cramer	Kyl	Stanton
Cunningham	Landrum	Steiger, Wis.
Dawson	Lennon	Stratton
Diggs	Lipscomb	Stubblefield
Dole	Long, Md.	Talcott
Dow	McClure	Teague, Tex.
Edmondson	McCulloch	Tuck
Edwards, La.	McMillan	Van Deerlin
Erlenborn	Meeds	Walker
Eshleman	Mink	Wampler
Evans, Colo.	Morse, Mass.	Watson
Flood	Moss	Wilson, Bob
Foley	Nichols	Wright
Fountain	O'Konski	Wydler
Fraser	O'Neal, Ga.	Wyman
	Patman	Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Cederberg.

Mr. King of California with Mr. Frelinghuysen.

Mr. Nichols with Mr. Robison.

Mr. Lennon with Mr. O'Konski.

Mr. Blanton with Mr. Lipscomb.

Mr. Gibbons with Mr. Keith.

Mr. Baring with Mr. Ayres.

Mr. O'Neal of Georgia with Mr. Berry.

Mr. St. Onge with Mr. Broomfield.

Mr. Holifield with Mr. Cramer.

Mr. Pickle with Mr. Conte.

Mr. Teague of Texas with Mr. Quillen.

Mr. Burton of California with Mr. Morse of Massachusetts.

Mr. Brademas with Mr. Hosmer.

Mr. Carey with Mr. Anderson of Illinois.

Mr. Moss with Mr. Broyhill of Virginia.

Mr. Edmondson with Mr. Springer.

Mr. Pepper with Mr. Talcott.

Mr. Evans of Colorado with Mr. Bob Wilson.

Mr. Giaimo with Mr. Stafford.

Mr. Hull with Mr. Watson.

Mr. Jarman with Mr. Wydler.

Mr. Walker with Mr. Dole.

Mr. Casey with Mr. Cunningham.

Mr. Patman with Mr. Bush.

Mr. Pryor with Mr. Ashbrook.

Mr. Roman with Mr. Battin.

Mr. Rostenkowski with Mr. Pollock.

Mr. Stubblefield with Mr. McCulloch.

Mr. Sisk with Mr. Don. H. Clausen.

Mr. Fountain with Mr. Brown of Ohio.

Mr. Flood with Mr. Burton of Utah

Mr. Foley with Mr. Erlenborn.

Mr. Gray with Mr. Shriver.

Mr. Hathaway with Mr. Railsback.

Mr. Henderson with Mr. Eshleman.

Mr. Jones of North Carolina with Mr. Kupferman.

Mr. Clark with Mrs. Heckler of Massachusetts.

Mr. Meeds with Mr. Schadeberg.

Mr. Fulton of Tennessee with Mr. Stanton.

Mr. Stratton with Mr. Wydler.

Mr. Fraser with Mr. Schweiker.

Mr. Jones of Alabama with Mr. Kyl.

Mr. Pool with Mr. Wyman.

Mr. Young with Mr. Wampler.

Mr. Van Deerlin with Mr. McClure.
Mr. Tuck with Mr. Steiger of Wisconsin.
Mr. Wright with Mr. Landrum.
Mrs. Mink with Mr. Dawson.
Mr. Dow with Mr. Diggs.
Mr. Resnick with Mr. Conyers.
Mrs. Hansen of Washington with Mr. Rarick.
Mr. Hawkins with Mr. Long of Maryland.
Mr. Edwards of Louisiana with Mr. Selden.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

MONOPOLY CONTROL OF BROADCASTING

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, recent Commission approval of the transfer by D. H. Overmyer to U.S. Communications Corp. of five UHF construction permits and one operating station license from Philadelphia Television Broadcasting Co. raises anew the question of monopoly control of broadcasting. Indeed, even more serious, it focuses poignantly upon the question whether any single individual or organization should be given an opportunity to monopolize the minds of our countrymen.

Fearing the dangers inherent in mass media ownership by a few, the Commission very early in broadcasting's history promulgated effective anticoncentration rules. But one did not have to be an FCC Commissioner or scholar of the medium to recognize the impact radio's sight and sound would have upon the thoughts of our Nation's millions. That conclusion was obvious. Nor did one have to be a social scientist to understand what insidious potential the public airwaves held for evil. World War II proved the point. Present international affairs underscore it.

Clearly the Commission had a congressional mandate to take a strong stand against common ownership of broadcasting facilities. For the history of the Communications Act of 1934 reveals unequivocably that local control and management, that diversity of ownership were paramount considerations when this legislation was enacted. And, above all, that the American way was not to fall victim to any cartel philosophy imported from Europe, where certain chosen instrumentalities only were allowed proprietary interests in enterprise.

Imagine, if you will, an absence of restrictions on the number of broadcasting licenses which may be held by any one person or organization. With sufficient resources at its disposal, every major channel in the spectrum could fall into a single pair of hands. But even shy of this possibility, considering only giant population centers under the control of a few, such circumstance alone would be enough to make a mockery out of constitutionally endowed free speech guarantees and cause public opinion to be warped into molds of minority design.

Impossible? An exaggeration? Quite to the contrary. For in the affluent economic sphere of radio-TV, with gross revenues expected shortly to topple the $7 billion mark and returns on investment reaching 50 and 60 percent, broadcasters do not have to be cajoled into expanding their operations. They persistently clamor at the gates for more dollars, which, translated into advertising fact, means more minds.

The statistics of concentration were alarming when the Commission issued its interim policy in 1964 limiting ownership in the top 50 markets to three television stations, not more than two of which may be in the VHF band. This rule was a further refinement of the absolute numerical limitation of seven TV stations—five VHF and two UHF—which had been issued previously. Both aspects attest to the ever-present concern, not only of the Commission, but of all the people, that an oligarchy shall not control any facet of our lives, let alone what we think.

Notwithstanding that vital freedom to obtain information from diverse sources without restriction, yet another basic American principle—fostering competition—is at stake whenever these rules are abandoned as they were in the Overmyer case. It is self-evident that unrestricted multiple ownership stultifies development of this economic ideal.

Combating concentration with concentration is as conceptually invalid as an antimonopoly toxicant in the broadcasting field as it is in any other. If the Commission is perplexed at network monopoly in programing, it already has statutory authority to dissolve this control and render the system free from such abuse. But, if the Commission espouses that only the rich shall operate our airwaves, then a waiver of its multiple ownership policies is effectively misdirected.

What a sad day it would be for every man, woman, and child in this country, were the trustees of our airwaves—the FCC—to breach their fiduciary responsibilities to the public and covertly serve as guardians of monopolistic enterprise.

I for one intend not to let this occur. And I call upon my colleagues to join me in protest and effective action to preclude any such possibility.

PERMISSION FOR SUBCOMMITTEE NO. 5 OF THE COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on Small Business may have permission to sit this afternoon during general debate.

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

There was no objeciton.

SHOCKING ACTIONS OF THE NORTH KOREAN GOVERNMENT

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

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

There was no objection.

Mr. ABBITT. Mr. Speaker, the American people have been incensed by the shocking actions of the North Korean Government in the capture of the *Pueblo*, along with its crew of 83 men. The conditions under which this vessel was taken over demand that this country take immediate action to force return of the *Pueblo* and its crew.

This ship was operating in international waters and the assault upon it was unprovoked. It is an act of war. We apparently have not been told all that is involved in the diplomatic efforts now under way to secure its return but time is passing and already we have allowed the situation to get out of hand.

I believe we should immediately notify the Government of North Korea that we demand the return of the *Pueblo* and that it should be surrendered to our Navy by a specific time. If this demand is not met, we should be prepared to go in and take it. This act of piracy must not go unchallenged—or it will be repeated again and again and we will be in the position of paying ransom for the privilege of sailing the seas.

It is obvious that the Communists are trying to test our will and to goad us into losing face in the Far East. We cannot let them succeed nor can we permit them to siphon off our strength a little bit at a time.

There have been far too many acts of this kind which we have let pass unchallenged. Our planes have been shot down when they were alleged to be operating over Russian and Chinese territory, our men have been harrassed by those who have sought sanctuary in so-called neutral countries—and now our ships are not safe in international waters.

We are entering into a very dangerous era in the Far East, with a war in Vietnam, a shaky armistice in Korea and with the British having given notice that they are preparing to evacuate from Suez to Singapore, but the weight of our responsibilities and the uncertainty of our future should not scare us into inaction.

We should resolutely state our ultimatum to the North Koreans—and then back up what we say. It is high time that we put the Communist enemy on notice that we will not see wars or conflicts but we will not run away from them either. We cannot allow the international community to force upon us the same conditions which the criminal element has

brought to us at home, whereby they can dictate the place and hour of every danger we face. They must know that there is a consequence to these threats to the peace and that we intend to make use of the force we have to assure that violators of the peace will be punished.

It is surprising to me that the administration would attempt to have Communist Russia intercede in our behalf with the North Koreans. Everyone should realize and know that Communist Russia is not our friend. They are not going to do anything that would help resolve the situation as no doubt they are agitating and encouraging the North Koreans in their action if, in fact, they did not advise that it be done. It seems to me by this time everyone should realize that Communist Russia is not going to do anything to calm the troubled waters or to bring peace in North Korea or in Vietnam. Our officials should look elsewhere for assistance if we expect to get any.

This act of war must not go unchallenged.

SOME REAL AMERICANS

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

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, the hippies, the draft card burners, the conscientious objectors, and that ilk get the publicity. They constitute a very small minority. In contrast, the true Americans, who support the efforts of this Nation to help create a better world, and who work hard to bring it about, make up the big majority. They do not talk much, but they act. Here is a letter from one of them. He sent two sons to Vietnam, one of them killed in battle. I think that the Members of this body ought to know what he and his two typical American sons think about the do-nothing trouble raisers. I asked his permission to use this letter, and he generously granted me the privilege. Herewith it is for inclusion in the RECORD:

WESTOVER, W. Va.,
December 15, 1967.

Congressman STAGGERS,
Washington, D.C.

DEAR SIR: As a constituent of yours I have to write this letter as you, Senator Byrd and Senator Randolph are our representatives in Washington. I believe it is time to do something about the ruling of our Supreme Court Judges, allowing communists to work in our defense plants. If our boys, and I mean boys, are dying in Vietnam fighting communists, why should we pamper them here in our beloved USA and why should we put up with these demonstrations here against the war in Vietnam?

If one of my sons would have burned his draft card, he would have to burn his birth certificate as well, but thank God neither of them did. James gave his life in Vietnam, July 15, 1967, for a good, clean, and decent way for freedom in Vietnam. God Bless him. Charles was wounded three times while in Vietnam with his brother, and is ready to go back if needed. Both boys volunteered for duty in Vietnam.

We all believe in what President Johnson is doing is right. My son, James, wrote us a letter just a week or so before he was killed and I quote, "Mom & Pop. We would like to see the Government pick up these people that are raising Hell about our being in Vietnam and bring them over here. Not to keep them here, we don't want them, just let them see how these poor people live in fear and starving to death all because the communists won't let them live in Peace, and worship God in their own way. The communists are not human."

My sons, James and Charles, believed in what they were doing was right. James was on his second tour of duty there, he volunteered for six months extended duty after his first year was up, and wrote us he was planning to extend another six months because he was trained and needed there. God Bless his soul. I am so proud of my two Marines and all of the young men over there, that I fly the Flag every day on my front porch, weather permitting. I have had telephone calls asking why, and have even been threatened that someone was going to tear it down, and I say I dare anyone to try it.

Can our Senators and Congressmen do something about communists working in our defense plants and enjoying the privileges of our God fearing, and peace loving country?? Why can't we the people of the USA have some say about this matter??

Sincerely yours,
CHARLES E. MESSENGER.

THIS COUNTRY HAS RIGHTS IN THE WORLD, TOO

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

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

There was no objection.

Mr. HALPERN. Mr. Speaker, any vessel under the flag of the United States, much less a military vessel, is considered, under international law, to be a part of our sovereignty. To allow any nation, large or small, to ruthlessly seize anything under the protection of that flag is foolhardy and negligent.

This country must not forget that we have rights in this world too. While we have insured that many other nations would be free from tyranny, at the cost of thousands upon thousands of American lives, we too often allow other nations to tyrannize and intimidate us. This must be stopped—and it must be stopped now.

How can we hope to maintain any shred of respect in the world community if we cannot even protect our military vessels from seizure on the high seas by any two-bit country that feels like it. It is high time that we showed all nations that—while we are ardently seeking peace in the world—we will not permit our sovereignty to be the price of that peace.

There has been vacillation enough—the time for firm action has long since been upon us. I urge the President to take action forthwith to recover the *Pueblo* and her crew, and redress this blatant act of piracy and murder.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the program for the remainder of this week and for next week.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, the program for this week is completed and after the announcement of the program for next week, we will ask unanimous consent to adjourn over to Monday.

The program for the House of Representatives for the week of January 29, 1968, is as follows:

On Monday, no legislative business.

For Tuesday and the balance of the week:

S. 889, to designate the San Rafael Wilderness, Los Padres National Forest, Calif.—conference report;

H.R. 11601, Consumer Credit Protection Act—open rule, 3 hours of debate; and

H.R. 11284, Fire Research and Safety Act of 1967—open rule, 1 hour of debate.

This announcement is made, of course, subject to the usual reservation that conference reports may be brought up at any time and that any further program will be announced later.

Mr. GERALD R. FORD. Would the distinguished majority leader indicate the probability, if it is true, that we will start general debate on the Consumer Credit Protection Act on Tuesday?

Mr. ALBERT. The gentleman is correct. That is our plan.

ADJOURNMENT OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday of next week be dispensed with.

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

There was no objection.

THE URBAN LEAGUE OF CLEVELAND

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

The SPEAKER. Is there objection

to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, may I take this opportunity to extend my congratulations to the Urban League of Cleveland for a half century of dedicated service to the civic, economic, and cultural development of the citizens of Cleveland.

During the 50 years that the Urban League has taken cognizance of the many problems that our city faced, it has initiated programs in a small way which, over the years, have become the pattern for development for progress by organizations on a national scale in the same field of endeavor. The underlying motivation of the Urban League was that all persons are children of God, equal in the sight of God and their fellowmen, and that the dignity of the individual is paramount.

The goals which the Urban League of Cleveland have achieved are a tribute to the perseverance and dedication of all who have participated in this noble work. I am confident that under the leadership of the Urban League, its worthy work will continue; that innovations, as in the past, will be implemented for further realization of its goals.

By leave granted, I include items on the Urban League of Cleveland which appeared in the Plain Dealer and the Cleveland Press:

[From the Cleveland Plain Dealer, Jan. 14, 1968]

URBAN LEAGUE RECALLING 50 YEARS' ACCOMPLISHMENT

(By Alma Kaufman)

Many of the antipoverty projects sprouting all over Cleveland are following in paths already trodden over the last 50 years by the city's Urban League.

The anniversary will be celebrated at a luncheon meeting Saturday at Hotel Sheraton-Cleveland at which Whitney M. Young Jr., executive director of the National Urban League, will outline goals and direction of the Urban League in the next 50 years.

League director Ernest C. Cooper rejoices at this vastly increased program to help the poor, but wonders a bit wistfully what the League could have accomplished with a budget of millions instead of thousands of dollars.

Concepts pioneered by the League's job development department are now being used by AIM–JOBS, Cooper noted as an example.

"This is fine. But we have mixed feelings about the fact they also take our personnel."

This is because the federal government can pay better salaries than the Urban League, he said.

The Cleveland League started in 1917 as the Negro Welfare Association. It grew out of a Cleveland Welfare Federation study and was set up to cope with problems resulting from a wave of World War I Negro migration from Southern farms.

About half of the charter board members were white. Its president had the colorful name of Welcome T. Blue.

First director, William R. Connors, guided the organization for 22 years. It was reorganized and the name changed to the Urban League in 1937.

Directors, in addition to Connors, have been Sidney R. Williams, Arnold B. Walker, Shelton B. Granger and Cooper.

One of Connor's main projects was helping persons on probation. He is also noted for selling $221,200 of Liberty Bonds during World War I.

Other problems the Association tackled in its early days were finding jobs for Negro soldiers returning from Word War I.

"The Cleveland racial situation then was about like it is today," said Mrs. Anita L. Polk, League director of community relations. Minutes of these early meetings show many of the same problems and much the same explosive situation, she said.

White firms were recruiting Negro labor from the South, but did nothing to orient them to city living. Southerners came in at the rate of 2,000 to 3,000 per month.

The League taught them to use bus transportation, where to enroll children in school, sponsored home economics demonstrations to train women to work in hotels, and sometimes give lessons in basic hygiene.

Menial work was the only opening to most Negroes then and the average pay $4 to $6 per day. In 1922 the League initiated training programs for salesmen. Many of the men they placed then are now vice presidents in charge of special markets with major firms.

The National Association of Market Developers grew out of the Cleveland Salesmen's Council.

Cooper would like to form an alumni association of Negroes who got their start through the Cleveland League.

Connors started the Big Brother and Big Sister concept now widely used by many organizations. He also set up street and block clubs. The intensive health fund drive he ran was the forerunner of the present United Appeal drive, Cooper believes.

In 50 years the League has grown from a staff of one with a $1,200 budget to 32 employes with a $408,000 annual budget.

Its job is still closing of the gap between Negro and white society, using community organizations and social work as a device.

Its programs cover employment, education, housing, health and welfare, and leadership development.

The leadership program is Rockefeller Foundation-financed. To be part of it has become a status symbol in the community, said Cooper. Participants are invited to caucus meetings and their names kept on file for community service opportunities.

Cooper said the League expects to put more emphasis on this program in the coming year.

Only one of the League's founding board members is alive today. He is J. Walter Wills, Sr., 94, head of the House of Wills funeral home. Wills still works regularly and expects to attend the 50th anniversary celebration next Saturday.

Today's 29-member board is headed by Robert Carr of Lakewood. The Rev. Emanuel Branch Jr. is vice president.

Mrs. Ralph Pinkston, 15701 Throckley Avenue S.E., is president of the Urban League Guild, organized 23 years ago to help the League in cultural, social and civic areas.

[From the Cleveland Press]

URBAN LEAGUE BACKS SECRETARIAL WORKSHOP

The Urban League again will sponsor the Secretarial Skills Workshop program, as it has for the past four years. There will be one difference however—the workshop will begin next month, instead of next summer.

Mrs. Carolyn Cox, employment specialist for the Urban League, said this is because of the workshop's popularity.

"Moving the workshop up to February means that we'll be able, hopefully, to hold two workshops this year, the second one starting in July," she said.

The Fifth Secretarial Skills Workshop will coincide with the spring semester at Cuyahoga Community College, 626 Huron Rd., where the classes will be held, and which is co-sponsoring the workshop, along with Harris Intertype Corp.

"The girls successfully completing the course are given three credit hours at Community College, applicable to an associate degree in arts or science," said Mrs. Cox.

The initial enrollment will be 30 girls, selected on the basis of scores on tests in stenography, typing, shorthand and general aptitude.

The program seeks to enable the students to get better jobs. To that end, the workshop aims at achieving for each student a typing rate of 60 words per minute and a minimum shorthand rate of 80 words per minute.

The students also will receive instruction in grammar, grooming, telephone techniques and office procedure.

"Anyone is eligible to apply," said Mrs. Cox. "Even a matron whose children are grown and who wants to come out of retirement and regain her secretarial skills. All she has to do is to pass the initial exams."

During the last week of the workshop, representatives from industries and businesses come and speak to the students on employment opportunities at their respective firms.

"Most of the graduates from the workshop find that they are able to get much better jobs. Some of them have also passed civil service exams to get jobs overseas," she said.

The 16-week program will begin Feb. 5 and end June 14. Classes will meet on Monday and Thursdays from 6 to 9 p.m. Those interested in registering should call the Urban League, 579–0900, and ask for Mrs. Cox, extension 50, or Miss Paula Connor, extension 57.

"Those who want to register should do so immediately," she said.

THE SICILIAN EARTHQUAKE DISASTER

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

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

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, I am sure that many of my colleagues have been reading with great sadness and deep compassion about the catastrophe which has befallen the people of Sicily. Our hearts go out to the families mourning the untimely deaths of their loved ones as well as to the hundreds of families who have had their homes and possessions suddenly snatched away.

The gravity of this situation can but impress every American. The urgency of getting help to these destitute victims is even more impressive. Symbolic of the compassion which all our citizens feel for the people of Sicily is President Johnson's message which he sent to Italy's President Saragat in which he said:

Dear Mr. President: I was deeply distressed to learn of the tragic loss of life caused by the earthquakes in Sicily. All Americans join me in offering our heartfelt sympathy to you and the people of Sicily. I am asking Ambassador Reinhardt to keep in close touch with the Italian authorities to determine in what way we can be of assistance in this sad moment. Sincerely, Lyndon B. Johnson.

The President ordered our Embassy and consulate, as well as our military services, to extend immediate aid. We can all rejoice that our planes are even now landing with food, medicine, clothing, and shelter tents.

To those of us who have had the good fortune to visit Sicily in recent years and

to meet its friendly citizens, this awful tragedy is particularly saddening. Two years ago I had the privilege of visiting the outstanding school for Italian orphans at Mondello which bears the name Istituto Franklin D. Roosevelt. This fine institution, begun largely by my good friends David Dubinsky and Luigi Antonini and given liberal support by other Americans, has been doing an outstanding job of training deserving young people. Even though it has been taxed to capacity, I am sure that it will now be called upon to help the hundreds of newly created earthquake orphans.

Many of you met the distinguished group of Sicilian officials who paid a visit to this country a few months ago. I know you want to join me in expressing to them our warmest sympathy and our sincerest best wishes for a rapid recovery from this devastating occurrence.

I have asked my close associates in the fine Italo-American societies, who are in touch with Sicilian leaders, to convey my personal sympathy to them and to assure them of my sincere desire to help them, their kinsmen and their countrymen in any way within my power.

Mr. Speaker, I am sure that all of us want to help these fine people so desperately in need. But much more is needed than our own personal contributions and our support of the administration's relief programs.

Many of these people face an almost hopeless future in the loss of their homes, their garden tracts, their shops, their churches, their schools and their public buildings. Even the land is gone and the possibility of immediate rebuilding is out of the question.

Many of these survivors who have lost their immediate family members still proudly lay claim to close relatives here in this country—relatives eager and able to take them into their households and look after them.

Therefore, Mr. Speaker, I have today introduced a bill which will permit the immediate admission of such of these unfortunate victims of this catastrophe. I know that I can count on the enthusiastic support of all my colleagues in speedily enacting this humane act to give a measure of relief and hope to a fine and proud people who now hover on the brink of despair.

WE'LL GET BACK THE U.S.S. "PUEBLO" EVEN IF WE HAVE TO PAY FULL PRICE FOR IT

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it has been shameful to see the reaction of this administration to the episode of piracy on the high seas which resulted in the capture of the U.S.S. *Pueblo* by the North Korean Communists. Why should we be surprised? The Communists are, indeed, the 20th-century pirates.

For our Secretary of State to tell us that the Russians had refused their "good offices" to help solve the affair is indication that he is hopelessly impaled on the stupidity of his own State Department's deceit that the Communists have matured. They are the same world revolutionaries, bent on dominating the world by subversion, murder, and enforced slavery. What possible "good offices" do they have to offer?

Is another tractors-for-prisoners deal forthcoming? A Presidential ultimatum would certainly be in order and would receive my support, as it would, I am sure, the overwhelming majority in Congress. Maybe a thunderbolt of courage will strike the Secretary of State and the President so that the action they take will be worthy of our American historical purpose. There is ample reason to doubt this, though, and if their first move was to look for Communist "good offices" which are not there, what better can we expect?

Never fear, the President and the good old State Department will get back the U.S.S. *Pueblo*—even if they have to pay the North Koreans the full price for it.

Mr. Speaker, an excellent editorial appeared in today's Chicago Tribune, which I include at this point:

WE HAVE JUST BEGUN TO FIGHT

In the War of 1812 British sailors and marines boarded and captured the Chesapeake, an American frigate, after hand-to-hand fighting. Barbary pirates a few years earlier had captured another frigate, the Philadelphia, after overpowering the crew when the ship ran aground near Tripoli. On Feb. 4, 1863, Confederate forces boarded and captured the Harriet Lane, also a frigate, after her officers were killed in battle.

In the entire history of the United States navy—including two World wars and the Korean war—these were the only American seagoing warships ever boarded and captured on the high seas. Each was taken only after a heroic defense by its crew, for no American skipper would ever strike his colors without first fighting for his ship.

This old naval tradition makes it difficult to understand what happened off the coast of North Korea. Questions have been raised in Congress and elsewhere, asking why the skipper of the U.S.S. Pueblo did not at least make an effort to defend his ship before surrendering it, its crew of 83, and its load of sophisticated eavesdropping gear to the North Korean Communists.

Admittedly, the lightly armed vessel, a converted cargo ship, carried only two .50 caliber machine guns. But the Pentagon said the Pueblo's captain, Comdr. Lloyd M. Bucher, made no effort to use his guns against the first gunboat that stopped him in international waters or the three others that came up later to take him into port.

Equally puzzling is why Bucher did not call for help when there was still time to send rescue ships or jet fighters from relatively close bases in South Korea. The Pentagon said that messages from the Pueblo showed it lay dead in the water for an hour and 45 minutes from the time the first gunboat threatened to open fire if Bucher did not heave to.

Bucher, according to the Pentagon, did not realize he was in trouble until a boarding party of North Korean Reds was actually clambering over the rails of his ship. What did the skipper need to convince him? For an hour or more he had had four enemy gunboats all around him and communist jet fighters circling off his starboard bow.

You can bet your last anchor that the reaction of the Pueblo to an attack by North Korean gunboats would have been vastly different had the intelligence-gathering ship been commanded by a John Paul Jones, a Commodore Barry, or a Bull Halsey. The old breed had a tradition of intelligence as well as courage.

A NEW COLORADO RIVER BASIN PROJECT ACT

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

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

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, today we are introducing a new Colorado River Basin Project Act. It is coauthored by many members of our California delegation. We hope all will join us before the hearings start on next Tuesday, the 30th of January. It is a new bill drafted by our State administration and is in harmony with all the water interests within California. We do think we have a very good bill. It is being introduced today, and we hope the Congress will work its will and pass a Colorado River Project Act at this session.

Mr. Speaker, I insert in the RECORD at this point the position taken by the State of California in support of the bill which we introduced today:

STATEMENT ON COLORADO BASIN

California does not advocate nor countenance delay in resolving the critical water problems of the Colorado River Basin. The nearly bankrupt condition of the Colorado understandably has made it extremely difficult for the seven states to reach and maintain a consensus. If there was assurance that the river would be augmented by 1990, most of the inbasin problems would disappear. But as the House Interior and Insular Affairs Committee and its Irrigation and Reclamation Subcommittee well know, there have been many obstacles encountered in attempting to gain that assurance.

Congressman Morris Udall, on December 19 of last year, in addressing the Town Hall of California in Los Angeles, identified four essentials of the 1966 agreement among the Colorado River Basin States, and stated that all four continue to have his support and remain feasible of enactment. In brief, these four essentials are: (1) construction of the Central Arizona Project, (2) provision for studies and actions to augment the Colorado River supply, (3) provisions to establish a "savings account" (i.e., development fund) to help pay for the works needed to augment the flow of the river, and (4) protection of existing uses.

In the summer of 1965, the representatives of the seven states hammered out a short list of principles considered basic to any Colorado River legislation. Although they appear on pages 48 and 49 of the hearings of the House Subcommittee on Irrigation and Reclamation on HR 4671, and closely relate to the four essentials spoken of by Congressman Udall last month, they are brief and worth repeating here.

"1. The upper basin's right to the use of water of the Colorado River pursuant to the compact should not be jeopardized and shall not be jeopardized by the temporary use of unused upper basin waters in any lower basin projects, including the ones in this bill.

"2. The importation of substantial quantities of water into the Colorado River Basin is

essential to the adequate development of both the upper and lower basins. It is recognized that this importation must be accomplished under terms which are fair to the areas of origin of the water so imported. The pending legislation should authorize the Secretary to construct the importation works which will deliver not less than 2½ million acre-feet annually upon the President's approval of the Secretary's finding of feasibility.

"3. Such importation works should be planned and built so as to make the imported water available, if possible, not later than 1980. Water supply prospects on the Colorado River, based in part on the temporary use of water allocated to the upper basin, appear adequate to furnish a full supply to the central Arizona project accompanied by safeguards for existing projects agreed to by Arizona and California, until sometime during the last decade of this century. Thereafter, the central Arizona project supply would diminish unless supplemented by importation.

"4. Satisfaction of the Mexican Treaty burden should be the first priority to be served by the imported water. The costs of importation allocable to the satisfaction of that burden, which is a national obligation, should be nonreimbursable."

California continues to subscribe to the "essentials" identified by Congressman Udall and to the "principles" first agreed to by the seven Colorado River Basin States in 1965—while the principles are still valid, the last two years have shown us that we must chart a slightly different and perhaps longer course to reach our goals. The important thing is to get started.

In the first session of the 90th Congress, California supported HR 3300, comprehensive Colorado River legislation introduced by Congressman Aspinall, Chairman of the Committee on Interior and Insular Affairs. This legislation would have authorized the Central Arizona Project and simultaneously would have implemented meaningful steps to augment the overcommitted supply of the Colorado River. HR 3300, however, incurred the staunch opposition of the Pacific Northwest and of the conservationists; the former because the augmentation study provisions would permit study of the Columbia River as a possible source of augmentation water for the Colorado, and the latter because of the inclusion of Hualapai Dam on the main stream of the Colorado. Because of this opposition, HR 3300 still rests in House Committee.

During the past few months, we have done much soul searching within California and jointly with representatives of our sister states of the Colorado River Basin. It is only with the greatest of difficulty and with reluctance shared by many of these other states that we now acquiesce to certain modifications in H.R. 3300. The principal changes from H.R. 3300 and the new position advanced in legislation introduced by California congressmen are presented in the paragraphs that follow.

Because of action in both houses of Congress to establish the National Water Commission, the similar provisions of H.R. 3300 no longer need be included in Colorado River legislation.

The new legislation would continue to permit the Secretary to study at reconnaissance level all alternative means of augmenting the water supply of the Colorado River system, including reductions in losses, importations from sources outside the natural drainage basin, desalination, weather modification, and other means. These would be continuing studies, with the first report to be submitted not later than June 30, 1973, and would be updated every five years thereafter. The study provisions, however, have been modified from those included in H.R. 3300 as a concession to the Pacific Northwest, to require the approval of affected states under the procedures of the Flood Control Act of 1944 before the Secretary of the Interior can recommend to the Congress any interbasin diversion into the Colorado River system.

H.R. 3300 would have authorized feasibility-level studies of a first stage of importation works scaled to provide 2,500,000 acre-feet annually for use from the main stream of the Colorado River below Lee Ferry, including satisfaction of the obligations of the Mexican Water Treaty, up to 2 million acre-feet annually for use in the Lower Colorado River Basin, up to 2 million acre-feet annually for use in the Upper Colorado River Basin, and not to exceed 2 million acre-feet annually for use in areas which could be served from the importation facilities en route to the Colorado River system. In the new legislation, the Secretary is directed to prepare a feasibility report on a plan which presents the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by a flat 2.5 million acre-feet annually. This is the amount of water required to meet the Mexican Treaty burden and losses from the main stream in the Lower Colorado River Basin, and to assure that with a 7.5 million-acre-foot annual release from the Upper Basin, the three Lower Basin States of Arizona, Nevada, and California will have the 7.5 million acre-feet apportioned by the U.S. Supreme Court in *Arizona* v. *California*. The new legislation, then, is significant in two respects, as regards the feasibility study of augmentation works. First, it no longer limits the feasibility study to importation systems, but, rather, calls for the most economical means of augmenting the river. Secondly, the scale of the augmentation has been reduced from the maximum of 8.5 million acre-feet per year to a flat 2.5 million acre-feet per year.

The revised legislation continues to recognize the Mexican Water Treaty as a national obligation, and adds the new provision that any water augmentation project authorized by Congress on the basis of the Secretary's feasibility study shall have as its first obligation satisfaction of the Mexican Water Treaty. Under this provision, in any year in which the Secretary determines and proclaims that the water supply of the Colorado River system is being augmented in sufficient quantity to satisfy the requirements of the Mexican Water Treaty and losses of water associated therewith, the states of the Colorado River Basin would be relieved of the onerous burden of providing the water requirements of the Mexican Treaty from the overcommitted supplies of the Colorado River.

The revised language would authorize the Central Arizona Project, with an adequate capacity of not to exceed 2,500 cubic feet per second. HR 3300 would have permitted a larger capacity provided the cost of such additional capacity could be financed from sources other than funds credited to the development fund created by HR 3300. The project authorized would include all the features set forth in HR 3300 and prior bills, including Hooker Dam and Reservoir in New Mexico.

As in HR 3300, the new legislation includes a priority over uses from the Central Arizona Project for existing uses in Arizona, Nevada, and California, with California's protection limited to 4.4 million acre-feet per year. This priority would end with augmentation of the water supply available in the main stream of the Colorado River below Lee Ferry by not less than 2.5 million acre-feet annually. This is the position agreed to by all seven states, including Arizona, in the compromise legislation of 1966. This is the compromise approved by the House Interior and Insular Affairs Committee in 1966. We see no reason for upsetting this accord.

The revised legislation expressly withdraws authority to study or construct dams on the main stream of the Colorado River between Hoover Dam and Lee Ferry. The intent here is to defer authorization of Hualapai Dam and Reservoir pending further study by the National Water Commission. H.R. 3300 would have authorized Hualapai Dam and Reservoir. In lieu of the energy that would have been provided by the hydroelectric power facilities at Hualapai to meet pumping requirements for the Central Arizona Project, the Secretary would be authorized, as in S. 1004, to acquire rights through prepurchase to a portion of the capacity and energy from a thermal generating powerplant constructed by private interests. Power and energy from the federal share of this steam plant, surplus to the pumping needs of the Central Arizona Project, would be used to produce the greatest practicable amount of firm power and energy from federal powerplants in the Colorado River system.

The revised legislation provides, as did H.R. 3300, that to the extent that the nonreimbursable allocation to replace the deficiencies occasioned by the Mexican Treaty burden and financial assistance from the development fund permit, the Secretary shall make the augmentation water required to assure the 7.5 million acre-feet apportioned among the three Lower Basin States by the Supreme Court of the United States in its decree *Arizona* v. *California* available at the same costs and on the same terms as the natural water supply of the Colorado River. Unless this is done, all that will be accomplished through augmentation is to shift the controversy from a struggle over who must bear the shortage to one of who must stand the cost of the augmentation supply.

The power facility at Hualapai Dam, included in H.R. 3300 and prior bills supported by California, would have contributed between $1 and $2 billion to the development fund over the next 75 years from power sale revenues surplus to the cost of the project. A strong, viable development fund is critical to the success of an augmentation program and to resolution of the controversy over the sharing of water shortages in the Lower Colorado River. Hence, it is with the greatest of reluctance that Californians have agreed to the deferral of the authorization and construction of the Hualapai Project and to the postponement of these revenues. With the loss of the Hualapai power revenues, it has become all the more important that remaining funds be dedicated to augmentation of the river. California recommends that the portion of surplus revenues derived from the sale of power and energy from the Hoover, Parker, and Davis Projects, after payout in the states of Nevada and California, be reserved for repayment of costs associated with augmentation to the extent that they exceed the commitment included in the legislation to reimburse the Upper Colorado River Basin Fund for moneys expended from that fund to meet deficiencies in Hoover generation during the filling period of the Colorado River Storage Projects.

It is in the best interests of all states of the Colorado River Basin that the funds be so dedicated rather than also being available to help repay the costs of the Central Arizona Project as proposed in S. 1004. In California's approach, revenues from the Central Arizona Project; revenues from the sale of capacity and energy from the federal share of the private steam plant, surplus to the needs of the Central Arizona Project; surplus revenues, after payout, from the portion of the Pacific Northwest-Pacific Southwest Intertie located in the States of Nevada and Arizona; and the portion of surplus revenues, after payout, from the sale of power and energy in Arizona from Hoover, Parker, and Davis, will all be available to assist in repayment of the costs of the Central Arizona Project. After payout of the Central Arizona Project, revenues from the aforementioned sources will also flow into the development

fund and support future augmentations of the river.

The new legislation introduced for California would, as did H.R. 3300, authorize the construction of the Animas-La Plata Project in Colorado and New Mexico; and the Delores, Dallas Creek, West Divide, and San Miguel Projects in Colorado, as participating projects under the Colorado River Storage Project Act, and would provide for the completion of planning reports on a number of other participating projects. The revised legislation also recognizes the agreements reached in 1965 with the Upper Colorado River Basin States concerning reimbursement of the Upper Colorado River Basin Fund from the Colorado River Development Fund established by the new legislation, for moneys expended from the Upper Colorado River Basin Fund to meet deficiencies in generation at Hoover Dam during the filling period of the storage units of the Colorado River Storage Project. It also continues the agreement reached by the Upper Basin States and the Lower Basin States concerning operation of the major storage reservoirs of the river.

Californians have made major concessions in the interest of bringing peace to the Colorado and getting on with the business of assuring the future of the Pacific Southwest. California stands ready to work with her sister states, the federal agencies, and the Congress to complete feasibility studies of river augmentation at the earliest practicable date. We look forward to the Colorado River legislation containing the principles agreed to by the seven Basin States in 1965 becoming law this year.

Furthermore, Mr. Speaker, I would like to present a brief summary of the major provisions of the new legislation:

SUMMARY OF PROVISIONS

The Colorado River Basin Project Act which will be recommended to the California Congressional Delegation as California's position is the result of months of discussions among the various concerned California agencies following passage of Senator Hayden's S. 1004. The principal features of the bill are:

1. Construction of Central Arizona Project with a capacity of 2500 cubic feet per second (1.8 million acre-feet per year) rather than the 3000 cubic feet per second in Senator Hayden's S. 1004.

2. Protection is to be afforded all existing projects in Arizona, California and Nevada now using water from the Colorado River including California uses up to 4.4 million acre-feet per year.

3. Construction of a coal-fired power station in Arizona by public and investor owned electric utilities in which the Department of Interior will acquire the necessary capacity to pump water through the Central Arizona Project. This replaces Hualapai Dam which California has reluctantly agreed to eliminate so as to facilitate passage of the bill.

4. With the elimination of Hualapai Dam, California insists that the remaining sources of revenue for the "development fund," primarily Hoover, Parker and Davis Dam power revenues, arising from power sales in California and Nevada be earmarked to finance augmentation works and not be used to subsidize the Central Arizona Project. This leaves Arizona's share of the power revenues from these dams together with power revenues from that portion of the intertie located in Arizona and Nevada to subsidize the CAP.

5. Augmentation studies are included requiring the Secretary of Interior to study various means to bring additional waters into the Colorado River, including weather modification, desalination, and importation from other sources. The Secretary may not make a recommendation to import water from another basin without the approval of the states which will be affected by the importation.

6. California's agreement with the Upper Basin states (Colorado, New Mexico, Utah and Wyoming) as set out in H.R. 3300 (Aspinall) continues, including authorization of five new Upper Basin projects, a formula to balance storage in Lake Powell and Lake Mead and relief from the Mexican treaty burden when additional water is available to offset the treaty requirement.

(Endorsed by Colorado River Board, State administration, attorney general of California, Metropolitan Water District of Southern California, city of Los Angeles, San Diego County Water Authority, Imperial Irrigation District, Coachella Valley County Water District, Palo Verde Irrigation District.)

OAHE UNIT, MISSOURI RIVER BASIN PROJECT

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a resolution.

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

There was no objection.

Mr. OLSEN. Mr. Speaker, the Senate and the House of Representatives of the State of South Dakota have approved a resolution, Concurrent Resolution 2, memorializing the Congress to promptly review and approve authorizing legislation for the construction of the Oahe unit, an integral part of the Missouri River Basin project.

I include this resolution in the RECORD at this point:

SENATE CONCURRENT RESOLUTION 2

Concurrent resolution memorializing the Congress to promptly review and approve authorizing legislation for the construction of the Oahe Unit, an integral part of the Missouri River Basin Project

Whereas, the Flood Control Act of 1944 (58 Stat. 887) as supplemented and extended by the Flood Control Act of 1946 (60 Stat. 641) authorized a general comprehensive plan for the conservation, control and use of the water resources of the Missouri River Basin; and

Whereas, the Oahe Unit is an integral part of the Missouri River Basin Project, which following exhaustive studies and investigations by the Bureau of Reclamation, has been found to be engineeringly feasible and economically justified as evidenced by that agency's reports entitled "Oahe Unit, James Division—South Dakota, Missouri River Basin Project" dated May 1965 and supplemented by the "Supplemental Report on the Oahe Unit—Initial Stage—190,000 Acres—James Division, South Dakota, Missouri River Basin Project" dated June 1965, which was subsequently approved by the Secretary of Interior on October 6, 1965; and

Whereas, residents of South Dakota have for many years counted on new irrigation development possible through the construction of the Oahe Unit to justify the large sacrifice of 509,000 acres of productive lands given up for the storage of water behind the four main-stem reservoirs constructed within the state; and

Whereas, the development of the Oahe Unit will further result in increased and stabilized agricultural production from lands which are presently under production, which in turn will result in many benefits to the State of South Dakota, the region, and the Nation;

Now, therefore be it resolved, by the Senate of the State of South Dakota, the House of Representatives concurring therein, that the Forty-third Legislative Assembly of the State of South Dakota sincerely and respectfully petitions and urges the Congress of the United States to promptly consider and take favorable action on legislation which would authorize for construction the 190,000 acre initial stage of the Oahe Unit, James Division, South Dakota, Missouri River Basin Project; and be it further

Resolved, that the Secretary of State is hereby directed to forward copies of this resolution to the Chairman of the Senate and House Committees on Interior and Insular Affairs, the members of South Dakota's and other Missouri River Basin States' Congressional delegations, the Secretary of the Interior, and the Commissioner of the Bureau of Reclamation.

Adopted by the Senate January 10, 1968.

Concurred in by the House of Representatives January 12, 1968.

LEM OVERPECK,
President of the Senate.
NIELS P. JENSEN,
Secretary of the Senate.
JAMES D. JELBERT,
Speaker of the House.
PAUL INMAN,
Chief Clerk.

INTERESTING LINK BETWEEN THE UNIVERSAL FIBERGLASS CORP. OF TWO HARBORS, MINN., AND VICE PRESIDENT HUBERT HORATIO HUMPHREY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HALL. Mr. Speaker, the Cleveland Plain Dealer has brought to light an interesting link between the Universal Fiberglass Corp., of Two Harbors, Minn., and Vice President HUBERT HORATIO HUMPHREY.

Universal, it will be remembered, got a $13.3 million mailtruck contract from the Government over the strong protests of experts in both the Small Business Administration and the General Services Administration.

Another Minnesotan, former SBA Administrator Eugene P. Foley—who was a Humphrey aide at one time—overruled all the experts and forced the GSA to award the contract to Universal..

According to this newspaper article, the vice president of the Rand Development Corp., which owns Universal, is an old friend and fundraiser for the Vice President.

This contract has reeked of political influence from the beginning and I am pleased to note that some of the previously hidden facets of it are beginning to come out now.

I include the newspaper article at this point for the RECORD:

RAND DEAL FIGURES ARE LINKED WITH HUBERT HUMPHREY

(By Sanford Watzman)

WASHINGTON.—An executive of the Rand Development Corp. of Cleveland, which got money from the government under unusual circumstances, was identified here yesterday as a 1960 fundraiser for then presidential contender Hubert H. Humphrey.

Eugene P. Foley, another principal in Rand's dealings with the government, was a

high-ranking aide of Humphrey when Humphrey ran for the Democratic nomination in 1960. Foley later became head of the Small Business Administration.

These facts emerged as The Plain Dealer investigated allegations by Rep. H. R. Gross, R-Iowa, who charged last Monday that Rand Development and the government had been involved in "a deal that smells to high heaven."

The Rand executive is George H. Bookbinder, vice president of the corporation. He has offices in New York. He is not related or connected in any way with Hyman H. Bookbinder, who until recently was Vice President Humphrey's anti-poverty aide.

Reached at a hotel here yesterday, George Bookbinder denied that he had ever solicited election funds for Humphrey. He said he might have himself contributed to Humphrey's campaigns, but he would have to check his records to make certain.

Bookbinder told this reporter: "Yes, my sympathies were with Mr. Humphrey in 1960. I will not deny it. I liked him then and I like him now. I hope he becomes president some day."

However, a reliable informant—friendly to Humphrey—said Bookbinder played a large role in 1960. When Humphrey was knocked out of the race in the West Virginia and Wisconsin primaries, Bookbinder sought funds to pay off campaign debts, this source related.

He added that Bookbinder urged Humphrey to go to Cleveland last fall to give a boost to Carl B. Stokes' mayoral campaign.

An aide in the vice president's office said yesterday Humphrey would make no comment.

H. James Rand, president of the Cleveland corporation, was reported out of the country yesterday.

So was Foley. Foley is now president of the International Ore & Fertilizer Corp. of New York.

As to Rand's involvement with the government—through a subsidiary, the Universal Fiberglass Corp.—Bookbinder said Cleveland headquarters would explain this in a statement to be issued soon.

Universal received loans from the Small Business Administration (SBA) and the former Area Redevelopment Administration (ARA).

Then, in 1965, it was awarded a $13.3-million contract by the General Services Administration (GSA) to supply the government with 12,714 three-wheel mail trucks.

The Universal plant was at Two Harbors, Minn. Both Humphrey and Foley hail from that state.

Acting on a tip, Gross asked Congress' General Accounting Office (GAO) to check into these transactions. He revealed in a speech Monday on the House floor that:

SBA, then under Foley, paved the way for awarding the mail truck contract to Universal—after SBA and GSA experts had concurred in an opinion that the Rand subsidiary was not competent to deliver on the agreement.

The SBA file contains a brief anonymous memo contradicting the experts' findings. Apparently it was on the strength of this document that the staff members were overruled.

Universal supplied only one third of the trucks before it "went bust," Gross asserted. He added that the taxpayers were left holding the bag for some $2 million in progress payments to Universal and about $1 million on the loans.

Universal is withholding information from government investigators, Gross charged. He said they are trying to obtain a court order forcing the company to open its records.

Bookbinder said there had been no communication between him and the vice president about the loans or the contract.

Asked whether he was a friend of Foley, Bookbinder replied he had merely met Foley "maybe three of four times."

The only time he had seen Foley in connection with Universal's business, Bookbinder related, occurred when he and Rand and others conferred with SBA officials about the loan.

"Foley poked his head into the room and asked whether everything was all right," Bookbinder said. "Someone said yes, and then he went away. That was all."

[He said] that he had known Rand since World War II. They both served in the Office of Strategic Services (OSS), the New Yorker said.

Before he joined the Rand organization about 10 years ago he was in the packaging business in New Jersey, he added.

In 1965 Bookbinder was appointed by Luther Hodges, then secretary of commerce, to the New York Regional Export Expansion Council.

Some 1,400 other businessmen hold similar nonpaying government positions around the country. Their role is to help promote the nations' foreign trade.

When he received the appointment, Bookbinder was listed as a director of the Technical Animation Corp. of Long Island and as president of the Electronic Systems Investment Corp. of College Park, Md. He also had the Rand connection.

Foley practiced law in Minnesota until 1950. Then he came here and held posts as one of Humphrey's aides in the Senate and in the presidential campaign and also as legal counsel to the Senate Small Business Committee.

He was SBA administrator from August 1963 until September 1965. Before and after this assignment, he served in high echelons of the Commerce Department.

When he resigned in October 1966, he was assistant secretary for economic development.

Both George and Hyman Bookbinder, as well as others who know them, assert there is no link between them.

Both men added that assumptions have been made to the contrary, not only because their last names are identical but also because they resemble one another.

Hyman Bookbinder was a highly regarded government official until he left last December to join the Washington office of the American Jewish Committee.

He was assistant director of the Office of Economic Opportunity as well as Humphrey's deputy in the fight against poverty.

PEOPLE AND JOBS—A SOLUTION TO A BIG CITY PROBLEM

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, year after year the administration requests an ever-increasing amount of money to deal with crises in our metropolitan areas. Rather than meet the issue head on and face the fact that the problem will worsen as the numbers of unskilled migrants moving into the big cities increase, the Federal Government actually encourages mass migration into already-overcrowded centers of population through ill-conceived welfare and urban development programs.

Relief and renovation may keep people alive, but they will not rehabilitate the unemployed nor remove slum conditions. Families on the move should be directed into rural areas where there are job opportunities and a healthy physical environment.

In addition, the Government should make necessary tax concessions to attract new industry to communities far removed from congested cities. Over the long range the cost will be negligible in comparison to expenditures for slum clearance projects that only postpone impending crises.

To dissuade unskilled itinerants from locating in metropolitan areas, the administration should instruct an interdepartmental committee to determine the most efficient, most equitable, and most expedient method of accomplishing this purpose. Such a committee needs to be represented by the Departments of Commerce, Labor, Housing and Urban Development, and Health, Education, and Welfare, and if some effective action is not forthcoming in the very near future then Congress should accept the challenge through application of inflexible guidelines to accompany pertinent appropriation legislation.

In support of my position, I should like to point out that the U.S. Economic Development Administration has forecast a potential job shortage of almost 3 million in the Nation's largest metropolitan areas by 1975. That information is contained in the following newsstory appearing in the Philadelphia Inquirer on January 7:

BIG CITIES WILL FACE CRITICAL JOB SHORTAGE, U.S. FORECAST SHOWS

(By Jerome S. Cahill)

WASHINGTON, January 6.—The Nation's largest metropolitan areas face a potential shortage of almost 3 million jobs by 1975 on the basis of population, migration and economic trends, the U.S. Economic Development Administration said Saturday.

In an appraisal that offered little in the way of encouragement to cities like Philadelphia, the agency warned that central cores of metropolitan areas will face critical job shortages eight years from now that will not be offset by new employment opportunities in suburban areas.

At the same time, the agency forecast a continuation of the heavy migration of rural poor into the cities, and said that economic growth in the Nation's most sparsely populated counties will lag behind the national average.

Most of the Nation's job growth between now and 1975, according to the forecast, will be in medium-sized counties with populations ranging from 50,000 to 500,000. In these counties, the agency said, employment opportunities will grow at a rate faster than the national average.

The agency, an arm of the Commerce Department, said its study "suggests that the rate of migration of people to cities, particularly the rural poor, must be reversed.

"Also, substantial outmigration from the largest cities must be achieved in the process of finding solutions to one of the top national problems, the crises of the cities," the agency said.

The look into the future was included in the agency's annual report of its 1967 activities, which included the supervision of an expenditure of nearly $270 million in grants and loans to stimulate economic growth, mostly in rural areas.

The report offered no suggestion on how to redirect the migration of rural poor into medium-sized counties with high growth potential and away from the largest metropolitan areas. Economists in a number of government agencies are grappling with the problem.

A spokesman for the Economic Development Administration said the forecasts were based partly on population projections assembled by the Census Bureau and partly on "models" of economic growth prepared by Commerce Department economists on the basis of past growth and location trends by a number of key industries.

The projections covered the 25 largest metropolitan areas on the Nation outside of California, and showed a potential shortage of 2.9 million jobs is "possible" in those areas in eight years. Philadelphia was included in the survey but no statistics were available for individual areas.

"In terms of people," the department said, "this means 7.1 million persons would either have to go to other communities or find jobs at home—jobs which are not expected to be created."

Assumptions built into the projections included continuation of the growth of the gross national product at a rate of about 5 percent, and an unemployment rate at the current 4 percent level.

Total U.S. population by 1975, the department said, will be 223.6 million, compared to 200 million now, and the work force will total 83.7 million, as opposed to the 75 million now employed.

Four out of five of the Nation's 823 rural counties with less than 10,000 population will lag behind the Nation's economic growth as will seven out of 10 counties in the 10,000 to 50,000 population range, the agency said.

"Depressed economic conditions act as an incentive for migration and typically migration tends to be to urban areas," the agency said.

"Accordingly, the circumstances of our cities, and particularly the larger cities, are substantially affected by economic conditions in rural areas as the rural poor continue their migrations in search of employment opportunities."

The agency said the "push of poverty" is likely to continue to cause people to leave rural areas as job opportunities in farm, mining and related industries decline because of automation and other techniques that increase productivity.

Mr. Speaker, David Lawrence, editor of the U.S. News & World Report assessed the problem very well in his January 22 editorial. I include this timely article as part of my remarks, as follows:

REDISTRIBUTION OF PEOPLE

(By David Lawrence)

Sometimes the obvious is overlooked. Unemployment prevails today in many big cities but, coincidentally, "Help Wanted" ads fill column after column in newspapers in the smaller cities and towns.

The latest survey made by the U.S. Census Bureau shows that Negroes continue to move from rural to metropolitan areas and to concentrate in the central cities. Thus, from 1960 through 1966, the Negro population in major cities of the United States increased by more than 2,000,000, while the white population in those same areas declined by 1,000,000. The Bureau says:

"At the beginning of the century about 20 per cent of the Negro population and 40 per cent of the white population were residing in urban communities. By 1960, a higher proportion of Negroes (73 per cent) than whites (70 per cent) were living in urban areas, and the data for 1966 indicate that this trend has continued."

As Negroes have migrated to the big cities, "ghettos" have been enlarged due to joblessness. The rate of Negro unemployment, though declining from what it was a few years ago, is still almost double the national unemployment average.

The assumption has been that racial discrimination alone is responsible for the unemployment of Negroes. But surveys made by private organizations indicate that more and more companies are increasing the percentage of Negroes in their work force. The unemployment levels for Negroes nevertheless have not been altered to any appreciable extent presumably because the Negro population has increased faster in the cities than jobs have been provided.

There is plainly a need to redistribute population, preferably on a voluntary basis. The Federal Government has taken upon itself the task of trying to desegregate public schools, as ordered by the Supreme Court. But city governments are confronted with the simple fact that in certain residential areas there are many more whites than Negroes, while in others the population is almost entirely Negro. The High Court, however, insisted in its 1954 desegregation" decision that, in order to get a good education, Negroes must be mingled with whites in the public schools. This has led to a big con troversy over how such an objective can be attained. Efforts have been made to solve the problem by transporting children at public expense to different school districts. This is a form of redistribution. Maybe adults can be similarly transported to jobs and homes in other areas.

As many of the major cities have become overcrowded, white families with sufficient incomes have sought homes in the suburbs because of the congestion. Many of these individuals, however, are still commuting back and forth to their jobs in the cities.

There has been, on the other hand, a steady flow of Negroes from rural areas to the large cities in search of employment. Relatively little attention has been given by the sociologists and governmental commissions to the fact that many companies have removed their plants from the big cities to the country. Hence job opportunities, irrespective of race factors, are not being increased in the cities as rapidly as they were in prior years.

It is important, therefore, to study intensively the distribution problem. Negroes should be advised before migrating from the smaller communities just what would be the best localities in which to obtain work.

It would not be a costly matter for the Federal Government to survey job opportunities throughout the United States and to set up a mechanism whereby Negroes and whites in different parts of the country could be better informed as to where they could look for employment with some expectation of success.

There is plenty of room in the United States for its expanding population. Racial problems would be far less severe if there were some way by which the Negroes could be persuaded to avoid the big cities and seek employment elsewhere.

Racial friction is not confined to the question of segregation or desegregation in public schools. The controversies over "open housing" have likewise produced bitter feeling on both sides. But, again and again, it has been evident that tension has risen when predominantly white schools or neighborhoods are transformed as Negroes approach a majority.

The key to employment opportunity is population distribution. Many companies which have found no need to be in the big cities have put up office buildings as well as factories in rural areas 20 or 30 miles from urban centers. There is at present, however, no nationwide system whereby individuals can learn promptly of job vacancies in other cities, towns or villages across the country.

This is a service which could be rendered by the Federal Government in co-operation with the States, counties and cities, so that in the long run a natural redistribution of population would be accomplished. It could eliminate some of the principal causes of the racial maladjustment in America today.

ORGANIZED CRIME

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. McDADE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. McDADE. Mr. Speaker, in the fight which we are presently organizing against crime in America, it will indeed be a most tragic thing if we do not expend a vast proportion of our efforts in fighting organized crime. Because of organized crime, there is a terrifying mountain of crime in the streets, crimes of violence, which must weigh heavily upon all of us.

On January 19, the Evening Star, in its usual perceptive editorial comment, delineated the direct relationship between organized crime and the crime in our streets which must be of immediate concern to all of us. It is gratifying to note that the Star recognizes that the criminal who robs, steals, or kills may be himself a victim of the narcotics habit, and so a victim of organized crime.

Two days later the Sunday Times in New York reported a most shocking story, the story of the sale of narcotics on the street corners of Harlem. It is an honest story, telling of the immediate accessibility of drugs to the poverty stricken inhabitants of Harlem, but it is a most depressing story. It reports that even the children know of this illicit traffic in drugs, and watch it being transacted on the corners as darkness falls over the city of New York.

As part of our continuing effort to keep the Congress informed on the subject of organized crime and the need for dynamic Federal action in this field, Mr. Speaker, I would like to append the two articles to which I have referred previously, as follows:

[From the Washington (D.C.) Evening Star, Jan. 19, 1968]

CRIME AS AN ISSUE

Many people have thought that crime may be more of an issue than the war in Vietnam in this year's elections. Certainly the applause—the one spontaneous outburst—which greeted the President's comment on this subject in his state of the Union message lends support to this view.

Mr. Johnson said that "we, at every level of government in this nation, know that the American people have had enough of rising crime and lawlessness."

Truer words were never spoken. The President, however, still refuses to go all the way in his "war on crime."

He again appealed to Congress to enact his Safe Streets Bill, reinforced this time by $100 million instead of $50 million, to assist the states and localities in improving their police work. As far as it goes, this in time would be helpful. But it does not go far enough.

There is virtually nothing in the President's proposals, unless it might be the recommended addition of 100 FBI agents, to help strike at organized crime. Yet organized crime is as great if not a greater menace to our society than so-called street crime.

It is true, of course, that it is the latter with which most people are immediately concerned. They do not stop to think, however, that the man who robs, steals or kills

may be, and often is, a narcotics addict seeking the means to satisfy his craving—and that as an addict he is a product and a victim of that segment of organized crime which hides securely behind its army of "pushers." Nor do people stop to think that it is organized crime which is the greatest single corrupting influence in our country today, and that it is the success of this corruption which makes it possible for rackets to thrive.

We hope that Congress will pass a crime bill at this session. We also hope that the legislators will insist upon including carefully drawn provisions for wire taps and electronic bugging—tools that are essential in any meaningful war on organized crime. If Congress does this and the President then vetoes the measure, let the consequences be on his head.

[From the New York Times, Jan. 21, 1968]

OPEN SALE OF DRUGS ON HARLEM STREETS STIRS LITTLE INTEREST

(By Earl Caldwell)

It was cold and windy on West 116th Street in Central Harlem but the block was crowded and alive with the late-afternoon noise that comes off slum streets.

Children played in the street and teenagers shuffled to the music that spilled out of the record shops. Women moved along with bags of groceries and men in worn woolen coats huddled in the doorways of abandoned buildings.

Near Lenox Avenue, a young Negro man carrying a shopping bag filled with socks tried to sell them to passers-by.

Up the block, a woman in a rumpled cloth coat stood with two men on the sidewalk near a steamy little restaurant and openly purchased a bag of heroin.

The sale, made one day last week, took only a few minutes, but it could be seen from the restaurant, from cars in the street, and from shops on the other side.

In Harlem, almost everyone knows that narcotics are sold openly in the streets.

"Sure they sell it in the street," a young Negro housewife said. "Just go down on 116th Street and you can see it any time."

Borough President Percy E. Sutton of Manhattan said the same thing a few weeks ago in a television interview. Charles Kenyatta, a Harlem black nationalist, described the open sale of drugs to Governor Rockefeller in one of the Governor's recent trip to Harlem.

And as residents of Harlem grow more concerned about what they feel is the increasing crime rate in their community, they, too, have complained of the open sale of heroin and other drugs.

Last month, a group of Harlem residents petitioned the city for more police protection because of concern over the crime rate in their area. Police officials said, however, that statistics were not broken down by precincts to indicate whether crime was on the increase in Harlem.

SAFETY FOR THE SELLER

A legislative hearing was told last month that the city had about 100,000 narcotics addicts and that to support their habit, each would have to steal property with a gross value of $100 a day.

That meant, the hearing was told, a city-wide theft total of $10 million a day. A Harlem police official disclosed last month that more patrolmen had been assigned to Harlem and that he hoped to get still more.

But the action in the streets continues and, if anything, it has become even more brazen.

The street sale of heroin may seem a daring risk, but, as far as the pusher is concerned, he is playing it safe. For him, the street offers some protection.

"You don't go into no building with a junkie," a former narcotics seller in Harlem explained. "He would just as soon rob you. If you go inside with him, you can be taken off. But the street offers some protection."

What about the patrolman on the beat?

"He's no problem. You can see him a mile away."

The plainclothes man does not bother the seller in the street either.

The seller feels that plainclothes men are looking for bigger game and that they are not worried about the street hustler.

Just as darkness was beginning to fall on West 116th Street five Negro men gathered in a circle on the sidewalk and another heroin sale was made.

No one in the group bothered to look over his shoulder and passers-by averted their eyes and moved about their own business.

"These guys you see selling out here now, most of them are junkies," the former pusher explained. "This is the end of the line. This is as low as the stuff [heroin] goes."

HANDSOME PROFIT

For the pusher, it is a good business. He can buy a "bundle" of 25 bags for $75 and sell it on the street for $125. Often it can be sold in less than an hour.

The sales cross color lines. Many whites go to Harlem to buy heroin and some white youths go uptown to buy marijuana.

According to residents of Harlem who watch the narcotics traffic, it is mostly white dealers who bring the bundles into Harlem.

"You know one thing," Mr. Kenyetta said in discussing the dope traffic in Harlem. "That stuff doesn't grow up here."

For the most part, the junkie, the addict who cannot afford his habit, hustles on the streets. But often he is not alone.

On Eighth Avenue, early on a recent Friday night, teenagers kept going into a bar and lounging impatiently around the jukebox and the booths. They did not want drinks. They were interested in drugs.

When the man they were waiting for arrived, they nudged him into a corner and tried to buy drugs. This time they were turned down but they had other sources.

"You don't fool around with kids," the former pusher explained. "That's the best way to get yourself busted [arrested]. But these kids can hustle. You see, they know that they can make themselves some money hustling this stuff. They can hustle more in one night than a lot of these dudes out working make in a week."

However, the teenager selling on the streets is a bit more cautious.

One late afternoon last week a Negro about 17 years old was "working" the area near a bar in the shadow of the El on Third Avenue in the Morrisania section of the Bronx.

Although the youth was only a teen-ager, he already had the beaten look of a user.

He openly accepted the money from a white youth who looked even younger. Then, the seller turned away from the buyer and surreptitiously slipped him a bag.

While the transaction was taking place, children returning home from school played on the sidewalk and a few doors away, men stood idly at the curb.

After the sale, the two teenaged youths talked for a while and then went off together. In a little while the Negro was back on the corner, waiting to make another sale and watching as a police patrol car passed.

At night there are often as many as 20 and 30 of them on one corner, at what they call "meets," waiting for their contact to arrive with bundles of heroin.

On a recent Saturday night they were gathering on Lenox Avenue, more than a dozen of them, huddled against buildings and in doorways, holding their coats together at the neck, trying to protect themselves against the cold. But they had copped, or gotten the bundle.

SATISFYING THE NEED

"Some of them get sick while they're waiting . . . if it's their time . . . if they need the stuff and the man hasn't showed yet," the pusher-turned-straight explained.

"That's when they get dangerous. Sometimes when they're like that and the man comes, they'll just run up to him right out in the open and try to grab the stuff."

In the cold that night on Lenox Avenue the junkies waited patiently for their contact. No curious policemen bothered to question their loitering or to make them move on.

When they saw their man, they quickly moved off in a group across the street and then disappeared up the block.

Although the junkie is a consistent buyer, he is also the most scorned of narcotics users. The junkie is set apart from the addict in that he has the habit but has no income to satisfy it. He can only rob and steal to get the money he needs.

"And you never give a consignment," a pusher explained. "You can't trust them. They'll get the stuff and then use it themselves."

Since he cannot obtain his drugs on consignment, the junkie must always have $75 to buy 25 bags of heroin when he meets his contact. He can sell all of them or keep some to satisfy his own habit.

THE FOURTH ANNIVERSARY OF KFME, CHANNEL 13, FARGO, N. DAK.

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. KLEPPE] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KLEPPE. Mr. Speaker, it is a pleasure for me to call to the attention of the House the accomplishments of KFME, channel 13, located in and serving the Fargo, N. Dak., and Moorhead, Minn., area. This fine television organization is in the midst of its fourth anniversary celebration, and on January 14, 1968, a great number of people paid tribute to the service of KFME by attending its open house.

For the last 3 years KFME has served both the general public and the schools in the surrounding area with imaginative and productive television. The contribution to the community by KFME has been profound, and I commend this community-owned, public television station for its fine record.

"PUEBLO" INCIDENT

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GURNEY. Mr. Speaker, the seizure of the American ship *Pueblo* by North Korean naval forces is an act of outright piracy. It is an act of war. The ship was seized in international waters, while it was minding its own business.

The Johnson administration has asked for the release of the ship. This has been refused.

The Russians have been contacted for

diplomatic help in this area and they have refused.

While I agree that it was necessary to go through these formalities of diplomacy, this was a foregone conclusion.

This is like asking an arsonist to put out the fire he started, while he is standing there watching the building going up in flames. This North Korean seizure, I am sure, is a premeditated act. If we ever could get at the truth, we probably would find that the Russians were as much in the planning as the North Koreans were in the execution.

It is a well-known fact that the Korean Communists have stepped up their belligerent acts of violation of the truce appreciably in the recent years. All of this was a part of a common effort on the part of the Communists to embarrass us, the United States, and particularly to divert attention from our effort in South Vietnam.

If the United States is going to continue to meaningly fulfill its role of holding the line against Communist aggression in those areas where we have chosen to hold firm, such as Korea in the past, now in South Vietnam, then it is imperative that we back up our foreign policy with the appropriate action.

Right now the appropriate action is to use whatever means to get this ship back and rescue these Americans that have been captured by the Korean Communists.

The time for diplomacy is over. The time for action has arrived. I hope the administration will show some will and courage to accomplish this as soon as possible.

I might also say that there are many questions unanswered by this *Pueblo* incident, that the administration should answer at once.

I know that many Members of Congress, especially those on the Armed Services Committee who work closely with these matters want some answers.

To point out a few, why was there no immediate response to this Korean aggression? Why did we not scramble fighter planes to protect the *Pueblo?* U.S. airfields were nearby. Have we spread ourselves too thin trying to fight a major war and conduct our affairs and particularly run the Defense Department in a business as usual fashion? Is the Defense Department prepared to react to incidents such as the Pueblo incident and give adequate protection?

These are answers the Congress wants and the American people expect too.

A great sentiment and feeling among my constituents who have contacted me is that we should act like the strong Nation that we are.

Let me quote from a few of the communications that have arrived in this office:

If we allow this capture to stand, we may as well eliminate our Armed Forces, accepting a spineless social state.

Our excuse for a President will have to use force into action to recover our ship and punish North Korea militarily. How spineless can our country become?

As Americans, we despise our diplomatic procedure to regain the ship *Pueblo* as there was no negotiations to take the ship in the first place by North Korea. Our cowardness and pink stripes are beginning to show.

Piracy cannot be tolerated and diplomacy of Johnson insults our heritage.

PROPOSED LEGISLATION FOR GOVERNMENT ACTION AGAINST OIL POLLUTION OF WATERS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KEITH. Mr. Speaker, on behalf of myself and colleagues from Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Illinois, and Georgia, I am today filing legislation which we hope will initiate new Government action against the growing menace of oil pollution in the navigable waters of the United States. The series of recent incidents along the east coast, which have either caused or threatened major oil pollution damage, point dramatically to the danger facing our coastal communities. Oil slicks have blackened our resort beaches, poisoned our water, and damaged wildlife and seafood resources. Accidents involving oil tankers have raised the specter of the giant *Torrey Canyon* vessel, which spewed thousands of tons of sticky crude on the British coast last spring.

To meet this problem, Mr. Speaker, my colleagues and I feel it is urgent that the safety of tanker operations be examined, and that the Coast Guard be ready to act forcefully to prevent major harm from pollution accidents when they do occur. Our bill, the text of which follows, provides for action on three fronts: Section 1 directs the Coast Guard to study means of traffic control for large vessels and report to the Congress. Section 2 instructs the Coast Guard, in cooperation with other concerned agencies, to develop the necessary equipment and procedures for cleaning up oil spills before harm occurs to coastal resources. Section 3 provides for improved maps and charts to identify navigation hazards which face today's jumbo-sized tankers.

The sponsors of this bill, Mr. Speaker, feel that we should wait no longer for forceful Government action. Oil tankers now represent 40 percent of the traffic along our busy coasts, and the danger of major pollution accidents increases every day. We hope that this legislation will help to avert future incidents of this kind and will enable the responsible agencies to take prompt action in any emergency.

The text of the bill is as follows:

H.R. 14852

A bill to authorize the Coast Guard to study methods of preventing casualties involving vessels carrying certain contaminants; to authorize the Coast Guard to conduct continuing research on the removal of contaminants from beaches and waters; to authorize the examination of routes used by vessels carrying certain contaminants; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, That (a) the Coast Guard is authorized to study systems, procedures, facilities, and devices to prevent collisions or other casualties of vessels carrying oil, petroleum products, or other contaminants on the high seas or navigable waters of the United States. The study shall include the need for and feasibility of—

(1) sea lanes or special routes to regulate the movement of vessels carrying oil, petroleum products, and other contaminants, and other large vessels in congested or heavily traveled waters adjacent to the United States coast;

(2) special navigational aids or devices to guide large vessels in bad weather and in congested areas;

(3) systems and devices to guide large vessels from shore radio installations when such vessels are near the United States coast.

(b) The Commandant of the Coast Guard shall report the results of the study authorized by this section to Congress, together with his recommendations, including any necessary legislation, no later than January 1, 1969.

SEC. 2. (a) Chapter 5 of title 14, United States Code, is amended by adding at the end thereof the following new section:

"§ 95. Research; pollution control.

"(a) The Coast Guard, in cooperation with the Corps of Engineers, the Water Pollution Control Administration, and the Bureau of Commercial Fisheries, shall conduct continuing research to develop or discover systems, devices, and chemical agents for the collection, dispersion, or removal of the various types of oils and contaminants carried by ocean vessels from beaches or coastal waters with the least possible harm to flora and fauna.

"(b) Contracts may be entered into to carry out this section without regard to section 3648 of the Revised Statutes of the United States (31 U.S.C. 529).

"(c) The Coast Guard shall establish long-range plans for the control and amelioration of any major spillage or release of oil, petroleum products, or other contaminants into the high sea or navigable waters of the United States and however caused. Such plans shall include—

"(1) procedures to effect the collection, removal, or disposal of oil, petroleum products, or other contaminants either after they have been spilled or otherwise discharged into the high seas or navigable waters of the United States, or if, because of hazard suffered by the vessel, spillage or discharge is threatened or imminent;

"(2) procedures to provide adequate warning to any area of the United States which may be threatened with harm from the results of a major discharge of oil, petroleum products, or other contaminants into the high seas or the navigable waters of the United States; and

"(3) procedures to reduce the contaminating effect or influence upon the seacoast of the United States, its territorial waters, and the resources over and upon the Continental Shelf of the United States caused by a major discharge of oil, petroleum products, or other contaminants transported in vessels."

(b) The analysis of chapter 5 of title 14, United States Code, is amended by adding at the end thereof the following new item:

"95. Research; pollution control."

SEC. 3. The Environmental Science Services Administration (acting through the Coast and Geodetic Survey) shall carry out an examination of the routes used by or established for vessels carrying oil, petroleum products, or other contaminants as well as other large vessels using congested or heavily traveled waters adjacent to the United States coast, to determine whether the existing maps and charts of such routes are adequate to insure that all navigational hazards

on such routes are adequately charted and marked.

CONGRESSIONAL REFORM

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, at the commencement of the second session of the 90th Congress, when we contemplate the product of this session in an election year, we confront the Legislative Reorganization Act of 1967, which will now have to be renamed to 1968.

As ranking minority House Member of the Joint Committee on the Organization of the Congress, I have done all in my power to further the cause of congressional reform. The decision is now clearly one for the majority leadership of the House of Representatives.

Mr. Speaker, I was encouraged by the remarks of the majority leader of the House of Representatives, the Honorable CARL ALBERT, of Oklahoma, in an interview carried in the Washington Sunday Star of December 17, 1967, under the byline of Robert K. Walsh, entitled "Democrats Set 1968 Bill Priorities." Concerning congressional reform, Majority Leader ALBERT had this to say:

> Reorganization and modernization of the structure and operating methods of Congress and the formation of a code of "standards of official conduct" for House members and their employees also are in a comparatively favorable parliamentary position, Albert noted.
>
> A reorganization bill recommended last year by a special Senate-House committee has been languishing in the House Rules Committee. Albert indicated it would get moving without further delay.

Of course, I have no way of knowing, other than my acquaintance with the majority leader, whether his statement represented the thinking of the majority leadership and not just CARL ALBERT as an individual. However, the silence of the Speaker on this issue and the inaction of the majority of the Committee on Rules of the House of Representatives lead one to wonder whether the majority leadership of the House still hopes to be able to sweep congressional reform under the rug and to block consideration by the House of a modest congressional reform bill which passed the U.S. Senate by the overwhelming vote of 75 to 9 on March 7, 1967.

November 8, 1967, I discussed—CONGRESSIONAL RECORD, volume 113, part 23, page 31847—the problem of congressional reform in connection with the introduction of a House concurrent resolution, House Concurrent Resolution 578, to extend the life of the Joint Committee on the Organization of the Congress, which then was due to expire December 31, 1967.

Unfortunately, the first session of the 90th Congress adjourned without taking action on the concurrent resolution, and the Joint Committee on the Organization of the Congress did expire at the end of last month. Of course, it could be reactivated by action on the concurent resolution now, as it was early in the first session of the 90th Congress. Failure to take this action or any other meaningful action with respect to congressional reform will certainly be treated by the citizens of the country and the press, as it should be, as the killing of congressional reform by the majority party.

In my remarks last November, I said the following:

> It has been suggested that the killing of congressional reorganization by the Democrats would be an issue in the 1968 congressional campaign. I have no doubt that it will be, if it happens. But, Mr. Speaker, I am one of those who would rather have congressional reform than a political issue, and I am pragmatic enough to know that there will be no opportunity for the House to act on this measure before adjournment. I am also realistic enough to appreciate, as I believe the people in the country will appreciate, that killing the Joint Committee on the Organization of the Congress—the parent of congressional reform—is the equivalent of killing congressional reform itself.

Mr. Speaker, there are those who believe that killing congressional reorganization cannot be made a significant issue in the 1968 election campaign. They argue that the ordinary citizen in the street knows little about the organization and procedures of the Congress, and cares less. This, of course, may be true, yet I believe that lack of leadership or weak leadership in the Congress is something the ordinary citizen can understand and, when failure to update congressional procedures is coupled with faltering steps in the field of congressional conduct and instances of improprieties or worse, such as the Bobby Baker and Adam Clayton Powell cases, as well as those of Senators DODD and LONG, the public will understand the issue of congressional reform and register its disapproval effectively.

I was somewhat surprised upon my return to Washington to discover that the lack of progress on congressional reform has not gone unnoticed in the press. For instance, columnist Roscoe Drummond wrote a column on congressional reform reported in a great number of the Nation's leading newspapers, but under different headlines, some of which are as follows:

Tulsa, Okla., World, of December 23, 1967: "Congress On Trial."

Washington, D.C., Post, of December 20, 1967: "Congress Reforms Needed To Improve Its Public Image."

New York, Long Island, Star-Journal, of December 20, 1967: "House Democrats Stifle Reform Bill."

Omaha, Nebr., World-Herald, of December 20, 1967: "House Must Clean House."

Philadelphia Inquirer, of December 21, 1967: "Congress Damages Its Own Reputation."

Cedar Rapids, Iowa, Gazette, of December 22, 1967: "House Demos Pigeonholed Reform Bill."

Cocoa, Fla., Today, of December 23, 1967: "Congressmen Do Little To Help Reputations."

Augusta, Ga., Chronicle, of December 25, 1967: "A Bill That Has Been Blocked by House Democrats."

Fargo, N. Dak., Forum, of December 21, 1967: "1967 Congressional Reform Bill Was Kept Under Lock and Key by Dem House Leaders."

At this point, I insert the entire text of the Drummond column as carried in the Jamaica, Long Island, Press, of December 20, 1967:

THE PUBLIC BUSINESS—CONGRESS ON TRIAL

(By Roscoe Drummond)

WASHINGTON.—Congressmen are sensitive about their reputation and they do more to damage it—and that of Congress itself—than anybody else.

If Congress is to improve its image with the voters, it must improve its performance in transacting the public business more efficiently and more effectively.

Throughout this year the Democratic leadership of the House of Representatives has used its power and ingenuity—it has both—to keep the congressional reform bill of 1967 under lock and key.

The provisions of this bill would help Congress transact its business more efficiently and more effectively.

The purpose of the House Democratic leadership was to kill the bill by keeping members from having the opportunity to vote on it.

The purpose of the House Democratic leadership was to prevent any reform which would force high-handed, power-minded committee chairmen to be somewhat more responsive to the majority of the members of each committee and thus make representative government work better.

And now a whole year has been thrown away and the first congressional reform effort in two decades remains locked in the despotic grip of the House Rules Committee which is acting as though it thought the Democrats were going to be in control forever.

The imprisoned congressional reform bill was unanimously recommended by the Joint Committee on the Organization of Congress which put long months of study into its preparation.

It has already been passed overwhelmingly by the Senate.

The Democratic members of the Rules Committee didn't dare let it come to the floor of the House because they knew it would be passed.

The reforms which the Senate has approved and which the House Democratic leadership is surpressing are modest but meaningful.

The bill would reduce some of the arbitrary power of committee chairmen by providing, for example, that a chairman's refusal to hold hearings or to permit a bill to be reported to the House could be overruled by a majority vote of the whole committee.

It would provide professional staff assistance for the minority party and put selection and use of such staff under the control of the minority.

It would organize the work of Congress so that the first three months of Congress wouldn't be wasted, as it often now is, and aim to enable Congress to adjourn normally by July 31. The need here is to provide for committee hearings in the fall before Congress meets in January so that much of the committee work will be ready at the opening of each session.

The Republican members of the Joint Committee on Reorganization made a further proposal that ought to be embodied in the bill next year. They proposed that the Senate and House Government Operations Committees have a majority of members who are not of the party which controls the presidency. This is not a self-serving recommendation since the Republicans feel they have a good chance of taking the White House in

1968. There is a good precedent. The Republican Senate put a Democrat in charge of the Teapot Dome investigation when Coolidge was President.

The House Democratic leadership knows it's wrong, knows it hasn't a valid case, and admits it by refusing to allow the members of the House to vote on it.

At stake is not reform for its own sake. At stake is something far more crucial. The greatest deterrent to the resort to violence and rioting is to demonstrate that representative government can transact the public business efficiently and effectively. If the Democrats can't be brought to do it, the voters may want to make some changes.

Another article by Roscoe Drummond was carried in the Christian Science Monitor of Boston, Mass., December 30, 1967, which reads as follows:

THE CULPRIT IN CONGRESS

(By Roscoe Drummond)

WASHINGTON.—Will the oncoming elections encourage Congress to pass some badly needed self-reforms which were arrogantly de-railed this past session?

The answer has to be:

Not if the House Democratic leadership can help it.

Not unless the voters make it pretty clear to their congressmen that it won't be safe to neglect them.

Congress has a passion for reforming everybody but itself. It shrinks from looking into the mirror. But at this point the culprit is plainly visible and perhaps something can be done about it.

The culprit is the House Rules Committee on which the Democrats have an iron grip which they are entirely willing to use to frustrate the majority of the entire House of Representatives.

Let me indicate how things stand on the congressional reform bill designed to enable Congress to transact the public business more efficiently and more effectively.

IMPRISONED

After doing nothing to modernize the machinery for the better functioning of Congress for nearly two decades, a Joint Committee of Reorganization was approved three years ago. It devoted a full year to public hearings and private study, and came up with careful and considered recommendations.

The Joint Committee was completely bipartisan.

Its recommendations were unanimous.

It gave the Senate and House at least six months to enable the members to familiarize themselves with its proposals.

The Senate approved them overwhelmingly.

There is no doubt that the majority of Democrats and Republicans in the House approve the bill.

But the Democratic controlled Rules Committee has kept it imprisoned ever since it got its hands on it.

Why?

USEFUL REFORMS

I know of no member of Congress who is in doubt.

The reason is that the House Democratic leadership, acting as if they expected the Democrats to be in control of Congress indefinitely, wants to prevent any reform which would require the power-minded committee chairmen to be more responsive to the majority of the members of the committees and thus make representative government work better—or at least work the wishes of the majority instead of, too often, only wishes of the committee chairmen.

The reforms, unanimously endorsed by both Republicans and Democrats on the Joint Committee and decisively approved by the Senate, are not breath-takingly radical—but useful.

The bill, which the Democratic leadership is still suppressing, would reduce some of the arbitrary power of committee chairmen by providing, for example, that a chairman's refusal to hold hearings on a measure or to permit a bill to be reported to the House, can be overruled by a majority vote of the whole committee.

It would provide, as a right not as a favor of the chairman, professional staff assistance for the minority party so that all the research isn't fed into the committees from one side.

It would organize the work of Congress so that the first months of every year wouldn't be wasted and thus, perhaps, enable Congress to do its work thoroughly and still adjourn by July 31.

Many committee hearings would be held in the fall when Congress is not in session so that the committee work would be ready for Congress at the opening of each session in January.

The bill would increase the resources of Congress to over-see how its programs are being carried out.

A DETERRENT

The case for such reorganization is not reform for its own sake. Let's not forget that one of the essential deterrents to resort to violence is for Congress to show that representative government can transact the public business efficiently and effectively.

If the House Democratic leadership decides to unlock the bill and let Congress vote during 1968, that will be fine. If not, perhaps the voters will decide to make some changes, come November.

Editorial comment which has come to my attention has unanimously upheld the cause of congressional reform, and I have not seen any comment which supports or defends the House Democratic leadership in blocking congressional reform. As examples of editorial comment, I include at this point in my remarks an editorial from the Oakland, Calif., Tribune, of January 1, 1968, and an editorial from the Houston, Tex., Post, of December 12, 1967:

[From the Oakland (Calif.) Tribune, Jan. 1, 1968]

CONGRESSIONAL REFORM

The second session of the 90th Congress could get off to a good start in an election year if the House would speedily consider and complete passage of the pending congressional reform bill.

The sheer burden of an increasing workload demands an overhaul in congressional operations. More than 16,000 bills were introduced or considered during the past session. The session itself lasted 333 days, the fourth longest of the past two decades.

If the members are to give more than a passing glance to the legislation they consider, it is vital that action be taken to bring more efficiency (and fairness) to the operations of Congress.

The Legislative Reorganization Act, the first major reform bill in 20 years, is an attempt to do so. It was unanimously recommended by the Joint Committee on the Organization of Congress. This group labored many months to prepare a specific program to speed up and improve the working procedures of Congress. The 75–9 vote by which the Senate passed this measure indicates that a substantial majority of Congress agrees on the necessity of enacting the rules and procedure changes included in this measure.

We fail to see how any lawmaker could seriously object to its key provisions.

These include: a reorganization to provide for committee hearings in the fall on pending legislation up for consideration in the session to follow in January. This would prevent a lot of wasted time in the first three months of a session and permit Congress to aim for a normal adjournment date of July 31.

It also would provide professional staff assistance for the minority party, and put the selection and use of this staff under the control of the minority. Because of the complexity of the legislation that Congress must act upon, the minority must have this kind of expert assistance to analyze and intelligently vote on pending bills.

It would reduce some of the arbitrary power of committee chairmen by providing that a majority of any committee could vote to overrule any chairman who refused to hold hearings or permit a bill to be reported to the House for consideration. The need for this reform is dramatically illustrated by the present status of the Legislative Reorganization Act. It currently is bottled up in the House Rules Committee by the Democratic leadership although there are strong indications that the measure is favored by a majority of the House.

Republican members of the Joint Committee on the Organization of Congress also proposed an additional reform which should go into the measure before it is passed. This would provide that the Senate and House Government Operations Committees always consist of a majority of members not of the same political party as the President. Since these committees are the "watchdogs" of government, it is essential that their investigations be independent and objective. This cannot be accomplished when the investigating committee is dominated by the same party which controls the Executive branch of government.

These relatively modest reforms are urgently needed. Members of the House should put pressure on the Democratic leadership to permit the reorganization bill to come up for consideration as soon as possible in the forthcoming session.

[From the Houston (Tex.) Post, Dec. 12, 1967]

CONGRESS REFORM TO BE PUSHED

Efforts to get Congress to change its ways of doing things in order to increase its legislative efficiency have been snagged in the House Rules Committee since last March when the Senate approved the bill by a vote of 75 to 9.

Except for a perfunctory, one-witness hearing in April, the committee has simply refused to consider the measure, and it would seem to be about as dead as any legislative proposal could be. One of the major obstacles appears to be the unwillingness of House committee chairmen to have their powers diluted.

Although there may not be much life left in the reform measure, advocates of modernization are planning to make one last effort to revive it when the legislators reconvene in January.

The bill was drafted by a joint House-Senate committee after more than two years of work, during which it heard scores of witnesses. The life of this 12-member committee ends on Dec. 31. Sen. A. S. Mike Monroney of Oklahoma, who with Rep. Ray Madden of Indiana served as its co-chairman, has asked the Senate to keep the committee alive through January by agreeing to pay all its expenses. The Senate is expected to go along with the request.

It is hoped that in January it will be possible to put pressure on the House Rules Committee to approve a reform bill of its own or transfer the measure to a special committee for rewriting. It could remove the provisions to which it objects. Half a loaf is better than none, the reform advocates feel, and it might be possible to strengthen any House measure on the floor.

The now almost dead bill would, among other things, increase the staffs of minority

committee members, permit the televising of public hearings, introduce the use of electronic data processing equipment in analyzing appropriation bills and budget recommendations, authorize larger staffs and other benefits for Members of Congress, assure a one-month summer recess, make some changes in the jurisdictions of standing committees and give each committee an "oversight specialist" to check on the administration of laws by the Executive Branch.

What really stirs the strongest opposition are provisions giving committee members a larger voice in the making of decisions, at the expense of the chairmen, who generally tend to exercise near-dictatorial powers, particularly in the House.

Congress already is under considerable fire for its record of non-performance at this year's session, and the climate in favor of reform may be more favorable next year than this.

Failure by the nation's lawmakers to bring their own organization, rules and procedures up to date, to the end that they can do a better job, could become a major campaign issue in next year's congressional elections.

It has been more than 20 years since the last congressional reorganization. There have been far-reaching and even revolutionary changes in practically every area of national life during the two decades.

There is something to be said for preserving traditions, of course, and some lag is tolerable in the adjustment of Congress to changing times. But public respect for government, for law and order, for authority and for democratic institutions generally is not enhanced by legislative inefficiency or the inability of Congress to serve the needs of the public effectively.

Mr. Speaker, it is now nearly 3 years since I accepted, along with my colleagues on the Joint Committee on the Organization of the Congress, the unanimous mandate of the House and the Senate to study the Congress and recommend improvements. The long hours the members and the staff of this committee have put in this effort, in hearings, in executive committee sessions, in drafting an omnibus reorganization bill and in the consideration of the measure by the Senate, and the frustrating experience in the handling of the measure by the House, satisfy me that, if this Congress permits these efforts to go for naught and no meaningful congressional reform is adopted, there probably will be no time in the career of those now sitting in this body when congressional reorganization will be attempted again.

Personally, I think the majority leadership will make a grave miscalculation if they believe the American citizenry will be indifferent to the killing of congressional reform, but, be that as it may, the important thing is to take at least some modest steps in restoring the Congress to the prestige and power contemplated by our Founding Fathers and to enable it, as the governmental instrument of the people, to discharge effectively in our modern world its sacred function as the policymaking agency of our Government.

THE FEDERAL RESERVE BANK OF ST. LOUIS—A UNIQUE INSTITUTION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CURTIS. Mr. Speaker, the November 18, 1967, issue of Business Week carries an article about the Federal Reserve Bank of St. Louis, an institution that is unique in the Federal Reserve System. The bank's singularity lies in its approach to monetary policy and its frequent questioning of current policies of the Federal Reserve System. The St. Louis bank has gone beyond the regional focus which preoccupies most of the Reserve banks and has taken an active interest in national matters. This interest includes reworking the monetary statistics published by the Federal Reserve Board and presenting them in a more readable form. The Bank's weekly 12 page chartbook, U.S. Financial Data, has become something of a "best-seller" among economists throughout the country.

I commend the bank's activity and initiative in national monetary and economic policies and include the article I have referred to in the RECORD at this point:

MAVERICK IN THE FED SYSTEM—ST. LOUIS BANK PREACHES THAT IT'S QUANTITY OF MONEY, NOT COST, THAT COUNTS

The classical architecture, the empty marble halls, the chandeliers all carry the distinctive stamp of the Federal Reserve System—substantial, respectable, discreet. But behind its exterior, the Federal Reserve Bank of St. Louis has become a maverick, questioning both the current monetary policy of the system, and the basic premises on which that policy is based.

The system always has had its family disputes. But two factors make the dissent from St. Louis distinctive and jarring.

It reflects a fundamental disagreement over how monetary policy works. As the Fed traditionally views it, monetary policy bites mainly through interest rates. But St. Louis leans toward the quantity theory of the Chicago school and its leader, Milton Friedman. This holds that changes in the quantity of money—not the cost of money—are what really count.

The St. Louis bank, moreover, is perfectly willing to make its dissent known to the world. "We try to do it delicately," says Homer Jones, research vice-president. "We never said that policy was bad—but at times the facts were damaging."

Pamphlets. The facts, as St. Louis sees them, come through a torrent of timely reports on everything from movements of money supply to the impact of the high-employment budget. Jones prides himself on having a more understandable set of monetary statistics—and not merely on the money supply—than even the Fed's board of governors. While most leading monetary economists don't buy his theories, they eagerly subscribe to his numbers.

The St. Louis viewpoint isn't pure Chicago school, but the two do meet on a great many points. And this year, as never before, the quantity-theory crowd is having the best of it.

The Fed has followed an easy-money line since late 1966—but interest rates have soared recently to their highest levels in years. To Friedman and his followers that is because the Fed has erred in permitting the money supply (defined by Friedman as currency plus demand and time deposits) to grow too rapidly. In this view, when the supply of money grows too rapidly, high interest rates are inevitable.

Discord. Fed policymakers disagree violently. They blame the rise in rates on such factors as the Treasury's huge cash needs and Wall Street's dread of tight money to come. However, Fed officials are unable to offer much evidence that today's sky-high rates have held down demand for credit, and Friedman is attracting new converts.

As early as last May, Darryl R. Francis, president of the St. Louis bank, parted company with his fellows on the Fed's policy-setting Open Market Committee and urged a turn toward tight money—a step the committee has yet to take.

Developments like these make for a certain amount of tension between Washington and St. Louis—most of it low-key as befits the solemnity of a central bank, but some of it rather intense. For instance, the St. Louis Fed has annoyed many in Washington with the rather critical reviews of monetary policy published in the past three years. And last year, for a time, the St. Louis Fed even issued its own figures on the money supply as an alternative to official figures coming from Washington.

Independent path. "The real disservice they do," says one Washington Fed official, "is to convince people that you only have to look at the money supply to determine Fed policy. That simply isn't true, but it is difficult to refute."

Even so, Fed Chairman William McC. Martin, Jr., whose own career began with the St. Louis bank, prides himself on tolerating dissent within the Fed system. "He has resisted all efforts to clamp down on Homer," says one of his aides.

I. MERCHANDISER

Between the material his people pour out and the monetary theory line he follows, Homer Jones has attracted wide attention.

An 18-year veteran of the Fed—10 years in Washington and eight in St. Louis—Jones has a substantial following outside the Federal Reserve System, something that is rare among regional bank economists. There are economists more highly regarded within the system than Jones. ("He's strong on numbers, weak on basic research," says one Fed aide in Washington.) But none can match the contacts Jones has outside the Fed—including a goodly number within the academic community.

Source. Little of the material that flows out of the St. Louis bank originates there; most of it is prepared initially by Washington. "Most of what we do," concedes Jones, "is a rehash."

Jones and his people take the basic material pumped out of Washington, then rework and polish it, and put it into highly readable form. As one Fed aide in Washington observes "Homer has the most merchantable stuff coming out of the system today."

Probably the St. Louis bank's best-known product is a weekly 12-page chart-book called U.S. Financial Data that shows in both chart and tabular form movements in the money supply and its components, in bank reserves, business loans, and interest rates. Many of the series feature annual rates of change over the preceding 3, 6, 9, and 12 months. Readers can quickly catch up on trends on virtually every financial indicator of importance.

More reports. The St. Louis bank has other publications—including monthly data on economic and monetary trends, quarterlies on gross national product, the federal budget, and the balance of payments.

A lot of the bank's material is presented in "triangular" form—comparable rate-of-change charts—that are easy to follow. The computer techniques for these triangles was developed in Washington, but they were whipped into shape for public consumption by Jones.

Of course, the public is only a secondary beneficiary of this material. By and large, it

is worked out for what Jones views as his primary chore: preparing his bank's president for the periodic Open Market Committee meetings in Washington. It is at these gatherings, held every three or four weeks and attended by every Fed governor and regional bank president, that monetary policy is forged. "Voting in these meetings," says Jones, "is the most important thing a regional president does."

Open door. No clear-cut areas have been defined in which regional research people are supposed to work, although the assumption generally has been that Washington would concentrate on national matters with the regional banks working on regional matters. "It is a weakness for a regional bank to concentrate on national matters," says one Fed governor. "We have a fine staff in Washington. Where our people can fall flattest is on regional research."

But, comments Jones, "regional work doesn't have much to do with a central bank or monetary policy." And while the St. Louis bank does some regional research, it does less than most other regional banks.

President Darryl Francis has spent his entire career in the area covered by the St. Louis bank—parts of Missouri, Illinois, Indiana, Kentucky, Tennessee, Mississippi, and all of Arkansas. He meets frequently with local businessmen and bankers and has, according to a Fed official in Washington, "one of the best grassroots senses there is." Even so, Francis agrees that "the major responsibility of the system still is monetary management. I don't see that regional development justifies the major efforts here."

Homework. Francis works hard to prepare for an Open Market Committee meeting. He meets daily with Jones and has a full blown session with his research staff a week before the gathering. The final days before a meeting are spent digesting material prepared in Washington and the data worked up by Jones.

His last recorded vote was for restraint last May. ("You can see the implications of Homer in that dissent," says a Fed Washington official.) But then, Francis missed a couple of meetings because of illness and he won't say how he would have voted. His own view, though, is that the Fed faces much the same sort of inflationary pressures it faced in 1965, "only more so."

II. HEART OF THE MATTER

Neither Jones nor his No. 1 aide, Leonall C. Andersen, who does the annual review of Fed policy, pledge anything like absolute allegiance to the Chicago school. What they do say, however, is that the money supply is vitally important and that Fed policymakers should pay more attention to it when they are setting policy.

"So far as I know," says Jones, "the money supply comes closest to saying something. We feel a change in Fed policy shows up rapidly in the money supply. There is no lag there at all."

Separate road. Obviously, Jones and Andersen part company with Friedman on many points. For instance, they are sufficiently wedded to the Fed to balk at any suggestion that its role be reduced to nothing more than keeping the money supply growing at a set rate—a role that Friedman (and as of this year the Joint Economic Committee) urges the Fed to play. "We see a great role for discretionary money policy," says Jones.

Nor do the two men accept Friedman's inclusion of time deposits in his definition of money supply—something that troubles many other quantity-theory people. Currency and demand deposits—the traditional components of money supply—clearly count as money. But a bank time deposit is only one of many "near-money" instruments that the public can choose to hold in lieu of cash. (Others would be Treasury bills, commercial paper, short-term municipal bonds, and in some cases savings-and-loan shares and savings deposits in banks.)

Approach. In fact, Jones and Andersen, in trying to link money supply and Fed policy, even ignore currency. As they see it, the demand deposit component is the one area of money supply where the Fed's influence is pervasive. This "reserves available" approach, says Andersen, "focuses primarily on the factors intervening between open market transactions and changes in the member bank demand-deposit component of money."

Andersen wouldn't have the Fed worry about money supply alone. But, he says, "The Federal Reserve System could control with a high degree of precision movements in the money stock. The Fed ought to be influencing demand deposits."

That isn't quite what Friedman demands, but it comes close enough to unsettle many in Washington.

Washington still insists that money supply is of little use as a money tool, if only because the numbers are too hard to read. Government deposits, for example, aren't counted in any money supply series, and demand deposits that were built up prior to a tax date simply vanish when the money flows into the treasury, making for wild gyrations in money stock figures.

Last year, St. Louis attempted to smooth out the peaks and valleys in the money supply series with a new seasonal adjustment. Washington, though, objected, cautioning the regional Fed against offering the public "59 different sets of numbers" and the St. Louis series was withdrawn. Washington did respond somewhat to demands for less erratic money supply figures with a new series called the "bank credit proxy," that includes government deposits at member banks.

MANDATORY ADVANCE PAYMENTS LEGISLATION NEEDED

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. NELSEN. Mr. Speaker, on March 9, 1961, I offered the advance payments feature as an amendment to H.R. 4510, the emergency feed grain bill. This provision was advanced to accomplish two purposes. It was needed as an incentive to encourage individual farmers to sign up in the program, making it more effective. It was designed to provide funds for farmers to meet expenses for their spring operations when there are many costs but little income. This provision was subsequently accepted by both House and Senate, and became part of Public Law 87–5.

Today, we frequently hear boasts about the booming gross national product and the vigor of our present economy. At the same time, agriculture, a fundamental part of our economy, is experiencing the lowest parity level in more than 30 years. The current 73-percent-parity ratio equals the worst times of the great depression. Agriculture has taken a $1.5 billion pay cut in net income in the last year alone, while production costs have risen in excess of $1.1 billions. The inflationary cost-price squeeze is presenting a bleak picture, indeed, for agriculture.

On my last tour of the Second District in Minnesota, the complaints I have persistently heard from farmers are now coming from smalltown businessmen, bankers, food and feed suppliers, and so on. The farmer's troubles with inadequate income and inflation have moved to town. Throughout rural America, the pinch is on.

With this background in mind, we are now advised by the press that the administration is considering the possible Government delay of advance payments to feed grain farmers until July or later. Department of Agriculture officials have confirmed such a delay is under consideration.

Indicative of the hardship such foot dragging would pose is the following telegram which I have received from the Minnesota, Minn., Business Men's Association:

> Deplore Bureau of Budget contemplated hold-back of first half of 1968 wheat and feed grain payments until July. About $950,000 is Lyon County share of total. This action would work a great hardship on farmers and businessmen. Due to near disastrous drought condition in summer, 1967, it is imperative for the welfare of area farmers that they receive payment at date of sign-up for gasoline, feed, seed, taxes, fertilizer, machinery, repairs and labor in time for spring work. They need it now. Minnesota Business Men's Association.

In view of the foregoing, I am introducing legislation today to require the Secretary of Agriculture to make advance payments at signup to farmers participating in the present feed grain program. This legislation would make such advance payments mandatory. Under present law, the Secretary maintains discretionary authority to advance up to 50 percent of any payments to participating farmers. Should my bill be adopted, farmers would be assured of up to 50 percent advance payments to help tide them over the lean months, payable within 30 days.

It is regrettable that this legislation is necessary, because the original advance payment plan I authored was never intended to be used as an anti-inflationary weapon hurting farmers, who for years have been the worst victims of inflation. If these advance payments are long delayed, many farmers face inadequate credit and burdensome interest rates on borrowed money.

In my judgment, withholding the advance payments this year would represent a "gunshot" change, triggered without any warning to farmers and without any opportunity for them to make orderly adjustments to the revised system.

I therefore urge prompt consideration of the proposal submitted today.

I might add this situation illustrates once again the administration's willingness to sacrifice the farmers whenever politically expedient. The favoritism and partiality shown to consumers over farmers has become a long, sad story written by the present administration.

SUPPORT FOR BILL TO IMPROVE FEDERAL ACCOUNTING SYSTEMS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. PETTIS] may extend his

remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. PETTIS. Mr. Speaker, the questionable bookkeeping practices in many Federal agencies form part of the confused situation between the Congress and the administration. It is impossible for either to properly evaluate where spending might be cut, when so many agencies refuse to follow the provisions of the Budget and Accounting Act.

To meet this problem, and to bring about the availability of accurate information, upon which the Congress and the administration can work to cut spending, I have today introduced a bill to withhold funds from agencies until they implement a program to bring their accounting systems up to the standards of the General Accounting Office.

Most regrettably only 62 of 173 Federal agencies are now using GAO-approved accounting systems, according to GAO investigators. Only four of the 18 accounting systems in use at the Treasury Department are approved by GAO, and only six of 15 at Agriculture. According to Mr. Thompson at GAO these figures are accurate as of September 30, 1967.

This bill will require the agencies to tell Congress the status of their accounting systems, and the progress of improved systems. Their appropriations will be withheld until their accounting systems are improved. The majority of the agencies have not met the requirements of the Budget and Accounting Act. They have not met the standards of the GAO. They have had years to do it in. The people entrusted to us the responsibility of administering their tax funds. The dollar is in peril. The only way we can hope to salvage the situation is by first having accurate information on where we can cut spending and repair the American economy. I urge my colleagues to support the bill to improve Federal accounting systems.

CONGRESSMAN FRANK HORTON SCORES PROPOSED RESTRICTIONS ON FOREIGN TRAVEL, SUBMITS BILL TO PROVIDE INCENTIVES TO ENCOURAGE TRAVEL IN THE UNITED STATES BY FOREIGN CITIZENS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HORTON. Mr. Speaker, our country is facing an "image" crisis abroad. At a time when America is engaged or committed militarily and economically in every corner of the globe, and at a time when American products and marketing methods are receiving wide international use, it is imperative that these economic and political ties with other nations be followed up with increased people-to-people contacts between Americans and foreign citizens.

We face a dilemma wherein our country, the stronghold of freedom, is defending free societies and building free economies abroad, while at the same time we are scorned and chastised by Europeans and others as a "militaristic" or "materialistic" nation. The only way these misimpressions of America can be erased is through the encouragement of individual contacts between our people and those in other parts of the world. A visitor to this country could not help but see that we are a friendly and peace-loving people. At the same time, American travelers abroad serve as ambassadors of our principles and way of life.

Thus, Mr. Speaker, I am very concerned that the recent administration proposal to restrict or tax international travel will seriously undermine an important opportunity to educate foreigners about America. Unquestionably, we face a temporary crisis in our balance of payments, one which requires immediate attention. But a restriction on travel, while it has some effect on the payments balance, seriously hampers several important aspects of our policy and our way of life.

First, a restriction on travel, whether through taxation or other means, flys in the face of the long-held American tradition of freedom to travel. Unlike citizens of Communist states, Americans have always been free to cross international frontiers with easily obtained passports. Exceptions have only been made where certain countries present substantial danger to visiting Americans, or to overall American interests.

Second, a travel tax or restriction would encourage other countries to restrict the travel of their citizens to the United States, further worsening our balance-of-payments position.

I think that the administration's approach to this question has been essentially negative—they propose as a solution to temporary economic imbalance, a travel restriction which will have far-reaching effects that are destructive of our overall purposes in the world. We cannot, in conscience, recommend a curtailment of American tourism abroad, only a few months after we have hailed the new frontiers in free trade achieved in the Kennedy round last year.

I think there is a constructive alternative to this proposal, which will assist our balance of payments, create more economic opportunities at home, and broaden the people-to-people contacts between America and other nations which are so important to us as leader of the free world.

THE TRAVEL INCENTIVE PLAN

I am pleased to join with my colleagues in the House in introducing today the Travel Incentive Act of 1968. Under this bill, the U.S. Government, through the Department of Commerce, will make available travel incentive stamps to foreign visitors to our shores. Each visitor would receive stamps worth $100 in transportation and accommodations during their stay in the United States. Since the average European visitor to the United States now spends an average of $500 here, this incentive could easily lure an additional half million visitors from Europe in 1968 alone.

Those who have traveled to Europe know that European governments have already provided several incentives for American visitors. The Eurail pass, providing unlimited rail travel during a set period of time at an extremely low rate is only one example.

THE PLAN'S ADVANTAGES

Here are some advantages of the tourist incentive proposal:

It would improve our balance of payments by at least $250 million—500,000 additional European tourists to the United States, with an average expenditure of $500.

It would not violate the traditional American principle of freedom of travel.

It would place no net burden on the Federal budget. The initial U.S. budgetary cost of the proposal would be around $40 million—$25 million for the 500,000 additional tourists to be attracted by the travel stamps, and approximately $15 million for those 300,000 first-time visitors to the United States among the Europeans who would have visited the United States in any event. But the net U.S. budgetary cost will be zero, because the $250 million to be spent here by the additional European tourists, with the normal multiplier factor, will cause an increase of some $750 million in our gross national product. The $75 million of increased revenues from this enlarged GNP would more than offset the roughly $40 million cost of the subsidy.

It would improve business and reduce hard-core joblessness, without causing inflationary pressures. The $250 million infusion of European travel spending into the American economy will fall, not upon overtaxed U.S. resources, but upon the transportation, hotel, and restaurant industry. Indeed, the proposal would provide jobs, particularly in transportation, hotels and restaurants, for unskilled and semiskilled workers.

Mr. Speaker, in order for this plan to have the maximum beneficial effect on our balance of payments, it should be ready to go into effect during the tourist season this year. The American travel industry has heartily endorsed this plan, and has indicated its willingness to fully cooperate in publicizing and implementing it.

I urge my colleagues in Congress to adopt this positive and constructive approach to the tourism gap. Our people and this country have much to offer the foreign traveler. Certainly the Grand Canyon, the great lakes, mountains, and cities of this country are among the most dazzling sights in the world. Let us widen the door to European travelers, instead of adopting policies which tend to isolate our own people and invite reciprocal restrictions by foreign governments.

U.S.S. "PUEBLO" CRISIS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, I am gravely concerned about the crisis which confronts us in North Korea. It appears that we may soon be involved in simultaneous military commitments both there and in Vietnam: a situation in which we may find ourselves spread so thin as to be vulnerable and ineffective.

It is because of just such a further Communist "adventure" that I have repeatedly called for winning in Vietnam as quickly as feasible so that we would not be involved in two places at the same time. It is for this reason we must handle the *Pueblo* crisis with dispatch and success.

Mr. Speaker, because of the extreme seriousness of the situation, I have sent telegrams to the Secretaries of Defense and State which are discussed in the following news release which I include for the interest of Members of this body:

WASHINGTON, D.C., January 25.—Congressman George Hansen (R-Ida) today lashed out at the Administration on two counts for its handling of the hijacking of the USS Pueblo. In telegrams to the Secretary of Defense, and the Secretary of State, Hansen demanded answers to what he described as the questionable handling of this act of piracy both during and following the capture of our vessel and its crew of 83 men.

In terse words Hansen told Secretary McNamara that an immediate explanation should be made as to why a very slow, lightly armed vessel with a great amount of secret electronic equipment was allowed to probe close to North Korean coastal areas without adequate protection.

Hansen also said to McNamara that the American people "should be told why you were not informed of the incident until nearly two and a half hours after the harassment of the Pueblo by North Korean patrol boats had started.

"Additionally, why were no measures taken to intercept the Pueblo and its escorting hostile craft during the more than two hours necessary to reach Wonsan harbor after she was boarded?"

Hansen said that these are matters of overshadowing concern to all Americans and should be answered immediately and forthrightly.

Hansen told Secretary Rusk that the hijacking is absolutely intolerable to the American people. He said it was an act of war, and that not since our confrontation with the Barbary pirates a century and a half ago has our national honor been so much at stake.

He continued, "I believe the initial contact with the Soviet Union regarding the pirating of the Pueblo was in the best interest of all concerned. However, since Russia has so often in the past been the instigator of international tensions and provocative incidents—and since the complete lack of cooperation in seeking to ease such tensions is a matter of record—her latest refusal should have been anticipated and painful alternatives should have been pointed out to her."

Hansen said that time for diplomacy is running out and it is essential that we begin immediate consideration of contingency plans for recovery of the Pueblo and its crew before indecision robs us of our options and time destroys our possibilities for effective action.

In both telegrams Hansen stated: "I have said in the past that our lackadaisical prosecution of the war in Vietnam could cause the communists to miscalculate our will and purpose. This apparently has happened. Had a more effective military effort been allowed in Vietnam, we probably would not now be faced with the possibility of having to divert forces from Vietnam at a time when the communists appear to be launching a mammoth offensive there."

FREEZE OF HIGHWAY TRUST FUNDS

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. GURNEY. Mr. Speaker, I strongly oppose the freeze that President Johnson has placed upon a portion of the highway trust funds.

I am today introducing legislation to bring about the immediate release of these funds and to prohibit the freeze or cutback of those funds in the future.

The President has announced that Federal highway aid this year will be held back to 95 percent of the amount that each State obligated during 1967 for road projects; $350 million will be cut from planned levels in the first half of this calendar year and $250 million in the second half. In my own State of Florida, $3,739,000 will be cut from highway spending in 1968.

Not long ago, at the end of last year, Transportation Secretary Boyd stated that Federal aid to highways might be cut in half in the battle between Congress and President Johnson over spending. In addition, two other possible cuts were spoken of.

However, the spending cuts that the Congress was demanding were to come from the general funds of the Treasury. Yet, the cuts that were threatened were from highway funds which come not from the general fund, but from trust funds. These moneys are raised by taxes and fees imposed upon those who make use of the highways. They pay a gasoline tax of 4 cents a gallon and other vehicle user charges. These are earmarked especially for highway construction.

Mr. Speaker, I and many other Members of Congress strongly resent the conversion of the highway trust fund into a source of administration political manipulation to force enactment of its own concepts of the means to remedy the plight of the economy.

There is no saving that can result from this measure. In 1964 President Johnson made the following statement:

It (the highway program) is saving dollars—$6 billion in user benefits last year; $11 billion a year six years from now: and the program is not costing the general funds of the United States Treasury a single cent.

Instead, the move will cost every citizen of the United States. It will cost him in the quality and progress of development of our American highways. A highway program cannot proceed when it is subject to the political maneuverings of the executive branch of the Government.

Further, I fail to see that the minor contribution such a move might make to curb inflation could be worth the grave results which will follow. The priority of such a move must be questioned.

Thus, I cannot but doubt the sincerity of this measure. I can, however, see a very close relationship between these continual threats to the driver of America and a strong administration pressure for the enactment of an income tax surcharge.

Certainly the economic state of this country is in need of certain controlling measures. The strain of excessive Government spending on our economy has been noted for many, many years. However, this was not caused by highway construction spending, a program which has gone on for many years. This was caused by new Great Society welfare programs. These are the ones which should be cut. The President should establish some meaningful priorities.

FAILINGS OF PRESENT ADMINISTRATION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. BLACKBURN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BLACKBURN. Mr. Speaker, during the past week, there has been a great amount of discussion concerning the President's state of the Union message. Republicans feel that the President has not come face to face with the problems facing our society, such as Government spending, defense, Vietnam, balance of payments, and the blight of the cities. His state of the Union message simply restated that the Great Society would solve all problems. Unfortunately, we see that the past 7 years of Democratic leadership have been a complete disaster for our country.

Representative MELVIN R. LAIRD, of Wisconsin, who is chairman of the House Republican Conference, recently wrote an article for U.S. News & World Report, in which he outlines the failings of the present administration. I place Congressman LAIRD's article in the RECORD for the benefit of my colleagues and the American people:

AS THE OTHER SIDE SEES IT

(NOTE.—When Republicans in Congress look at the state of the union they see a much different picture from that portrayed by President Johnson.

(To them, the U.S. is not nearly as sound as the President said it was on January 17.

(Instead, the nation's finances are found by the Republican leadership to be in disarray, the dollar still facing trouble, the world scene not favorable to America, and the situation at home seriously disturbed by overpromises and underfulfillment of the Administration. The drain of the war in Vietnam is seen as dangerously weakening U.S. military power at a time when new—and possibly more menacing—trouble is lurking in the Middle East and elsewhere.

(Representative MELVIN LAIRD, of Wisconsin, who examines the President's message on these pages, heads the conference of his party's House members and is one of the small group that regularly attends leadership meetings at the White House.)

(By Representative MELVIN LAIRD, of Wisconsin, chairman, House Republican Conference)

America, under President Johnson's leadership, has many problems. They are greater, really, than most people realize. The economic situation we are facing today, the amount of inflation we could have, the crisis in our cities and the mounting rate of crime, may in reality prove to be more difficult problems than the war in Vietnam.

The President is in real trouble with all the promises he has made to every city in America. He has raised the hopes of many people all over the country, and he is not going to be able to fulfill those promises.

Government spending. The new federal budget for 1969 will reflect an increase in Government spending of more than 10 billion dollars. When the budget comes to Congress, it will be like waving a red flag in the faces of those members who thought they were going to get some concessions from the Administration in favor of economy in Government.

The Administration has deliberately underestimated both defense costs and the costs of domestic welfare programs in its budget presentations for the last two years.

The big increase in expenditures in the 1969 budget will show up in domestic spending—welfare programs, medicaid, federal aid for education, and the like.

The Administration is going to have to ask for about 1.1 billion dollars in supplemental appropriations just to finance grants to the States for welfare programs for the remainder of the 1968 fiscal year which ends on June 30, only five months from now.

This supplemental will cover spending for the Title 19 medicaid program, aid to families of dependent children, aid to the blind and permanently disabled and old-age assistance. Last May, I said the Administration had underestimated welfare spending by at least 500 million dollars. Actually, it now looks like they underestimated by more than a billion dollars.

Defense costs. The Department of Defense started operating on a deficiency basis in October of 1967. Though still in the second quarter, they began spending third and fourth quarter funds for operations and maintenance out of the 1968 budget which ends June 30.

The Administration will come to Congress in the immediate future for new authority to make up the deficiency. They want to take 2.5 billion dollars out of military-procurement funds to be used for operations and maintenance in connection with the Vietnam war.

The Defense Department wants this as a rider to a bill to finance the military and civilian pay raise voted last year. This will help them carry on until March. Then the Administration must either attempt a massive reprograming, or will have to come to Congress for another supplemental appropriation for defense funds for fiscal 1968.

Military strength. When money is taken in the 1968 budget from military-procurement funds to pay for current operations, these funds will have to be put back in the 1969 budget, which starts next July, or in future years.

We have lost more than 1,000 combat planes in Vietnam. With the threatening situation in the Middle East today, we cannot justify having fewer combat planes in our inventory than we had in 1964, when our mission in Vietnam was changed by the President.

In 1964, we were not strong enough to handle the situation in Vietnam without a big military build-up. Considering the situation in the Middle East and potentially explosive situations elsewhere, we have to be at least as strong as we were in 1964 in planes, ammunition, and other supplies—and we probably should be a lot stronger.

The cost of military components has been increasing tremendously, due in part to price and wage increases.

Since May of 1967, the Pentagon has refused publicly to release up-to-date figures on replacement aircraft coming into the defense inventory.

We developed information last year that they were taking obsolete planes from storage to cover up the losses of modern aircraft in Vietnam. They were taking discarded planes which earlier had been considered not good enough for combat. Since then, the Defense Department has not released information on new aircraft coming into the inventory.

Soviet design. The Middle East offers continuing evidence of the need to rebuild our military capabilities. The Russians have gotten by with quite a lot in that area, notably in Egypt, Algeria and Syria. The Arabs in those countries seem to have bought their propaganda—that the Soviets intended to come in on the Arab side, but the war didn't last long enough. It lasted 6 days, in 8 days the Russians would have been there—or that is their story to the Arabs.

Soviet involvement in Vietnam and the Middle East is not unrelated. With the material and supplies they have been moving into the Middle East and the Mediterranean, the Communists may be getting ready to call a new turn to the war in Vietnam.

Soviet expenditures for the Vietnam war have gone up considerably. Defense Secretary Robert McNamara testified early last year that the rate of Soviet expenditures was running more than 6 billion dollars a year for Vietnam alone. We have some indications that it has gone above that rate in some cases.

While the U.S. is spending almost 30 billion dollars a year on Vietnam, the Soviets spend around 6 billion. This is a good investment for them. Aside from our loss of life in Vietnam, the way this war has been conducted is tearing the U.S. apart: It has upset our economy, it has adversely affected our prestige around the world, and it is threatening the value of the American dollar.

The question that should be raised is this: How much more do the Russians have to spend on Vietnam before they conclude it is a bad deal for the Soviet Union? In my view Soviet costs are going up in Vietnam. I think they may want to level off, and start looking for a cheaper operation elsewhere.

In the Middle East, there are millions of people who are now involved with the U.S.S.R. The Soviets are putting in large military missions. In the absence of a coherent U.S. policy in that area, the Soviets may soon be in a position to drive even the moderate, pro-Western Arab nations into their camp.

Peace or negotiations? With regard to Vietnam, there is a growing belief in the false idea that negotiations are an end to war. That is not necessarily true.

In Vietnam, the Communists could tie us down in negotiations, in talks that could last for two years, just as they did in Korea. We should not forget that two thirds of all Americans killed in the Korean War were killed *after* we started negotiations.

I think some sort of negotiations may be started by midsummer. We won't know how they come out until after the 1968 election. I have said that the Administration would put pressure on the new Government in South Vietnam to negotiate with the Viet Cong—and that apparently is happening now. But negotiations do not necessarily mean peace, or a satisfactory solution for the war.

And yet, even a negotiated settlement with the Viet Cong would be a better deal for the United States and South Vietnam than the consequences of what President Johnson committed us to in Manila in October of 1966. Under the terms of that agreement, reaffirmed by Secretary of State Dean Rusk as recently as last month, a complete takeover of South Vietnam by the Communists would be assured.

Threat to the dollar. With regard to the economy, we face prospects of a 5.5 percent inflation in the next 15 months. Regardless of the President's state-of-the-union message, the deficits—under present accounting methods—in the regular or administrative budget of the Federal Government will be:

23.4 or 23.5 billion dollars for the current fiscal year.

At least 33 billion dollars for 1969, without a tax increase.

Under the new budget this year, the Administration will throw in such revenue items as the new Social Security revenue generated by a hike in payroll withholding taxes. These will help at first to reduce the apparent deficit. This new budget concept may have the effect of keeping the 1969 deficit down to around 25 billion dollars for bookkeeping purposes. Participation sales in Government mortgages and other assets were shown as revenue in fiscal year 1968 which helped to reduce, at least on paper, the initial deficit projections for this year.

Balance of payments. The deficit in our international balance of payments shot up to an annual rate of 3.5 billion dollars in the last three months of 1967. We lost a lot of our gold supply in 10 days' time. The only thing that stopped the loss temporarily was the promise of some responsible action in this country.

What the President has proposed for coping with the deficit in the balance of payments—namely, curbing tourist spending and American business investments overseas—is really not an effective or tough program. The action he recommends might amount to a reduction of 360 million dollars a year in overseas tourist spending at the most.

The President's overseas-investment proposals might have some short-term effect over the next 12 or 16 months. But over a 5 or 10-year period, it would be counterproductive. If you stop U.S. business investment overseas, it will be bad in the long run. One of the greatest returns we have is from investment abroad, amounting to around 6 billion dollars a year.

I don't think the President's proposals will do much good. But if Congress fails to give him what he asks, it will be hard to prove, because the President will then try to make Congress the scapegoat for our balance-of-payments difficulties. With his party controlling both houses, Congress probably will give him everything he asked for plus additional measures designed to make the program more effective.

If Congress does go along, it will probably place a time limit of 12 to 16 months on the travel and investment restrictions. Whatever happens, it wasn't Congress that created the situation and it shouldn't take the blame for it.

Tax increase. On the matter of taxes, I think this country is ready for some tough action on spending and taxes. We have to get our fiscal house in order. Too many people are worried about the declining value of the dollar—both here and overseas.

The President proposed a 10 per cent surtax on incomes. I would support a tax increase, but most of my colleagues do not believe the President has made a sufficient case for it. There are 25 members of the House Ways and Means Committee—15 Democrats and 10 Republicans.

The President was assured at a White House leadership meeting last year that, if he could get 8 votes from the Democratic side, there would be enough Republican support to put out his tax bill. At the time, the President couldn't get more than 3 or 4 Democratic members of the Committee to support the Administration's tax bill.

Since the President went on television and asked the people to write Congress about this,

I have gotten two letters urging me to raise taxes.

"Save the dollar." Republicans take the position that, in order to save the dollar from further devaluation, and to save the wage earner and housewife from the rising cost of living, we must do certain things, including:

Cut Government spending. This affects the balance of payments, and the value of the dollar in relation to other currencies, more than anything else. People overseas do not have confidence in the way we have been managing our economy in the U.S.

If we really mean business, we must insist on temporary export subsidies and an import tax. Some foreign competitors pay no business tax whatever in their own countries on what they sell in the American market, but those same countries impose "value added" taxes on U.S. imports.

The big issues. As we look ahead to the overriding issues that face this country in the coming campaign, I would say the big issues will be: peace, prosperity, "credibility in Government" and the future course of "federalism."

Peace will be an issue because we are once again at war—peace not only in Vietnam but on our streets here at home. Americans would do anything honorable to bring about a lasting peace both at home and abroad.

If the war in Vietnam is still going on as we approach the campaign period, it will be an issue because the people will make it one. They will demand an alternative to the Administration in power, an alternative Administration that is not hamstrung by rigid positions and inflexibility, an alternative Administration that can provide fresh initiatives and the prospect of an early and honorable end to the war.

Prosperity will be an issue because it is threatened. There is *no real prosperity* when the financial security of every family is threatened by the faulty economics of the Administration, the threat of devaluation of the dollar, the taxes and price increases that eat up wage hikes faster than the workingman can get them.

The hard decisions have been put off too long. The result is that all of the people must now suffer through inflation, high interest rates, higher taxes and a continual decline in the value of the dollar. The state of the economy and the continued inability of those in power to cope with it insures that prosperity will remain a top-priority issue in 1968.

Credibility is an issue because it is a real question whether we can believe what President Johnson says, be it statements on the cost of the war in Vietnam or the promises he is making here at home. If the people cannot have faith in the accuracy of their Government's statements, the whole structure and operation of our system is undermined. This record has led to a crisis in credibility that millions of Americans will feel can only be remedied by a new Administration.

The overriding issue here at home deals with "federalism," with the methods our society chooses to get the job done. The Johnson Administration wants to do it with categorical grants-in-aid and make-work projects. Republicans want to use revenue sharing, block grants and tax credits as a better way for Americans to do things than the way of the "Great Planned Society."

The President is coming up with a proposal for the Government to become the "employer of last resort" by hiring up to 500,000 people in slum areas of the cities. Originally, he wanted to make it 1 million people—but the budget wouldn't stand for that.

Even if a Republican Administration is elected in 1968, we have got to provide more money to the cities and States, to take care of some very real problems.

But what the President is proposing is not good enough. We ought to build up the private sector of the economy, to do some permanent good in providing jobs, but first we have to establish a favorable tax climate in these slum areas. This can be done with tax incentives or tax credits for job training and for attracting new industry both to slum areas and depressed rural areas. This is better than just putting people on the federal payroll for a few months.

The President strongly supported restoring the 7 per cent investment tax credit for business machinery last year and is fighting for a tax increase on people's income this year. I regret he is reluctant to show the same support for 10 per cent investment tax credits in people such as is proposed in the Republican Human Investment Act which would give industry tax credits for training the unemployed and underemployed.

New directions, new methods, new approaches are needed if we are going to move America forward in the last third of the twentieth century.

Our Governors, State legislators, local school boards and civic leaders do not lack intelligence and creativity. They do not need to be told what to do by federal officials. The problem they face is a resource problem—with the Federal Government gobbling up all the tax sources, taking the money away from the States and cities.

Now is the time to prepare for implementation of a system of revenue-sharing that includes no-strings percentage rebates of federal income taxes to the States, consolidation of many existing categorical grant programs into broad functional block grants, and tax credits both for State and local taxes paid and for special purposes such as education and job training. That is the kind of new approach a modern America needs to cope with its modern and complex problems.

CONGRESSIONAL REFORM: THE CLASH WITH TRADITION

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CLEVELAND. Mr. Speaker, when a bipartisan, joint committee of Congress spends over 2 years of intensive study, listens to more than 200 witnesses fill some 16 volumes of testimony, and submits a final report with over 100 recommendations and suggestions, you can probably assume that the subject has been well studied and carefully thought out.

When the Senate, after a stormy, 18-day debate, overwhelmingly approves a bill which incorporates most of these recommendations, you can be reasonably safe in believing that the bill has some merit.

When Members of the House, from both sides of the aisle, repeatedly urge that this bill be brought to the floor for debate and consideration, you can surely assume that the issue is a nonpartisan one.

But, Mr. Speaker, when this bill remains buried in the House Rules Committee graveyard for over 10 months, despite repeated efforts to have it brought out, then it is clear beyond all doubt that the will of the majority is being flaunted, and that reform of at least some procedures in the legislative process is sorely needed.

That bill is the Legislative Reorganization Act. It is designed specifically to correct the weaknesses of the legislative process; to streamline horse-and-buggy techniques and bring Congress into the jet age; to put Congress back on a par with the executive branch, instead of being a rubberstamp for the President; and to insure that the will of the people is carried out in the swiftest possible manner in the best possible laws.

Mr. Speaker, congressional reform is needed, and needed now. I strongly urge the Democratic leadership to bring this bill to the floor of the House for consideration.

I want to submit into the RECORD an informative article by Bruce Hopkins which recently appeared in the American Bar Association Journal. Mr. Hopkins is a graduate of the University of Michigan and the George Washington University Law School. His article entitled "Congressional Reform: The Clash with Tradition," is an interesting piece, and I commend it to the attention of my colleagues, with the hope that it, and others of its nature, will focus attention on the organizational problems still remaining to be solved:

CONGRESSIONAL REFORM: THE CLASH WITH TRADITION

(NOTE.—The first session of the 90th Congress having ended, it is appropriate to inquire as to whatever happened to the Legislative Reorganization Act of 1967, passed by the Senate in March of that year. The following article tells us. It is an interesting but discouraging comment on the legislative process. The author is legislative assistant to a member of Congress.)

(By Bruce Hopkins)

Those House of Representatives, one recent August afternoon, hurriedly shouted through a bill doubling members' travel allowances. Cloaked in anonymity, the Representatives briefly considered the bill and the measure passed—without a record vote. This action not only caused a cynical public once again to question Congress's professed intention to reduce federal spending, but underscored the stark realities of Congressional reorganization: why such reform is sorely needed and why it appears doomed.

A voice vote on a change in the rate of compensation for members of Congress would be prohibited by one of the provisions of a comprehensive reform bill, the Legislative Reorganization Act of 1967 (S. 355), which overwhelmingly passed the Senate early in March, but was promptly imprisoned in the House Rules Committee. The bill resulted from the work of a bipartisan Joint Committee on the Reorganization of Congress, established by the previous Congress and assigned to draft a reorganization plan for the House and Senate. Six Senators and Six Representatives served on the joint committee, and membership was equally divided between the parties. The committee held forty-one public hearings and received the views of more than 200 witnesses. Today the reform bill is lying moribund in the Rules Committee and faces slim prospects for consideration on the House floor. A hearing was held for part of one day in April, but no further action has been scheduled.

Opposition members, however, have been subtly sabotaging the bill by introducing its more salient features as separate measures. For example, to satisfy public pressure for strong action following the expulsion of Adam Clayton Powell, the House in April established a Committee on Standards of Official Conduct, with instructions to develop an enforceable ethics code for members and employees. In May, the House adopted a resolution creating seventy-eight new posi-

tions on the Capitol Police Force. Both the standards committee and the strengthening of the police force were appealing features of the Congressional reorganization bill.

Compensation of members of Congress was removed from consideration as part of the reform plan by House action on the postal Revenue and Federal Salary Act in October. A commission was created composed of representatives of the legislative, judicial and executive branches and charged with responsibility for determining high-echelon federal salaries, including those of House and Senate members. If recommended by the President, the commission's determinations become law, unless disapproved by Congress.

Commenting on the August enactment of a travel allowance increase, one member of Congress took the House floor to remark that the increase "was another in the summer's discouraging string of actions designed to extract the sweeter chunks from the Legislative Reorganization Act and relegate the rest of the bill to the historical graveyard reigned over by the House Rules Committee".

The first session of the 90th Congress is now over, the wake of its departure strewn with a staggering load of unfinished business. Much of its remaining work is urgent, crucial and anxiously awaited by the nation. But no business still unaddressed is more conspicuous than Congressional reorganization. The blame for this failure must fall squarely on the House of Representatives.

The Legislative Reorganization Act contains five titles, each of which is devoted to a principal element of Congressional reform.

Title I covers committee procedures and realigns the jurisdiction of several standing committees. Title II provides for more complete budgetary data and new procedures relating to appropriations. Title III increases the committees' professional staff and provides the minority with staff members. Title IV covers job services, the capitol police and pages, appointments of postmasters, and an August recess for Congress. Title V revises the Regulation of Lobbying Act.

Relegated now to an obscure pigeonhole, the plan's principal fault is that it clashes with cherished practices of the House power structure. Members who gravitated into positions of leadership and influence arrived there by operation of the seniority system. Present rules and traditional practices were their vehicles to control. Since the reorganization plan tinkers with the status quo, it tends to frighten away those whose support is needed most for passage: the parties' leadership, committee chairmen and a majority of the Rules Committee.

Once Congress was activated in 1789, one of its first moves was to agree to work in committees. Subsequently, great power has come to those members who are chairmen of the committees, each of which functions as a separate mini-legislature. Except for certain uniform rules provided in the 1946 reorganization act, every committee is free to establish its own rules and procedures. This flexibility serves as the wellspring for effective control by the chairmen, who generally control the agenda, appoint subcommittees and their chairmen, marshall the management of bills on the floor, dictate the hiring and firing of committee staff and disburse travel funds.

Title I threatens the authority of committee chairmen by driving some small but revolutionary wedges into their power centers. The ability of the chairmen to schedule meetings, keep them closed, keep votes secret, and employ members' proxies is curtailed in the bill. The measure would require the chairman of a committee to call a meeting upon the written request of a majority of the members and would provide that the senior member of the majority party may preside over meetings in the chairman's absence. Under other provisions, a majority of the committee members present would be required for the reporting of bills, resolutions, reports and the like. The committee chairman could not utilize an absent member's proxy unless the member was informed of the matter to be voted on and had affirmatively requested that he be recorded by proxy.

The committee activities would become less enmeshed in secrecy since the meetings (except executive sessions or during voting) would be open to the public and the committee report would contain the result of the committee roll calls, including a list of votes cast. Hearings could be broadcast by radio or television, or both, under rules adopted by the committee.

The package of committee procedure reforms embodied in Title I is designed to correct many problems concerning autocratic control, as recognized by the Senate Special Committee on the Organization of Congress. When the bill was reported, that committee said: "A majority of the committee should have the power to work its will after adequate deliberations. No single member of the committee—including the committee chairman—should be empowered to obstruct or control arbitrarily committee decision."

Of considerable importance to those who are concerned about the decline in the quality of floor debate, most notably in the House, the reorganization plan provides for the filing of supplemental or minority views with respect to reported bills, printed as part of the committee report. The report would have to be filed at least three calendar days before any vote is taken on the bill. Moreover, the committee would be required to make every reasonable effort to distribute records of committee hearings to members in advance of consideration of the particular bill.

Such reforms have been recommended in an attempt to provide members with information relating to the measures under consideration, including positions for and against the measure, prior to the debate and voting. Access to ready information, directly relevant to the measure on the floor, could result in more meaningful participation in the proceedings and more informed voting.

A provision for changes in committee jurisdiction encroaches on another sensitive area of controversy and has prompted strong objections from members of committees which would lose jurisdiction.

The Senate and House Committees on Banking and Currency would be redesignated as the Committees on Banking, Housing, and Urban Affairs and would receive additional jurisdiction with respect to urban affairs in general. A new Senate Committee on Veterans' Affairs would be established, with appropriate jurisdiction. The counterpart House Veterans' Committee has been in operation since the 1946 reorganization.

The current House Committee on Education and Labor would be divided into two committees, a new Committee on Labor and Public Welfare, which would have jurisdiction over matters relating to labor, including maritime unions and railroad labor, and a new Committee on Education. The greatest controversy in this area of committee jurisdiction is generated by the proposals relating to the Committee on Education, which would have jurisdiction over measures concerning education in general, plus additional jurisdiction transferred from two standing committees. From the House Committee on Agriculture would come jurisdiction over agricultural colleges and extension services and from the House Committee on Interstate and Foreign Commerce jurisdiction over public health legislation and railroad labor measures.

The bill also revises the distribution of Senators on the various standing committees and places certain limitations upon committee assignments. The membership of "major" committees would be decreased from 223 to 200 and that of "minor" committees increased from twenty-eight to thirty-four.

Title II is designed to enhance the control by the legislative branch over national fiscal policy. The reform bill would require the Comptroller General, the Secretary of the Treasury and the Director of the Bureau of the Budget to develop, establish and maintain a standardized information and data processing system for budgetary and fiscal data, which would be used by all federal agencies. These officials also would be required to develop, establish and maintain standard classifications of programs, activities, receipts and expenditures of federal agencies for the use of all three branches of government.

The Comptroller General would be required to have available in the General Accounting Office employees who are expert in analyzing and conducting cost effectiveness studies of government programs. These experts would be available to any committee to assist in analyzing cost effectiveness studies furnished by federal agencies or to conduct cost effectiveness studies of programs under a committee's jurisdiction.

The Senate and House Committees on Appropriations, due to the uniqueness of their functions, would be exempt from the committee reorganizations of Title I. However, Title II would require these two committees to conduct open hearings, unless the national security or an individual's character or reputation were involved. These committees also could provide for radio and television broadcasting of their proceedings.

In an effort to bring the operations of the Committees on Appropriations into more consonance with other standing committees, the reorganization bill would require the concurrence of a majority of committee members present for the reporting of measures, limit the use of proxies, as in Title I, and require that committee reports accompanying each appropriation bill include an analysis of the major factors taken into consideration by the committee in recommending the appropriation.

To combat the anonymity on the House and Senate floor which often accompanies politically unpalatable changes in money matters, the bill would require a record vote on final passage of appropriation bills. Moreover, it would require that no measure increasing or decreasing the compensation of members of Congress could be passed unless the compensation modification was set forth as a separate proposition from any other provision in the measure and that the proposition be approved by record vote.

A greater burden of scholarship and legislative responsibility would be placed on committees under the reorganization plan. Each committee, when reporting a measure, would be required to include in the accompanying report an estimate of the cost of carrying out the measure for the then current and next five fiscal years (or the duration of the proposed legislation if less than five years). Extraordinary circumstances would permit a statement of the reasons why the furnishing of the estimate was impracticable.

Title III contains several provisions intended to improve the quality of information available to members of Congress. The plan would increase the number of permanent professional staff members for all standing committees and would give minority members of committees the right to select some of the professional staff. Temporary or intermittent services of consultants or organizations could be procured by the standing committees, and professional members would be provided specialized training to enable them better to exercise their functions.

Each Senator would be authorized to employ a legislative assistant to assist him in the performance of duties involving legislation. Travel allowances for members of Con-

gress and employees in their offices would be increased. A study would be undertaken of the telecommunication requirements of Congress in order to formulate plans under which Congress would participate in the existing Government-wide leased-line telephone system or establish its own leased-line system.

The Legislative Reference Service of the Library of Congress, which serves additional information and research needs of the Congress, would be redesignated as the Legislative Research Service. The bill restates, clarifies, revises and broadens the duties of the Legislative Research Service and increases the compensation of research specialists in an effort to provide services of the highest quality to Congress. Various internal reorganizations, staff allotments and additonal responsibilities of the Service are recommended to provide for the improvement, expansion and co-ordination of the legislative research facilities available to the Congress.

Title IV is a catalogue of alterations and improvements intended to strengthen the operation of the Congress as an institution. A Joint Committee on Congressional Operations would be empowered to study the organization and operation of both Houses and make recommendations to simplify the operations of Congress, improve its relationships with the rest of the Government, and enable it better to meet its constitutional responsibilities. The Joint Committee also would be responsible for informing Congress of any court proceeding or action of vital interest to either or both Houses and for arranging for appropriate representation of Congress in such proceedings or actions. The necessity for legal assistance to the Congress was most recently demonstrated in the case of Adam Clayton Powell, when members of the House were subpoenaed and the possibility loomed of judicial encroachment onto legislative prerogative. Furthermore, the Joint Committee would be required to study automatic data processing and information retrieval systems to determine the feasibility of utilizing such systems in the operations of the Congress.

The reorganization plan also calls for the establishment of an Office of Placement and Office Management of the Congress. Members, committees and officers of the House would have access to the office for assistance in satisfying their personnel and office management requirements.

The plan directs the present Capitol Police Board to formulate a plan for converting the Capitol Police Force into a professional force. The board would be required to examine the feasibility of operating the capitol police according to standards comparable to those utilized by the District of Columbia Metropolitan Police Force.

The requirements for Senate and House pages would be changed to provide that no person may serve as a page until he has completed the twelfth grade of school or during a session of the Congress which begins after his twenty-second birthday. The page school would be abolished.

The bill would provide members of Congress with an automatic adjournment or recess for one month beginning not later than July 31 of each year.

Title IV also revises existing law governing appointment of postmasters, acting postmasters and rural carriers in the postal field service, and makes administrative revisions in present law relating to employee compensation, position standards and descriptions, and payroll administration in the House.

Title V consists of several amendments to the Federal Regulation of Lobbying Act. Administration of the act would be placed in the hands of the Comptroller General and certain powers and duties would be conferred on him. The act would be amended to apply to any person who solicits or receives money or other consideration "a substantial part of which is to be used to aid, or a substantial purpose of which person is to aid" in lobbying.

All contingent fee arrangements would have to be fully disclosed, statements filed would have to be retained for five years and violation of the regulations of the Comptroller General would be a misdemeanor punishable by a fine not exceeding $5,000 or imprisonment not exceeding twelve months or both.

Most objective observers agree that reorganization and reform of Congressional practice and procedure is desirable and long overdue. Congress is in need of modernization, for in its two main areas of responsibility—lawmaking and oversight of the administration of the laws—there exists a lamentable performance gap. Both new procedures and new techniques are immediately required so that Congress can shed outmoded legislative machinery and resume a full role as watchdog of the public purse. The Congress must become more efficient and effective if this branch of government is to carry out its responsibilities properly.

The possibility remains that public demand may intensify to such a degree that the House will decide that it is advisable to pass a reform measure. In anticipation of such a development, several House members have introduced watered-down versions of the Senate plan.

The first revision to appear was drafted by majority party members of the Joint Committee on the Organization of the Congress. Working independently of the other joint committee members, these members slashed most of the proposed changes in committee procedures and also effectively destroyed several provisions dealing with the privileges of minority members. Other sweeping changes included severe restrictions on the broadcasting of House hearings, deletion of the provisions for equal time for debate on conference reports by opponents and proponents, elimination of the authority of the Legislative Reference Service to establish an automatic data processing system, striking of all provisions relating to the procedures of the Committees on Appropriations, and deletion of the requirement for a separate vote on measures changing the compensation of members of the Congress.

Another version of the Senate bill was prepared by a majority member of the Rules Committee. This version retained minority staff assistance, but with limitations to preserve majority control of the committees. It also proposed deletion of the changes in committee jurisdiction, restrictions on proxies and the provisions for open hearings. It retained the provisions relating to oversight information in Title II and lobbying in Title V, yet reflected the author's view that too many House traditions would be affronted by the Senate bill.

Viewers of the progress of reform would be mistaken to view the struggle as one between Republicans and Democrats. The controversy transcends party lines and boils down instead to a clash between entrenched and reform-minded members.

While reform of the national legislature is a bipartisan endeavor, probably the prime stimulant for a plan acceptable to both Houses is public support. All indications persist, however, that there is little public interest in Congressional reorganization, despite the adverse publicity given to the wrong-doings of individual members. Some members may seek to bring the question to their constituencies during the 1968 campaigns. Indeed, the Republican Policy Committee in May unanimously reported a resolution stating that "unless Congress is strengthened and new procedures and techniques developed, there is grave danger that the historical role of Congress as an essential check on the massive power of the Executive may be dangerously diluted".

It is unlikely, nevertheless, that reform can be converted into a campaign issue. Certainly it does not have the impact of the war in Vietnam, a tax increase or crime in the streets. Generally, the public would approve of, and even applaud, Congressional reform. Yet few voters will select their representatives in Washington on the basis of which is the more ardent supporter of reorganization. The citizens of the country either expect that the House and Senate will operate properly or feel that there is nothing they can do to correct any malfunctioning. It is not the type of national policy question that is normally subjected to public dialogue, in or out of an election year.

Therefore, the battle for reform will be fought not in the public spotlight, but behind closed doors on Capitol Hill. Prospects are not encouraging and if a reorganization proposal emerges from the House, it will almost certainly be the product of appeasement and not of victory.

THE UNIVERSAL FIBERGLASS CASE

The SPEAKER pro tempore (Mr. RODINO). Under previous order of the House, the gentleman from Minnesota [Mr. BLATNIK] is recognized for 30 minutes.

Mr. BLATNIK. Mr. Speaker, on Monday, January 22, our distinguished colleague—and I say this sincerely—not only my neighbor but my friend from Iowa [Mr. GROSS] made a presentation on the floor involving an ARA project and a Federal Government contract with Universal Fiberglass Co. located in my district. Knowing the complete story, I feel it necessary that the record be completed.

In addition to the statement of last Monday there have been statements made back in Minnesota by our own Republican Governor, a Republican State senator, and others, that ought to be corrected.

At the very outset I would like to make it clear that the presentation made by my friend from Iowa [Mr. GROSS], which dealt with a limited procedural part of the entire proceedings that took place over a period of many months, has merit so far as it went on the very narrow issue of the certificate of competency. But I also want to make it very clear that many of the inferences and innuendos not only in his statement but particularly in the statements of others who have far less understanding of the problem and far less information, were deliberately distorted assumptions and, in fact, outrageous inferences, casting doubt upon the legitimate efforts of a coordinated attempt to help the community of Two Harbors, Minn., which was struck by catastrophic economic unemployment.

So I would like to tell the story, as I know it from my own participation in the matter over a period of many months. I shall summarize it, revising my remarks and placing in the RECORD all the details in my possession for all Members to peruse at their convenience and to refer to in debate whenever they feel such participation may be justified.

Very quickly, then, let us get back to Two Harbors, Minn., a railroad town that hauled millions of tons of iron ore for over 70 years, a thriving, industrious, and self-reliant community.

On February 19, just 5 years ago, 1963, on a bleak, cold, Friday, to this day known as black Friday, the corporation announced that the entire railroad facilities, the ore docks, the repair shops, the roundhouse—the entire operation was going to be closed and abandoned, and 700 men walked home in that little community of 4,200 people with the major source of employment taken away from them, abruptly, completely, and permanently. That was the situation.

The community appealed for help. Congress had long ago recognized the problems on their own, and passed the Area Redevelopment Act. I am proud to have been a coauthor of this program.

I stress this to show the intent of that program, which is to assist severely distressed areas in which private venture capital for some reason would not or could not come in on its own, and bank loans were not available because the assurances of repayment were inadequate. Even the SBA, which has more liberal procedures and requirements for loans than the banks, could not make loans in distressed areas to create new industry.

So the U.S. Congress enacted the area redevelopment program to provide more liberal terms and more quantitative assistance, encouraging either existing industries to expand or outside industries to come in. That is the background.

Mr. Speaker, the ARA program and its successor, the Economic Development Administration, as well as the accelerated public works program, have made a great contribution to the nine distressed counties in my district in their efforts to create new jobs and new industry. Over the past 7 years a total of $24,200,000 has been invested in grants and loans creating 17 new industries, 421 permanent jobs, and over 3,000 temporary jobs in the construction of desperately needed community facilities, doing a job that the communities and the people could not have done without massive outside assistance which the Federal Government alone provided.

ARA promptly responded to the community's plea for help and approved $36,000 for two technical assistance studies on the feasibility of a tissue papermill. A prominent economic consulting firm, Arthur D. Little, Inc., completed a detailed, favorable, technical and economic feasibility study and presented it to 12 of the Nation's leading paper companies. To date, not one of them has expressed any interest whatsoever in locating a plant in Two Harbors.

In the summer of 1963, I learned that Rand Development, a Cleveland-based firm, was looking for facilities in Ohio in which to locate a fiberglass automobile fender manufacturing plant which they were then planning. I know Mr. Rand personally—a great scientist. He had invented and patented a three-nozzle spray gun, the most modern method of applying fiberglass, a process that revolutionized the industry.

I called the attention of Mr. Rand and of his associates to this large facility in Two Harbors, Minn., and to the excellent shipping facilities over the Great Lakes and the railroads. So I persuaded these people to take a look at the railroad shops, and we worked in cooperation with the Two Harbors development committee, the banks, civic, business, and labor leaders, and with the Duluth, Missabe, and Iron Range Railroad people.

I want to give public recognition to the splendid cooperation we received from all these various groups.

When the Rand officials came in and saw this large facility idle, they said, "This is what we are looking for." But what really made a lasting, favorable impression was the cooperative attitude, positive spirit and the initiative of the Two Harbors and Lake County development groups that met and worked with them, not only in the early, formative stages, but all the way through.

Equally impressive was the reservoir of trained, skilled manpower they found in Two Harbors and the surrounding area. These men were trained in the most sophisticated arts of welding, pipefitting, steamfitting, electrical work, maintenance, and assembly of enormous diesel engines, repairing gigantic iron ore cars, and machinery of all kinds. They had a widely varied background of know-how to begin with.

The Rand people knew it would be a risk to locate a manufacturing facility here, but they had done their homework. They had a very favorable marketing study completed by the Owens-Corning Fiberglass Corp.; they were extremely impressed by the cooperation they received from the community, the railroads, and the State of Minnesota, which had its own economic development program. The State executive committee, by the way, was composed of both Republicans and Democrats who were State constitutional officers.

The Rand people went ahead with their plans and organized the International Fiberglass Corp. in September 1963, which was changed to Universal Fiberglass Corp. on December 23, 1963. In November 1963, they applied for an ARA loan, which was approved on April 18, 1964, for $408,314 in Federal funds, $125,635 in State funds and $62,818 from the community on a total project cost of $628.176.

By midsummer 1964, Universal Fiberglass was well underway with the manufacture of fiberglass fenders. They were already making plans for other items, such as fiberglass boats, which are very popular in our part of the country. They wanted to get into manufacturing shower stalls, bathtubs, guardrails, and many other items.

In 1964 the company learned about and became interested in a Post Office Department procurement of three-wheeled small motor-driven trucks, called mailsters—and from now on I will use the term "mailsters." They were interested because the square box, or the cab, of the vehicle could be made very economically out of fiberglass. Universal felt they would be in a good position to be a subcontractor and make the fiberglass body, which they could do better and more cheaply than if the bodies were stamped out of metal or by the outmoded fiberglass layup process.

About the same time these developments were taking place in Two Harbors, an established automotive company, the well-known Studebaker Co., was closing its automotive plant at South Bend, Ind.

At this point, Universal Fiberglass sought out the top production management staff and engineering team that had been with Studebaker for years. The team was headed by N. S. Pasalich. He was Studebaker Corp.'s general manufacturing manager, with over 28 years of automotive experience. He had managed Studebaker's military and commercial truck plants, their Avanti plant and their passenger car assembly plant. He was a production manager of unquestioned credentials.

We had the need. We had the technical know-how. We had the spray nozzle, the most modern and efficient way of applying fiberglass.

Also, we had an available, experienced work force, easily trained, as the evidence will show.

We had a large, idle facility available at very reasonable cost.

And we had Pasalich's Studebaker automotive team with years of experience, planning to join Universal Fiberglass. All these elements would be joined together to produce the mailsters.

With all this going for them, Universal Fiberglass was confident that they could do the whole job of assembling the three-wheeled mailsters.

This careful preparation behind them, Universal Fiberglass submitted its bid on the 12,714 mailsters which GSA was buying for the Post Office Department. They went through the same legitimate processes as the five other competitors, or any firm in the United States goes through that bids on Government procurements, which are subject to the laws, rules, and regulations of our open, competitive bidding system.

I am told—this is subject to verification; I do not state this as a fact; but it sounds reasonable—that the large automotive firms were not interested in fooling around with these mailsters, which are only a little larger than a motorcycle, with an enlarged box behind.

The bids were opened on October 16, 1964. With a unit price of $1,046 Universal was the low bidder, and therefore eligible for this contract, which totaled almost $13.3 million.

Now, let us get the record straight at this point. Universal Fiberglass, believing and knowing they could build these mailsters, submitted a bid, prepared by experts, and they were the low bidder.

In view of this, I cannot understand how anyone, including my good friend from Iowa, could call this boondoggling or political manipulation. Or how the Republican Governor in Minnesota, who said that he has been investigating this matter for a whole year, could say, "It appears to have been a boondoggle from the beginning," and, "It's a situation that really stinks." If he does have something unknown to the rest of us, he should release it to the public so that the public will have that information.

I take exception to these irresponsible and unfounded statements that this is boondoggling, manipulation, political

pressure, a politically motivated deal, political skulduggery, and so forth. Furthermore, the people who said these things have been telling only one small facet of the story.

So, let us continue further with the whole story and follow what happened after the bids were opened and Universal was the low bidder.

GSA then undertook a facilities survey. This was proper and necessary, and a routine procedure, particularly as to a firm that was bidding for the first time on a Government contract, and a large one. The GSA survey team was to check on the company's technical capability, the management, and their financial capacity. All these things should be done.

GSA began their survey in November, 1964, and they reported in late December that in their opinion Universal could not produce on the contract because at that time they did not have an automotive production management team, they did not have an assembly line, and they did not have evidence of adequate financing.

This is essentially true—at that time. But here is where the whole story does not come out.

The GSA survey team completed their work and submitted their report around the third week of December 1964. A few days later GSA rejected Universal's bid. On January 6, 1965, the company appealed to the Small Business Administration for a certificate of competency.

SBA now began a survey of its own, and, as we shall see, discovered new information that had been in the making for weeks, and which changed the whole picture.

In mid-December, Universal Fiberglass had hired Pasalich, who had left his top Studebaker production job on December 15, 1964. Pasalich earlier had some of his team with him working on developing the pilot model, and by mid-January he had the remaining top six men from his Studebaker operation. He had already made arrangements to acquire the main Studebaker assembly line and nine subassembly lines. Now Universal did have the production facilities which would be dismantled, shipped to the Two Harbors plant, and put together again.

They determined that not only was there an oversupply of labor in Two Harbors but that these were highly skilled men and could easily be retrained for an assembly line operation if it would be necessary to do so.

I played a very prominent role during the SBA survey in working for and with the local committee, with the Universal Fiberglass Co., with GSA and SBA in trying to get them closer together so that the company could meet the requirements of GSA and SBA.

Clearly, in my opinion, they had the technical capability, the engineering staff, the management and personnel know-how to do this job.

Now, on the matter of financing—and I want to make it clear that I had very limited contact in that sector—repeated discussions were held with SBA on this issue. After several meetings, as I recall it, at which I was not present and in which I took no part, an arrangement was made in which the Franklin National Bank, as I understand it, extended a line of credit for a sum of up to $1 million, which was personally guaranteed by the directors of the parent firm, the Rand Development Co. of Cleveland. That amount of money seemed to be adequate.

To summarize, we were in a continual state of formulation, where we were putting all of the pieces together and things were turning out very favorably. Universal by then had the automotive management team, the production lines, assurance of a skilled work force, ample facilities, and reasonably adequate financing.

In my opinion, this new information available to SBA seemed to be sufficient evidence to indicate that the project had a very favorable chance of success, and that there was every reason to believe that they could and would produce satisfactorily on the contract.

In the light of these new developments that met the criteria for a certificate of competency, the SBA ruled in favor of Universal and issued the certificate of competency on January 26, 1965.

The point is raised that the certificate of competency should have been backed up with papers and I agree that it should have been. Frankly, with all the detailed correspondence, negotiations, and discussions that went on over a period of months, there must be records—somebody must have documents supporting these facts.

The decision to grant the certificate of competency was a sound one, and I commend the SBA for their help on this project and on the wonderful job they have done with their various loan programs in the Eighth Congressional District. Over the past several years, SBA has assisted 317 small business firms in all 11 counties of the Eighth District with a total of $11,872,113 in Federal funds—which are being repaid, both principal and interest. This is an enviable record and a great assistance to these economically distressed communities and the more than 1,000 jobs affected by SBA's loan program.

Once the certificate of competency was issued, GSA was obligated to award the contract to Universal, which they did, on January 27, 1965. That was the green light and Universal got into operation at once.

They had problems, there is no doubt about it. Bottlenecks develop in any such new production or assembly line, no matter how experienced the people may be. Even the most sophisticated and advanced of automotive assembly lines have bottlenecks for several weeks. But Universal overcame these problems and got their production lines underway, in spite of interminable harassment and nit picking by GSA inspectors—but I will go into that later.

There were substantial benefits all around from this undertaking. Universal Fiberglass employed as high as 310 men and women from this small community, which was almost half of the 700 men who were laid off by the railroad. In a little over a year's time, they had a payroll of over $1⅓ million that tided the community over the most distressful period of economic setbacks which they had ever experienced in their entire history.

Universal Fiberglass had purchases of over $2.6 million in automotive parts and supplies and in remodeling the building, where they worked primarily with local contractors and with local labor. Most of the parts they bought were from Minnesota firms, some in the immediate area and others in the Twin Cities.

Furthermore, I want to point out that throughout this entire venture not one of the directors of Universal Fiberglass or the Rand Development Corp.—not one of these officials received a single cent in salary or in any other payments. Yet, the Rand Corp. lost an investment of $300,000 and its directors sustained personal losses totaling $125,000, which they had invested as working capital at critical moments, to keep the operation going. In addition to that, they are liable as guarantors for an additional $600,000 to the Franklin National Bank. So, as a firm and as individuals, they stand to lose about $1 million for having tried to help create jobs in a distressed area.

Now let us return to the problems encountered in the assembly operation. Hardly had Universal got into production when they ran into endless nit picking from the GSA vehicle inspector that held up and several times even shut down their production lines. Incredible as it may seem, the GSA inspector at this plant had never before inspected motor vehicles or an automotive assembly line.

For example, the GSA inspector rejected one vehicle because a windshield wiper did not work, another because of paint flecks on the windshield, another because the rear license plate was missing, and so on.

However, as all of us understand, these are minor adjustments that normally occur in an assembly operation of this kind and are usually corrected during the inspection process, whether you are making mailsters, Cadillacs, or any other type of automotive equipment.

But in this case, they would not allow the company to make these adjustments —the matter had to be referred back to Washington. This is the kind of exasperating, time-consuming thing that continually held up operations and cost the company many thousands of dollars in unnecessary losses.

Further problems were caused by GSA's arbitrary and usually unjustified withholding of progress payments—funds advanced by the Government to a company during the performance of a contract for up to 90 percent of the cost of labor and materials. In this case, the progress payments were made to a bank, which in turn paid suppliers—none of the money ever went to the company.

Moreover, the Government held title to all parts acquired under the progress payments clause and then deducted the amount of the progress payments from the price paid to Universal for vehicles delivered. In short, the Government had 100-percent security for the progress payments and also got its money back before paying Universal one cent for mailsters accepted and delivered.

Yet, GSA frequently delayed making

progress payments and, often abruptly and without warning or excuse, suspended payments. Of course, when the bank could not pay the parts manufacturers, due to these payments delays, the manufacturers cut off the flow of parts into Universal's supply lines, which constantly slowed down their production.

Because of GSA's premature termination of the contract, there is still an estimated $1.9 to $2.1 million in parts left at the plant in Two Harbors. Since GSA owns these parts, they are using them in mailster maintenance operations throughout the country, so there is no loss over the progress payments.

Despite these continual harassments, as I said before, Universal did get a smooth production line going, producing vehicles that met Government specifications. Still, Universal wanted to be sure they were on the right track, and so, to get an outside, independent evaluation of their operations, they called in one of the Nation's leading automotive consulting firms, the FMC Machinery Systems Group of Santa Clara, Calif., to advise them on production capacity of the plant and the efficiency and effectiveness of their operations.

Here is what they say in their report of February 8, 1966:

> The preliminary investigation of the production line capacities indicates that 160 vehicles per day is a feasible goal for the existing facility. (The contract required a maximum production of 75 vehicles a day.) The plant is well laid out for a high production assembly operation, and the problems of increasing output are minimal due to prior excellent planning of work flow patterns. This, combined with the proficient management group at this plant, will assure increased production and lower unit cost as experience is gained in producing the Three Wheel Mail Delivery Truck.

Universal Fiberglass was gaining excellent momentum, increasing their productivity and was assembling 45 to 50 mailsters a day. Their total overall production was 4,224 mailsters—all of them meeting GSA specifications, all of them accepted by GSA and put into service by the Post Office Department.

But, Mr. Speaker, there is yet another interesting and important facet to this story which I would like to bring out here. While Universal was underway with production on their contract, the Government decided it needed still more mailsters and awarded contracts to two other companies for a total of 11,441 vehicles.

The first contract was awarded to Tubular Aircraft Corp. of Los Angeles, Calif., on December 10, 1965, at a unit price of $42 higher than Universal's bid. GSA surveyed Tubular and determined them to be technically and financially competent to produce—without benefit of the Small Business Administration's certificate of competency. In other words, GSA was so impressed with this company—a going concern—that they were convinced Tubular could do the job.

Within 10 months Tubular had produced only 206 mailsters, none of them acceptable to GSA, none of them meeting contract specifications. Why, Universal was producing this much in 1 week—all meeting specifications and all accepted by the Government.

Tubular Aircraft went bankrupt and GSA terminated them for default on January 5, 1967. This is no reflection on Tubular; they were a competent, responsible firm that was making a genuine, serious effort to produce on their contract. They simply ran into the same kind of harassment that impeded Universal Fiberglass and eventually shut them down.

Just 20 days after this contract was awarded to Tubular, GSA awarded another contract for 4,000 vehicles on December 30 to West Coast Machinery Corp., of Stockton, Calif., at a unit price of $1,175, which included a $100 premium incentive to get into production within 60 days. Though West Coast had produced on a previous contract and were considered by GSA to be an experienced contractor, they were unable to meet the production deadline on their previous contract, nor were they able to meet it on this one either.

Looking back, Mr. Speaker, on the history of these mailster procurements, it seems obvious that something is wrong with GSA and the vehicle specifications if two out of three contractors are terminated and the third was having troubles. What puzzles me even more is why Universal was subjected to such criticism when they produced, and GSA accepted, more vehicles than either one of the other two contractors.

It seems obvious that in evaluating the bidders, GSA applied dual criteria. In the case of Universal, GSA said they could not produce—and yet they did. On the other hand, in the case of Tubular, GSA said they could produce—and yet they did not. In other words, subsequent events proved GSA wrong on both decisions. GSA ought to be investigated for these questionable practices and I am going to see that this is brought to the attention of the proper investigative body.

Universal had more misfortune when a disastrous fire struck the plant on April 8—Good Friday, 1966. Though the company lost its entire fiberglass production line, they were able to get back in operation just 4 weeks later.

Later on, the company got caught in the cross-fire between postal employees and the Post Office Department over continuation of the mailster program. The quarrel was deepened by a tragic accident in Minneapolis in the summer of 1966 when a postal employee was killed in an accident involving a mailster produced by a West Coast firm, yet a recent news story makes it appear that this was a Universal Fiberglass vehicle.

The postal employees contended that the mailster was basically unsafe, a "flimsy vehicle" and urged the Post Office Department to discontinue the entire three-wheel vehicle program. In fact, the mailster was turning out to be a junior Edsel, as we shall see.

Mr. Speaker, not only were the postal employees right about this vehicle, but, what is more, Universal agreed with them and from the outset urged GSA to completely redesign the vehicle in conformance with accepted automotive standards. Pasalich, for example, repeatedly warned GSA that this vehicle did not meet even the most elementary automotive principles, and today, that initial vehicle which they were forced to produce, would not measure up to the basic Government safety standards.

So on top of all the other difficulties, Universal was forced to produce this poorly designed, basically unsafe and, quite frankly, dangerous vehicle in accordance with Federal Government specifications that had never been properly engineered. In fact, the mailster was such a nuisance to build that the large automotive firms, I am told, were not interested in "fooling around" with them.

The final outcome, of course, was that the Post Office Department and GSA began to agree with the postal employees, came to some of the same conclusions that Universal had reached and quietly abandoned the mailster program and went to a four-wheel vehicle.

At this point, Mr. Speaker, let me make it clear for the record that Universal Fiberglass did not "fold," did not fail to produce—they were forced out of business, prematurely terminated, and their plant padlocked by GSA on December 2, 1966.

And so, where does that put Two Harbors? Right back where we started 5 years ago.

We have an abandoned railroad yard, and a $1 million warehouse that is almost as big as half of this Capitol in terms of floor space. And at the front door of the plant there is one Federal guard protecting it. And the community has several hundred people on relief again.

To those people back in Minnesota who are saying that we did not do enough, or we did not do well enough—I say we have never stopped trying to get new industry and jobs into Two Harbors. We may have made mistakes, but if we did they were not mistakes of the heart. We tried hard, and had full cooperation from the many people involved in this four-way, four-level cooperative joint effort—private industry, the local community and the county, the State of Minnesota—including high officials from both parties, and the Federal agencies.

If there was any skulduggery, why then somebody ought to have made it public a long time ago; and if there was not any, they should not be making public statements calling this a "boondoggle" and saying that "it stinks" as the Governor of Minnesota said a few days ago.

So, Mr. Speaker, this in essence, is the whole story and not just one little facet, not just the certificate of competency issue.

Mr. Speaker, I believe in the economic development program, and the small business program, and the community facilities program. I believe in helping communities and people in distress to help themselves when they are unable, through no fault of their own, to "go it alone." I have long supported and encouraged the Federal Government's policy of aid to distressed areas, and have worked with local leaders in the distressed counties of my district during these past years in the firm belief that a payroll dollar is better than a relief dollar. I welcome and will join efforts with those who will come forward with a con-

structive program and a positive attitude to help communities and people find a better and more productive future.

TRUTH-IN-LENDING BILL

The SPEAKER pro tempore (Mr. RODINO). Under previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 10 minutes.

Mr. MICHEL. Mr. Speaker, there is virtually no opposition in the House of Representatives to an effective truth-in-lending bill. All of those who speak out for Federal legislation in this area of consumer credit are seeking to accomplish one main purpose. That purpose is to give the customer the information she needs to clearly understand and readily compare the various credit plans that are available to her.

If Mrs. Consumer is equipped with information about each type of credit plan given in identical terms, she can then decide which method she should use to pay for her purchases.

THE PRINCIPLE OF UNIVERSAL APPLICATION

Adequate consumer information is the objective that has been the focal point of all of the major efforts to involve the Federal Government in plans to require retailers and lenders to disclose their finance charges to their customers in terms of a uniform percentage rate. Basically, adequate consumer information involves the principle of universal application of a single method of disclosure for all consumer credit transactions.

If, for example, a customer plans to buy the dining room set she has dreamed about for years she needs to be able to compare the cost of credit at a department store using a revolving credit plan with the cost of credit at a furniture store using an installment credit plan. And then, she needs to be able to compare both of those plans with the cost of borrowing the money from her bank—or from her husband's credit union. Unless these possible financing opportunities are disclosed to her in identical terms, she does not have the information she needs to make an informed decision on credit.

Along with many of my colleagues, Mr. Speaker, I have studied the House Banking and Currency Committee's report on the truth-in-lending bill. I was alarmed when I discovered that the bill reported by the committee does not apply the "universal application" principle to all credit transactions. Instead, the committee bill creates a double standard of disclosure and singles out a particular type of credit plan for special treatment.

While the committee bill would require the majority of small independent retail stores to state their credit charges in terms of annual percentage rates, the bill at the same time permits department stores that use a certain type of revolving credit plan to state their credit charges in terms of what appear to be lower monthly percentage rates. Mr. Speaker, this type of discrimination is designed to benefit a single class of business—the department stores. If we are to have a fair and equitable truth-in-lending bill, this type of class legislation must be eliminated. To give the customer a uniform standard of measure, all types of sellers and all lenders must disclose their finance charge in terms of the same annual percentage rate. If we are to enact a truth-in-lending bill, it should require the disclosure of finance charge information—not permit some stores to suppress the information the customer needs.

DOUBLE STANDARD MUST BE ELIMINATED

Some of my colleagues have argued that we must give special treatment to the department stores or there will be no chance of passing a truth-in-lending bill. This simply is not true. Lets examine the chief arguments given by those who call for a double standard in the bill.

First, the department store protectionists argue that an accurate disclosure of an annual percentage rate on revolving credit plans cannot be made in advance. They contend that revolving credit charges do not lend themselves to any meaningful annual figure because the rate must be measured from the exact time of each purchase to the exact date of each payment.

At the same time, however, department stores continue to engage in the practice they have been carrying on for years—telling customers their finance charge is 1½ percent a month. Real truth in lending would require this monthly rate to be translated into its equivalent annual rate of 18 percent a year. For, if such an annual rate is misleading then the monthly rate would be equally misleading. Therefore, I believe it is inconsistent for any stores to request a monthly rate while they claim that a simple conversion of multiplying the monthly rate by 12 to get an annual rate is inaccurate or misleading.

In further defense of their argument that annual percentage rates cannot be computed accurately for revolving credit plans, the department store protectionists use the free-ride argument. They contend that because the customer is given a free-ride period of 30 to 59 days to pay her bill without incurring a finance charge, the actual finance charge is less than 1½ percent a month, and therefore converting 1½ percent a month into its annual equivalent of 18 percent a year does not accurately reflect the finance charge.

This view of the free ride overlooks an important point. Actually on a revolving charge credit plan, the customer first charges her purchases. When she approaches the end of the free-ride period the customer can choose whether to pay the bill in full or whether to make use of her revolving credit. The credit is extended only when the free-ride period ends. If we assume, therefore—as did the Vice Chairman of the Federal Reserve Board, James L. Robertson, in his testimony before the House Banking and Currency Committee—that credit actually begins at the end of the free-ride period, then according to Mr. Robertson "an annual 18-percent rate is the exact equivalent of a 1½-percent monthly rate and is a fair and meaningful figure."

The second chief argument given by department store protectionists is that insistence on the universal application principle will kill the entire truth-in-lending bill. They suggest that the revolving credit issue kept the bill pigeonholed in the Senate committee for 6 years and only the willingness to exempt department store-type revolving credit permitted the bill to get to the Senate floor.

A careful examination of the facts will demonstrate that this simply is not true. As far back as 1964, the original sponsor of the truth-in-lending bill, former Senator Paul Douglas, was willing to exempt all forms of revolving credit from disclosing the annual percentage rate. In fact, a truth-in-lending bill with all revolving credit exempted from annual rate disclosure was defeated in the Senate Banking and Currency Committee in 1964 by a vote of 8 to 6.

Actually it was not the compromise to exempt revolving credit which produced agreement on the truth-in-lending bill. Agreement was reached because over a period of years consumers had become sufficiently aroused to insist on congressional action on truth in lending.

I urge my colleagues to carefully consider their positon on the truth-in-lending bill and to support only a truth-in-lending bill that will give the customer the information she needs to make informed use of credit, and eliminate discrimination between the revolving credit plans of the large department stores and the installment credit plans of the small independent retailers.

Mr. Speaker, we can have complete truth in lending if we adhere to the principle of universal application of a single method of disclosure in uniform terms of an annual percentage rate.

THESE VALIANT THREE

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. DE LA GARZA] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, in Waupun, Wis., lives a gentleman by the name of John-Allen Seybold who has close ties to Texas where his mother and sister and the latter's family live in my district.

Mr. Seybold has written a memorial screed honoring the three astronauts who lost their lives so tragically last year. It is my pleasure to present this memorial dedication so all can read the memorial screed honoring Col. Virgil "Gus" Grissom, Lt. Col. Edward H. White, and Lt. Comdr. Roger B. Chaffee:

These Valiant Three . . .
While in the performance of their duties:
Duties of an ultimate and hazardous degree
and requiring the very maximum of
courage and personal dedication,
Have never hesitated . . .
They stepped forward when their country
summoned those with their particular
skill;
And more . . .
They came forward as Eagles;
Their hearts abeat with radiant vigor,
Their brilliant minds expanding with as
limitless numbers of ideas as there
are stars in the heavens:

There was never any real fear . . .
Only the uncertainty in exploring the unknown and awareness of the multitude of deadly hazards which were expected;
But, they came forward and they performed
More than satisfactorily . . .
They performed with valor:

These Eagles who had soared . . . their hearts reverberating with the pride of conquest;
And then, quite suddenly . . . the unwelcome ogre,
The lurking and deadly foe . . .

Stilled their hearts and diminished their minds:
But the stillness and the silence cannot conquer their eternal courage;
It cannot diminish their immortality . . .
It cannot lay claim to their spirit or their souls;
These treasures belong irrevocably to God;
To America, and to all free men:

And if we could communicate with these Valiant Three, Here and Now . . .
They would unhesitatingly confirm;
That men of Valor, will therefore . . .
Continue to come forward in pursuit of truth;
That men of Courage, will therefore . . .
Continue to come forward, to seek . . .
To struggle valiantly . . .
And inevitably . . . To Find. . . . .

CONGRESS MUST ENACT PRESIDENT JOHNSON'S EMPLOYMENT PROPOSALS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. SCHEUER. Mr. Speaker, in his message on job opportunity, President Johnson asks:

> In an economy capable of sustaining full employment, how can we assure every American, who is willing to work, the right to earn a living?

The President, with these important proposals to strengthen the manpower training program and create closer cooperation between the private and the public sectors, has given positive and powerful leadership in our search for the answer—and the right answer—to this question.

The need for the President's proposals is self-evident.

I am particularly pleased that he is asking for almost one-half a billion dollars additional funding in fiscal 1969 for the Manpower Development and Training Act, increasing by one-quarter to 1.3 million those to be helped into jobs, dignity, and independence.

Our Nation has made a modest but promising start in the task of training those who want to work. In New York City alone, more than 5,000 trainees were approved for institutional training programs in fiscal year 1967, and another 5,500 for on-the-job training. Nearly 33,000 were approved for work-experience training in the Neighborhood Youth Corps and more than 4,700 for the concentrated employment program—many of them in the new careers program for public service aides which I developed and sponsored last year with Senator GAYLORD NELSON—a program the President has also requested to be significantly expanded.

Now we are taking on the challenge of training some half a million hard-core unemployed in our major cities over the next 3 years. In our free enterprise system, this can best be performed in close alliance with the private sector. For, although the Government can, and must, be the employer of last resort for a limited group of the hard-core unemployed, for the majority of our employment situations, we must put our faith in the vitality, dynamism, and resourcefulness of our free enterprise economy.

The imperatives of our times challenge our business leadership to devise new job training and orientation systems that will link Americans who seek productive employment with present and future jobs that need to be filled. Their patriotic commitment to these national goals—which we all view with a new sense of awareness and heightened urgency—as well as their touch competence and hard-headed professionalism will get the job done.

But it will not be an easy task. For the problems that the business community is now asked to shoulder are not the problems to which it is accustomed. Employing the hard-core brings touch problems requiring new and highly sophisticated manpower training and motivation techniques. Supervisory personnel at all levels will have to understand the great potential as well as the problems and limitations, of the heretofore hard-core unemployed. Our skills in industrial human relations will be challenged as never before.

We cannot expect private corporations operating under the profit system to shoulder this task unassisted and unrewarded. In cooperation with the Federal Government, the National Alliance of Businessmen should be able to mobilize the outstanding leadership capability of American industry to create the programs and solve the problems.

I strongly commend the President on his comprehensive presentation of the problems entailed in the full development of this Nation's human resources. I urge my colleagues to support a program which will bring independence and self-respect to all Americans able and willing to acquire the skills for gainful employment and full participation in an abundant and prosperous America.

COMPUTER SAYS TRAVEL CURBS NOT BEST WAY TO CORRECT PAYMENTS DEFICIT

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DENT. Mr. Speaker, curbs on foreign travel and private investment abroad would reduce the U.S. balance-of-payments deficit by $1.5 billion, President Johnson said on January 1. Limiting selected imports to their 1965 level, with an annual increase matching the rate of increase of like exports, would reduce the payments deficit by $1.8 billions. So concludes a computer study conducted by the Trade Relations Council of the United States.

The computer identified 147 manufacturing industries as having a $8.3 billion trade deficit in 1966, the council said. This was six times the total net balance-of-payments deficit in that year. These industries, according to the council, employ one out of every three workers engaged in manufacturing in the United States.

Imports competitive with the products of these 147 industries were $6.9 billion in a 1958–60 base period. They rose to $12.7 billion in 1966. Exports of these industries were $3.3 billion in the base period and rose to $4.4 billion in 1966. Imports of these products averaged an increase of 14 percent per year, compared with a 5.5-percent average for exports, said the council.

The computer indicated that the balance-of-payments deficit would be reduced by $1.8 billion by applying moderate quotas on imports of products competitive with these 147 industries. Results of this magnitude would result from limiting imports of those products to their 1965 levels, with an automatic increase each year matching the increase in exports of those products. The Trade Relations Council said that this quota plan, unlike travel and investment curbs, would not be subject to retaliation because the General Agreement on Tariffs and Trade specifically permits quotas to be used for balance-of-payments reasons.

U.S. import tariffs on almost all products of the 147 industries were cut 50 percent in the Kennedy round. In his balance-of-payments announcement, President Johnson called attention to foreign border taxes and other nontariff barriers which inhibit U.S. exports. The council believes that lower U.S. import duties and continued foreign restrictions on U.S. export sales will accelerate the already serious unfavorable balance of trade in these products. An increased deficit in this trade, according to the council, can wipe out the hoped-for benefits of prohibitions on foreign travel and investment abroad.

The 147 industries include meat and dairy products, textiles, apparel, wood products, paper, chemicals, rubber footwear, leather products, flat glass, ceramics, steel, other primary metals, metal products, electronics, electrical machinery, motor vehicles, toys, sporting goods, musical instruments, and scientific instruments.

MINIMUM WAGE RISES DO NOT KILL OFF JOBS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DENT. Mr. Speaker, I am pleased to introduce the following article by Sylvia Porter into the RECORD. I think she, in her syndicated and widely circulated column, uses the true facts most effectively in setting aside the myth of job losses due to our Federal minimum wage law. I commend it to my colleagues as an article of interest, veracity, and understanding, as follows:

MINIMUM WAGE RISES DO NOT KILL OFF JOBS

(By Sylvia Porter)

Less than a fortnight from today (Feb. 1), the Federal minimum wage in the U.S. will rise from today's $1.40 to $1.60 an hour, giving an annual pay increase amounting to $2.3 billion to 7,200,000 employes in fields ranging from retailing to construction, agriculture, mining and manufacturing.

The new pay boost will follow last February's minimum wage hike from $1.25 to $1.40 an hour.

For another group of 9,100,000 who were covered for the first time last February by the Federal minimum wage law, there will be a pay boost this February from $1.00 to $1.15 an hour. For these primarily employes in hotels, motels, restaurants, laundries, hospitals, nursing homes, schools and farms, the 1966 amendments provide a 15 cent hourly pay increase every year until 1971 when their pay floor also is to reach the $1.60 level.

Will this new round of wage hikes add fuel to today's wage-price spiral? Will thousands of workers in the lowest pay and least attractive skill and age brackets now be in danger of losing their jobs through layoffs by employers unwilling or unable to pay the new wage minimums?

After 1967's minimum wage hike, a major U.S. business association charged that hundreds of thousands of jobs were being lost throughout the U.S. Hardest hit, the organization said, were teenagers, handicapped workers and unskilled workers. A new charge is that February's minimum wage hike to $1.60 an hour may throw more than 1,000,000 workers out of jobs.

What are the facts?

Fact one: There is no solid evidence that last year's wage hike led to any mass layoffs or employment cutbacks. Instead the number of employes in fields covered by the minimum wage actually increased by hundreds of thousands of workers.

Fact two: Even today, only 1,900,000 employers in the U.S., out of a total of some 4,500,000 business establishments, are directly affected by the Fair Labor Standards Act; the rest are outside of the act's jurisdiction.

Even today, only about half of the U.S. labor force, some 42,000,000 workers, are covered by the pay hikes going to skilled workers in far higher paying jobs.

Fact three: Even at the $1.40 an hour minimum wage level now in effect, the yearly pay for an individual working eight hours a day, five days a week and 50 weeks a year is only $2,800, or well below the poverty line if the worker is married. With the new hike to $1.60, this breadwinner's yearly wage will rise to $3,200, still on the brink of poverty.

It is difficult, if not impossible, to argue that the health of the U.S. economy demands that wages of the bottom-scale worker be depressed below these levels.

MAIL ORDER KEYS AND AUTO THEFTS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. OLSEN. Mr. Speaker, yesterday, as the ranking majority member of the Postal Operations Subcommittee, I heard testimony focusing attention on one of this Nation's major crime problems; namely, the theft of automobiles. It is shocking to note that more than 600,000 autos were stolen in 1966 and it is projected that by 1970 a million cars a year will be stolen. In just 2 years the rate at which motor vehicles are stolen has jumped from 1,500 a day to 1,800 a day. In 1966 the automobile theft loss was in excess of $140,000,000.

It bears mention, I think, that the President, in his state of the Union message, proposed a crime bill which will cost $100,000,000 a year, that is, $40,000,000 less than the loss from auto theft alone.

It seems to me that one of the factors contributing to the increase in auto thefts is the mass distribution by mail of master keys for automobiles. One mail-order house—the Overseas Trading Co.—advertises a set of keys for $10 which will open every Ford Motor Co. automobile; every Chrysler Motor Co. product; and every General Motors Co. product. In their advertising, the mailers include the following phrase:

There is no easier, faster or more economical way to open locked cars.

And it further states:

Keys will open doors and ignitions on all cars and trucks built from 1955–1967.

I am greatly concerned that this serious mail-order problem will be lost if it is included in the shuffle of a bulky omnibus crime bill. Criminal penalties will not make a great difference in this situation. Our court dockets are so overcrowded that the President has been forced to request the addition of 100 assistant U.S. attorneys. Just a little more than a year ago the backlog on the felony docket in the District of Columbia had reached a figure of 1,500 and there are only four judges to try cases. Although the number of judges has been increased slightly, the crime rate has skyrocketed. It seems to me that the solution is to make master keys for automobiles nonmailable and perhaps provide stop-mail orders that will return money to senders and put unscrupulous mailers out of business. I believe the distribution of these keys must be controlled at the source and the source at the present time is certain mail-order houses.

At this time I would like to insert into the RECORD a copy of a statement made before the Postal Operations Subcommittee by Mr. Cornelius Gray, director of the legal department of the American Automobile Association. Mr. Gray points out some rather tragic statistics including the fact that one of every five stolen automobiles are involved in a serious accident. Another witness testified that there is a 200 percent better chance of an automobile accident with a stolen vehicle.

Today I am introducing legislation which proposes to bar the mailing of master keys for automobiles. We need action now and the Post Office and Civil Service Committee can give us action. This is a mail-order practice—it must be stopped. It can be stopped by this legislation. I hope the Congress will give its support to this bill and to the Postal Operations Subcommittee under the chairmanship of Congressman ROBERT NIX.

STATEMENT OF CORNELIUS R. GRAY, DIRECTOR, LEGAL DEPARTMENT, AMERICAN AUTOMOBILE ASSOCIATION, BEFORE THE POSTAL OPERATIONS SUBCOMMITTEE OF THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JANUARY 23, 1968

Chairman Nix and distinguished Committee members, it is a pleasure for me to appear here today and express the policy position of the American Automobile Association on behalf of its ten and one-half million members on H.R. 14404, which would regulate the mailing of automotive master keys.

The official policy position of the American Automobile Association on automobile thefts is contained in a resolution adopted by the delegates at the AAA Annual Convention last October. The main provisions of the resolution provide:

"In order to reduce auto thefts AAA urges:

"1. the enactment or improvement of motor vehicle title and registration laws;

"2. enactment by the Congress of legislation prohibiting the sale in interstate commerce of motor vehicle master keys except to authorized persons;

"3. automobile manufacturers to design motor vehicles so as to make them more theft-proof, such as improvements in door locks, ignition, hood latch, etc.;

"4. the AAA National Headquarters and state and local affiliated clubs actively to participate with other interested organizations in a public information campaign educating motorists to the importance of removing keys from unattended vehicles and locking their vehicles."

We support the objectives of H.R. 14404 because we feel regulating the mailing of automotive master keys will assist in the reduction of auto thefts because the sale of these keys is made primarily by mail-order houses.

MAGNITUDE OF AUTO THEFTS

The U.S. Justice Department estimates 650,000 motor vehicles were stolen in the U.S. during 1967. Of these, about 100,000 vehicles were involved in accidents, about one-fifth of them involving death or injury.

MAIL-ORDER BUSINESS

The sale of master keys is confined primarily to mail-order businesses which make no real effort to scrutinize those who purchase the keys to ascertain whether they will be used for legitimate purposes.

We have in our possession circulars mailed throughout the country from two mail-order houses in Florida. My assistant wrote to one of these companies, asking for a set of master keys and enclosed $10. By return mail he received a card which he must sign and return to the mail-order house in order to receive the keys.

"To whom it may concern: I am purchasing these groups of automobile master keys in good faith. I have a genuine need for these keys and I intend to use them in a lawful manner. I will not allow minors to use them and I will guard them and keep them in a safe place."

A place for his signature is on the card. I would not consider this much of a test of a person's legitimate need for master keys.

Because the particular circulars we have are from Florida firms is not to indicate that that state is the only one where these mail-

order houses operate. An article in the "Washington Daily News" of November 30, 1967, states the U.S. Attorney's office in Philadelphia was investigating circulars offering similar master keys. These circulars, according to the story, originated in Philadelphia.

The August, 1966, issue of the "New York Motorist" published by the New York State Automobile Association notes that the New York City police were becoming more concerned with the mounting auto theft rate. The article quotes a police officer as stating: "Car thefts have become easier to engineer because auto keys are available from mail-order houses."

Master keys are attractive to the thief because they permit him to act without arousing suspicion.

The September-October, 1966, issue of the "Journal of American Insurance" noted three examples taken from police files of thieves using master keys to steal and loot cars:

"Police in Evanston, Illinois, arrested two car thieves in a stolen 1960 Cadillac. In their possession were 79 master keys which police traced to a mail-order firm in California.

"New Jersey police caught seven young girls riding in a stolen car. The 17-year-old driver had a set of 27 master keys.

"Kansas City police raided the home of a suspected burglar. Found with the stolen loot was a set of master car keys."

This same article tells of an agent for the National Automobile Theft Bureau who purchased a set of master keys from a firm in Pennsylvania. He reported, "At no time during the entire correspondence between myself and this concern was I asked about, nor did I furnish, any business affiliation."

Since the sale of master keys is primarily a mail-order business, we think H.R. 14404, which would prohibit the use of the mail to transport such keys, except to the authorized persons specified in subsections one, two and three of the bill, would be helpful in reducing auto thefts by making it more difficult for unauthorized persons to obtain such keys.

We do not feel qualified to intelligently comment on who should be included as an authorized person entitled to receive these keys in the mail. We do, however, support that part of the bill which permits the Postmaster General to require, as a condition to accepting these keys, a statement by the person mailing them that he will not be in violation of this legislation.

As we interpret this particular provision of the bill, the Postmaster General is authorized to issue a regulation in effect making it mandatory that such mail-order houses scrutinize all orders for master keys before mailing such keys.

The magnitude of the problem of auto thefts can easily be seen when one considers that in 1965, 493,100 automobiles were stolen—more than 1,300 every day and that in two years this has jumped to an estimated 650,000 vehicles—or more than 1,800 every day.

Recently the Department of Justice conducted a survey of 4,000 auto thefts and they found that 76 percent of stolen automobiles had been left unlocked and 59 percent had the keys in the ignition or the ignition in an unlocked position.

While we realize that the bill under consideration before this subcommittee does not direct itself to this particular type of situation, efforts have been underway under the leadership of the Department of Justice and interested national and local organizations who have banded together to conduct a national auto theft prevention campaign alerting the public to remove their ignition keys and to lock their cars.

Material for advertising and billboard campaigns was prepared. Small stickers to be placed on parking meters, warning drivers to lock their cars were included. More than 225 cities in 43 States ordered over 1.3 million items of campaign material. Here is a sample kit of this material.

AUTO THEFT AND JUVENILE DELINQUENCY

Another reason for our concern with the problem of auto thefts is the fact that there is a close relationship between juvenile delinquency and such larcency. Testimony, last year, before the Subcommittee To Investigate Juvenile Delinquency of the Senate Judiciary Committee indicated a large number of juveniles first run afoul of the law by taking a motor vehicle.

The subcommittee in a recent report—Senate Report No. 823—made three recommendations on the problem of delinquency and auto thefts, the first of which reads as follows:

"1. Adequate regulation should be placed on the manufacture and distribution of master auto keys and other similar devices that facilitate the entry into cars and the operation of ignition systems."

The subcommittee is also interested in the problem of auto theft because "over 80 percent of the offenders are young people under 25 years of age."

Since master keys are readily available to the youngsters as well as the locksmith via the mails, his first criminal act is fairly easy to bring off. For $3 he can get a set of keys and away he goes.

Thank you, Mr. Chairman.

THE ANNIVERSARY OF A TRAGEDY—A TIME FOR REFLECTION

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. CASEY. Mr. Speaker, this January 27 marks the first anniversary of the tragic accident that claimed the lives of three of our Nation's astronauts: Virgil Grissom, Edward White, and Roger Chaffee.

These men were not only constituents I represented in Congress with a deep sense of pride, but warm and valued friends. The world mourned the tragic loss of these gallant men, and those of us privileged to know them personally and to respect their dedication and ability, and great contributions to our space program, felt this loss keenly.

Today is a time for reflection—a time to pause and consider the impact the loss of these three men have had in the space program.

It would be impossible to count the human loss which has preceded each of man's faltering steps forward over the centuries. Each advance, each improvement in the long struggle for the conquest of his environment, has exacted a terrible cost—the lives of some of the noblest men of each era.

These explorers, these daring adventurers into the vast unknown of space—they knew and understood the great risks of their profession, and they accepted these risks as a part of their job. But little children could not know. Only in maturity will the youngsters of these three men understand the sacrifice made by their fathers—for they will receive the gifts from the exploration of space for which their fathers died.

Mrs. Betty Grissom, Mrs. Patricia White, and Mrs. Martha Chaffee, they too have bestowed their treasure for the progress of man. They knew the risk and they will be forever proud of the vast contributions which their men have made to our ultimate goal.

For it is a fact of aerospace engineering, as in all human endeavor, that progress is furthered by trial and error. In the research and development of our space effort, new concepts of spacecraft design, new materials, and new test procedures evolved from the tragic experience at Cape Kennedy on January 27, 1967. The knowledge gained through adversity will help to prevent other such tragedies in every aspect of the space program.

And the reverberations do not stop there, but spread over the whole Nation, into the factories and offices of every contractor who contributes in any way to this vast space activity. Throughout our Nation sadness has been converted into action. Untold numbers of people in the workshops and offices of Apollo contractors have given an extra measure of care to their work—have checked and double checked their production.

These are the immediate results but they mark only the beginning. Throughout the years, new technology, improved techniques, and the sharpened awareness of our leaders in Government and industry, born of our national sorrow, will add to the capability of our great Nation.

Virgil Grissom, Edward White, and Roger Chaffee have not died in vain. Their great gift to the Nation is immeasurable and forever.

CHICAGO STREET DEPARTMENT TURNS TO TWO-WAY RADIO TO PROVIDE BETTER SERVICE

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, earlier this year Mayor Daley came to Washington to testify on the Air Control Act and he told about Chicago's eye in the sky program to fight air pollution in Chicago. He told how Chicago is using closed circuit television to scan the sky with a 10-to-1 zoom lens for pinpointing violators of the air pollution ordinance. If a violation is detected, the closest air pollution control car is immediately dispatched to the scene by two-way radio. So under the leadership of our fine mayor, Richard Daley, Chicago is using the latest and best techniques to help the people of the city of Chicago.

Now the city is taking another step. The Chicago Sun-Times for December 1, 1967, reports:

"Chicago Ready for Big Snows."

To do this involved equipping all the salt-spreading trucks with two-way radios as part of the larger program of the city's department of streets and sanitation. This larger program was de-

scribed in an article in the Chicago's American early last month under the headline "Street Department Opens Its Own Radio Network." I would just like to read a little from that article to show how this two-way radio network is going to serve the people of Chicago. According to that article, the new two-way radio network "will speed normal operations such as street cleaning, snow removal, sanitation needs, and electric work. It will also aid in emergencies such as the record snowfall last January 26."

The streets department is equipping most snow equipment with two-way radios and also the cars of the department's division superintendents and the autos of the 50 ward superintendents. The communications center will be in direct touch with the cars of the city's department of air pollution control and, during emergencies, it will permit communications with all major city departments including police, forestry, fire, and electric.

I am proud of the fact that under Mayor Daley's leadership, Chicago is putting two-way radio to work in so many different ways to serve the people of Chicago. It seems that every day new uses are being found for this type of communication. I remember that my first contact with the benefits of two-way radio was when the refrigeration equipment in my restaurant broke down and when I called the repair company they were able to have a truck at my restaurant to repair the trouble in just a few minutes because they could get my call to one of their radio-equipped service trucks.

Since then, I have heard the testimony of businessmen from Chicago and other parts of the country about their use of two-way radio in order to manage their businesses more efficiently and serve their customers better. And I have also learned of the many ways that the fire departments, forestry people, and every form of activity in the country are coming to rely more and more on two-way radio communications.

All of this points up the fact that the FCC cannot wait any longer before it provides an adequate amount of radio spectrum for two-way radio.

The reports of Presidential commissions and agencies of this Government and the records of hearings of congressional committees have reported on the inadequacy of the amount of spectrum which the FCC has allocated to two-way radio use. Because I am proud of what Mayor Daley and private businessmen have done to bring the benefits of two-way radio to Chicago, I want to make sure that the FCC allocates adequate frequency spectrum for the purpose in terms of today's needs. The problem now rests with the FCC. It must do its part and provide the frequency spectrum which is needed by the two-way radio users.

By unanimous consent, I insert the entirety of the article entitled "Chicago Ready for Big Snows," from the December 1, 1967 edition of the Chicago Sun-Times and the article entitled "State Department Opens Its Own Radio Network," from the November 9, 1967, issue of the Chicago American appear at the conclusion of these remarks:

[From the Chicago Sun-Times, Dec. 1, 1967]

CHICAGO READY FOR BIG SNOWS

(By Earl Moses)

Chances that any snowfall here will exceed 10 inches are one in 50, but Streets Comr. James V. Fitzpatrick was preparing Thursday for the longshot.

He said his department has devised a snow-removal plan which he believes will avert a repetition of the colossal snarl that immobilized the city following the Great Storm last Jan. 26–27. For 29 straight hours during that period 23 inches of snow—an estimated 50,000,000 tons—fell on the city.

Fitzpatrick told Sun-Times reporter Frank Sullivan that such a storm can be expected only once every 200 years. But since December is the month in which Chicago usually has most of its snow storms, Fitzpatrick has a plan.

It includes co-ordinating Chicago Transit Authority snow and ice control efforts through his office; equipping all salt-spreading trucks with two-way radios; a new, city-wide communications network; new snow plowing vehicles; private meteorologists; emergency snow routes and, for the first time, a residential street-salting program which will be implemented after arterial streets have been treated.

[From the Chicago American, Nov. 9, 1967]

STREET DEPARTMENT OPENS ITS OWN RADIO NETWORK

(By Ray McCarthy)

The city department of streets and sanitation yesterday opened a communications center on the 10th floor in the City hall.

James J. McDonough, deputy commissioner of the department, said the center will speed normal operations such as street cleaning, snow removal, sanitation needs, and electrical work. It also will aid in emergencies such as the record snowfall last Jan. 26.

Besides a 24-hour, two-way radio service, the center will include direct teletype connections with the city's 50 ward offices.

SNOW TRUCK RADIOS

McDonough said most snow equipment will carry the two-way radios. Cars of the department's division superintendents also will have the radios.

McDonough said it also is planned to install the radios in the autos of the 50 ward superintendents.

The center now has one teletype, but soon will have one each for the south and north sides, and one for the central area.

RECORD OF MESSAGES

McDonough said duplicates of all messages will be kept at the center "so no one can say he did not get the message."

The radio equipment was moved into the center Friday from the old Hudson avenue police station.

During the blizzard last January, radios on snow equipment were limited and many calls for help were delayed on busy telephone lines, McDonough said.

FOUR-MAN OPERATION

George Marro, former superintendent of the 41st ward, is in charge of the center, with the title of assistant general superintendent of the department of streets and sanitation.

During normal operations, the center will be manned by four men. This staff will be expanded to 20 during emergencies, McDonough said.

The center will be in direct touch with cars of the city department of air pollution control.

During emergencies, it will include a monitoring system that will permit communication with all major city departments, including police, forestry, fire, and electrical.

REPUBLIC OF UKRAINE

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. DANIELS. Mr. Speaker, 50 years ago this week, the Republic of Ukraine declared its independence, but unfortunately this independence was short lived and 2 years later this proud people were subjugated by the forces of the imperialist Soviet Union. Yet this gallant nation of 45 million people can never be crushed so long as life itself continues to exist. There is in the soul of every Ukrainian a love of liberty that can never be crushed by Soviet tanks, and love of God and country can never be destroyed by the masters of terror and deceit in the Kremlin.

On this 50th anniversary of Ukrainian independence, I know that I speak for every man, woman, and child in the 14th District of New Jersey when I express my fond hope that once again the people of Ukraine may know freedom and self-determination.

FIFTIETH ANNIVERSARY OF PRESIDENT WOODROW WILSON'S 14-POINT PROPOSAL

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on Wednesday evening last week I sat here in this Chamber before the President of the United States, watching him and listening to him deliver his annual state of the Union message. I became increasingly aware of the extent to which he and our whole Nation are concerned with the affairs of the people of other countries. I was reminded vividly that just 50 years ago this month, in 1918, another great President, Woodrow Wilson, called upon the Congress to support his famous 14-point proposal which provided for giving independence to the enslaved people of Poland and other nations in Europe.

Every American who faces up to the magnitude of the task with which we are confronted in helping the people of other countries to maintain political independence and economic viability sooner or later questions the extent to which these efforts are justified. All too frequently we begin asking ourselves just how we got enmeshed in the struggles of the people of other countries.

The truth of the matter is that we have a great deal in common with all of these people. The assurance of their independence is tied directly to the assurance of our own continued freedom. The guarantee of living conditions for them devoid of hunger, want and suffering is a

primary requisite to assuring our own people the living standard which we seek for them.

Mr. Speaker, the concern of Americans for people of all races, creeds and nationalities is not of recent origin. It dates back to the births of this Nation. In spite of the Monroe Doctrine, Americans both personally and through their Government, have consistently made the welfare of other peoples an American concern. A backward look across the pages of history should convince all of us that the wars in which we have engaged and the stupendous sums of money which we have spent to aid in the struggle of others have been worthwhile.

Thus, 50 years ago it fell to the lot of one of our great American statesmen to lead a bitter fight to assure freedom and sovereign rights to millions of people suffering enslavement. Misunderstood and maligned as he was, President Woodrow Wilson stood firm on his famous 14 points. Too many Americans have forgotten that within those 14 points provision was made for the erection of a Polish state which would include the territories inhabited by indisputably Polish populations, assure a free and secure access to the sea, and assure that Poland's economic independence as well as territorial integrity should be guaranteed by international covenants.

Few people recall that this historical proposal similarly called for the evacuation of Russian territory, which resulted in the giving of sovereignty to the Baltic nations. It also proposed the evacuation and restoration of Belgium, Rumania, Serbia and Montenegro and it provided for the autonomous determination of sovereignty to the people of Austro-Hungary.

Mr. Speaker, as our great Polish-American organizations observe the 50th anniversary of the submission of the proposals which led to the sovereignty of Poland, and as they pay tribute to the leadership and the people of our country for the part we have played in obtaining that initial freedom as well as for what we have done over the ensuing 50 years to insure their independency, may we take heart in meeting the complex international problems which confront us today. Every President since Woodrow Wilson up to and including President Lyndon B. Johnson has had to devote a large part of his time and energy to the affairs of other nations. Every Congress including this one has had to cope with legislative problems involving our interest in other people. Let us not forget that the formidable tasks which we face today are the same tasks with which our people and our leaders have been faced generation after generation.

As we observe the appreciation and the acknowledgment of our help which the people of Poland and our loyal citizens of Polish birth and extraction pay us on this 50th anniversary of the historic steps taken to gain the freedom of their homeland, we can take renewed courage to continue our long-established role of championing the cause of the weak and oppressed. The deep significance of this event should suffice as an answer to the question whether or not our historic involvement in the affairs of others is worthwhile.

I commend our Polish-American friends for commemorating this significant page in history. I hope that their observances will be sufficiently widespread to remind Americans everywhere not only of the friendship and kinship we have for the people of Poland but that we have an unfinished job to bring complete and lasting independence to the state of Poland which we helped to restore in 1918.

THE SMALL BUSINESS ADMINISTRATION

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. HOWARD. Mr. Speaker, I have followed with interest the recent comments of the distinguished gentleman from Iowa which are designed to cast partisan aspersion upon an agency of the Federal Government—the Small Business Administration. My good friend on the other side of the aisle has alleged political considerations entered into the approval of a disaster loan in Fairbanks, Alaska. As a Member of this body who sits on this side of the aisle, I can well appreciate the motivation of my colleague from the other.

It is most interesting to note that the people of Fairbanks, Alaska, who were devastated by the flood last summer have nothing but praise for SBA's prompt and capable action in bringing much needed financial assistance to them quickly and efficiently. Neither have we heard any criticism from the distinguished Members of the Alaska congressional delegation. In fact the legislature of the great State of Alaska saw fit last fall to pass a joint resolution expressing the appreciation of the people of Alaska to the Small Business Administration for its help to the people of Alaska in making nearly 3,000 loans for more than $53 million as a result of this particular disaster.

The gentleman from Iowa has made a great fuss over the point that the Golden Nugget Motel and its operator received SBA help totaling $894,000, while the motel across the street, the Travelers Inn, owned by Alaska's Republican Governor, received a disaster loan of only $623,000, alleged to be only half of what the Governor asked for.

But the gentleman has carefully skipped over two very basic points:

First, the Golden Nugget is a small business, whereas the Governor's operation represents big business.

Second, the Golden Nugget had barely opened its doors when the flood struck. It had neither the established clientele nor the back-up resources to get back on its feet on its own. In marked contrast, the Governor's motel is part of a chain. In addition, it is an older enterprise with an established profit pattern. On both counts, the Travelers Inn was in much the stronger position to manage its own recovery.

Even so, the record should show that the Travelers Inn received more than three times as much physical damage money from SBA than did the Golden Nugget—$467,000 versus, $140,000. As big business with an established clientele, the Travelers Inn could not qualify for the same economic injury and refinancing help the Golden Nugget received.

The agency concerned, the Small Business Administration, has not, I am happy to see, reacted violently to the gentleman's spurious charge. SBA's capable Administrator, Robert C. Moot, assembled and reviewed the facts in the matter and, on the basis of these facts issued a fact sheet to set the record straight.

Under leave to extend my remarks, I insert the SBA fact sheet and other information in the RECORD at this point:

[A fact sheet from the Small Business Administration, Jan. 23, 1968]

SBA HARDSHIP DISASTER LOANS IN FAIRBANKS, ALASKA

SBA Administrator Robert C. Moot today stated that it has been and continues to be the policy of the Small Business Administration not to make public disclosure of details concerning the loan requirements and financial status of hardship loans. To do so might very well react to the detriment of any individual applicant's credit standing in the community. SBA does provide, upon request, the names of borrowers and the amounts of approved loans.

Newspaper accounts of specific loans made as a result of the Fairbanks flood disaster have reported various financial details, some erroneous and some taken out of context with all of the facts.

"We must not forget that our mission in disasters is to overcome hardship and get people back on their feet. SBA has to look beyond the physical damage alone. If we simply restored facilities, but let the occupant fail, we would not have done our job," said the Administrator.

In order to set the record straight, SBA Administrator Moot released the following information on the Fairbanks dister loans:

To hardship victims of the 1967 Fairbanks flood, SBA has made 2,928 disaster loans in the amount of $53,730,227 as of January 19, 1968;

SBA personnel carefully explained the basis for making loans to the citizens of Fairbanks in community meetings prior to making any loans;

Where financial hardship occurs as a result of a disaster, SBA is authorized by law to make loans to businesses to cover uninsured physical damage loss, economic injury loss due to interruption of operations and existing debt obligations to the extent it is necessary to provide refinancing to assure continuation of the business;

In the case of the Golden Nugget Motel which has been cited in the newspapers, SBA approved a hardship disaster loan of $894,000 which provided $140,000 for physical damage loss, $50,137 for economic injury due to interruption of full operations and $703,863 to refinance existing debt obligations;

Prior to the disaster, SBA had authorized a Government guaranty of a proposed bank loan to the Golden Nugget Motel with the authorized guaranty being in the amount of $350,000;

At the time of the disaster, this bank loan had not been completed and the Golden Nugget Motel had currently due obligations in the amount of $703,863 for which it requested Government refinancing;

The Golden Nugget Motel was a new small

business enterprise opened only three months at the time of the disaster;

SBA reviewed the Golden Nugget application on its merits and in accordance with established procedures for loans over $350,000 referred the request to the Pacific Coastal Area Administrator for final review and approval;

The other case cited in the newspaper accounts involved the Travelers Inn of Fairbanks, a well established motel operating at a profit;

SBA approved a loan of $623,400 to the Travelers Inn covering $467,900 for physical damage and $155,500 for debt refinancing;

The approved physical damage loss of the Travelers Inn was more than three times greater than the physical damage loss approved for the Golden Nugget Motel and more than 80 percent of the physical loss requested;

The difference in the amounts of approved loans for these two borrowers was due to the difference in their resource availability to carry current debt and to the ineligibility of the Travelers Inn, a big business, to receive Federal funds for economic injury;

The performance of the SBA in the recent Fairbanks disaster has been extolled by the Alaskan State Legislature, the Alaskan newspapers, the citizens of Fairbanks and the entire congressional delegation. (Copy of Joint Resolution of Legislature and editorial attached).

A current Fairbanks editorial which is attached comments upon the recent newspaper stories and puts these cases in proper perspective.

[From the Anchorage Daily Times, Sept. 22, 1967]

COURAGEOUS AGENCY

There ought to be an outstanding award for the Small Business Administration in Alaska. It should be presented, with fanfare and ceremony for all to see, by the entire state and more especially the citizens of Anchorage and Fairbanks.

This agency is the hero in the "rescue" operations that revived the state's two largest cities after disasters, Anchorage after the earthquake in 1964 and Fairbanks after the flood of last month.

Many federal, state, and local government agencies and private organizations came to the aid of the stricken cities and many rendered memorable service. But most of them were doing the job for which they were created.

The Small Business Administration did more than that. Rule books and established procedures were inadequate in these two disasters. So the books were thrown out and procedures were dumped. The leaders made innovations in policies and shortcuts in procedures to meet the need.

This required vision, courage, and confidence. People in government service rarely enhance their careers by throwing out rule books. innovating or taking shortcuts.

Residents of these two cities will be grateful forever for the vim, vigor and verve of the Small Business Administration.

In Anchorage, the agency liberalized its policies and rules for making loans to repair the homes and buildings damaged in the earthquake. Within a year the agency had approved 628 home loans totalling $12.2 million and 642 loans to commercial enterprises totalling $51 million, and had actually disbursed $52.2 million.

This was the credit that enabled families to continue to live here. It was the credit that enabled business places to re-establish their operations and provide the goods and services the people required.

In Fairbanks the agency responded to the pressing needs for haste because of the approaching winter and the different conditions resulting from a flood.

Shortly after the flood water had receded, the Small Business Administration was in full operation with a program that the city needed and could get nowhere else. The agency offered unsecured loans up to $3,000 to anyone who had flood damage and announced that additional credit would available for those who required it.

This enabled the residents to act immediately to clean up and fix up their properties before the cold of winter moved in and made repairs impossible. The decision to increase the amount of the unsecured loans upset the normal ceiling of $1,000 and exceeded the expectations of the people of Fairbanks. The agency had been asked to grant $2,500 loans and, via telephone from Washington, the ceiling was set at $3,000 the same day the request was made.

Who could ask for more cooperation or faster action?

Even without the distinction earned in the two disasters the Small Business Administration is worthy of special recognition. The agency is a source of credit and, like every frontier, this frontierland needs credit on liberal terms. Small business loans have enabled many new enterprises to come into being to provide goods, services and employment in places where all three have been sorely lacking.

Credit has always been hard to find in Alaska. For 90 years as a territory, this area had virtually none. Nobody would loan to a peculiar place that was run by a czar called the Secretary of the Interior.

Since statehood, capital has been interested in a limited sort of way. Things are better and the future looks still better.

But all would be different had the Small Business Administration not made it possible for Anchorage and Fairbanks to come back from their disasters. Deterioration in their economics would have led to a shrivelling of the transportation systems and all the commercial establishments that supported them. Population would be less. Demands would be less. Life would be a step or two back toward the isolation and hardships of a generation ago.

A major part of the success in overcoming the two disasters must be attributed to the vision, courage and efficiency of the Small Business Administration.

[From Jessen's Daily, Jan. 17, 1968]

SOMEBODY IN WASHINGTON WITH CRYING TOWEL?

Recently there have been stories on the wire from Washington indicating that perhaps politics is mixed up in the SBA loan program in Fairbanks. There has been an outcry over the $894,000 loan to the Golden Nugget Motel and the $663,400 loan to Travelers Inn.

The charge has been made that favoritism was played in that Donald Pruhs, formerly Democratic Committee Chairman here, received the full amount he was asking while the Travelers Inn, owned by Hickel Enterprises, received only half what it was asking.

We have looked into the situation and it appears to us very simple why this occurred. SBA is following the policy which it set out very explicitly in meetings at the University of Alaska just after the flood: it will follow a liberal policy in refinancing prior SBA loans while it may or may not refinance other mortgages. The Golden Nugget had a previous SBA loan of about $350,000. The Travelers Inn did not. It had two smaller miscellaneous mortgages.

While it is true that the Travelers Inn suffered more flood damage than did the Golden Nugget, the loans so reflect. Practically all of the Travelers Inn loan was for that purpose, while only about a half of the Golden Nugget loan was to cover flood damage.

There may be cases of irregularities in loans here and we believe legitimate cases should be brought forth, but this one does not appear to us to be out of line with policy.

It appears to us there has been someone in Washington with a crying towel, and the crying may serve only to toughen policy and delay loans of those in Fairbanks who have not yet made applications.

The politics in the SBA program appear to emanate from Washington, D.C., not Fairbanks.

FSS—H.J. RES. 5

A joint resolution expressing appreciation to the Small Business Administration for their services in the natural disaster of August 14, 1967

Be it resolved by the Legislature of the State of Alaska:

Whereas the natural disaster occurring on or about August 14, 1967, has left many of the businesses and citizenry of the Fairbanks and Nenana areas in dire need of assistance; and

Whereas the Small Business Administration has been speedy in assessing these needs; and

Whereas SBA loans are now subject to deferment for as long as necessary with three-month renewal periods; and

Whereas the SBA is now refinancing existing loans where the individuals suffering from the disaster cannot meet more than one mortgage payment; and

Whereas the SBA is now making unsecured loans up to $3,000 to homeowners as well as to householders, including tenants who have lost personal belongings; and

Whereas all of the loans outlined above are being made on a liberal basis with a true interest for the individual sufferers of this natural disaster; and

Whereas these loans are being made to the people in record time so as to complete essential repairs prior to freeze-up;

Be it resolved that the Legislature of the State of Alaska commends the Small Business Administration for its laudable and untiring work in the face of extremely adverse conditions.

Copies of this Resolution shall be sent to the Honorable Bernard L. Boutin, Administrator of the Small Business Administration; the Honorable William Schumacher, Western Regional Director of the Small Business Administration; the Honorable Clarence Cowles, Director of the Disaster Relief Fund; and to the Honorable E. L. Bartlett and the Honorable Ernest Gruening, U.S. Senators, and the Honorable Howard W. Pollock, U. S. Representative, members of the Alaska delegation in Congress.

The following officers of the Legislature certify that the attached enrolled resolution, FSS–HJR 5, was passed in conformity with the requirements of the constitution and laws of the State of Alaska and the Uniform Rules of the Legislature.

Passed by the House October 3, 1967.

WILLIAM K. BOARDMAN,
Speaker of the House.

Attest:

IRENE CASHEN,
Chief Clerk of the House.

Passed by the Senate October 3, 1967.

JOHN BUTROVICH,
President of the Senate.

Attest:

EMYLOU LLOYD,
Secretary of the Senate.

WALTER J. HICKEL,
Governor of Alaska.

PRIVATE FAIR HOUSING PROGRAM OF RHODE ISLAND'S IRVING J. FAIN

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GER-

MAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, anyone who reads the daily newspaper must quickly conclude that these are trying times—domestically as well as internationally. So many problems, but so few answers.

Regrettably, because of the magnitude and complexity of domestic problems, our citizens seem to lean upon the Federal Government for many of the solutions. While it is right for the Federal Government to endeavor to provide these solutions, there are many instances in which individuals can and, fortunately, do provide suitable local solutions that, in some cases, could not be attained by the Federal, State, or local governments.

When we meditate upon it, this, the individual effort, is the very substance of America's success story. And let us not fool ourselves, it is the sine qua non of our continued success.

Much to my dismay, however, the significance of individual effort is trampled underfoot by the stampede toward a Federal solution. Admittedly, there are some instances in which a problem overwhelms a community. But in other cases, it could be and is solved by imaginative individual effort.

An illustration of this is contained in a news account of an extraordinary individual effort by one of Rhode Island's foremost citizens, the highly esteemed industrialist and civil and religious leader, Irving J. Fain, of Providence.

I ask unanimous consent that this article be inserted into the RECORD.

Mr. Fain's silent but deliberate philanthropic endeavors know no boundaries and are too numerous to note here today. However, his charitable and very unique effort cited in this news article is indicative of the extraordinary nature of this truly great American.

Being privileged to be numbered among his friends, I am well aware of his many accomplishments toward the betterment of mankind. Though I wish that everyone were aware of his outstanding work, I do not insert this news article into the RECORD as a means toward this end. Rather, I offer this news article as a means for others to follow in his wake for I know that Irving Fain wishes this above all else. This is the very purpose of his exemplary life. As he is quoted in this article, he does not wish "to be put in the position of a 'do-gooder' or someone that somebody else has to thank." He simply is clearing the way for others. He is proving that "a" person can do "something" about a problem that confronts a community, a State, and the Nation.

Irving Fain's private fair housing program is a bold and imaginative solution to what appears to be a very complex problem. Like all problems, the matter becomes a very simple one when the solution is found. Irving Fain has, I believe, simplified the problem of integrated housing with an individual solution to a problem that has, for the most part, proven too complex and great for the Federal, State, and local governments.

The article follows:

[From the Providence (R.I.) Evening Bulletin, Jan. 23, 1968]

PRIVATE FAIR HOUSING PROGRAM EXAMPLE OF SMOOTH INTEGRATION

(By Robert Taylor)

A wealthy Providence man's dedication to fair housing has led to the quiet integration of many previously all-white neighborhoods in Greater Providence.

As a result, Negroes shop in supermarkets, go to gas stations, attend schools and trim hedges where Negroes seldom were observed before.

Property values have not dropped, whites have not fled in panic and Negroes have not "flooded" the neighborhood.

The man is Irving J. Fain, 61, a Providence industrialist and civic and religious leader. Since the spring of 1965, he has been buying houses, mostly two and three-family buildings, improving them and deliberately renting them on an integrated basis.

He calls his venture Hephzibah, from the book of Isaiah. It means both new Zion and "my delight is in her."

At last count, he owned 47 houses that are occupied by 115 family. They are scattered around the East Side, Elmwood, Elmhurst, Washington Park and other sections of Providence, as well as Cranston, East Providence and Pawtucket.

The National Committee Against Discrimination in Housing called Mr. Fain's venture unique. Some buyers in other parts of the country have followed his course, the committee added, but on a much smaller scale.

Mr. Fain had been a leader in the fight for fair housing legislation. Although a law passed in 1965, he felt something extra was needed to break segregation barriers.

He looks for attractive neighborhoods and houses as good or better than others on a block. He reserves the first vacancy for a nonwhite family; the following vacancies are set aside for white families.

Needing a real estate agency that sympathized with his endeavors, he chose the firm of Rotkin and Sydney. Mrs. Russell C. Smith of Seekonk, an interior decorator, is Hephzibah's consultant.

Ninety white families and 25 nonwhite families occupy Mr. Fain's houses. The percentage of nonwhite families will grow as vacancies occur.

Rents for apartments vary widely, from a low of $30 to a high of $175, depending on location and improvements. The tenants include accountants, factory workers, professors, retired couples, restaurant employes, clerks, clergymen, librarians and servicemen.

Mr. Fain believes his enterprise has destroyed many myths. One myth is that white families will not move into a building occupied by a Negro family. Thirteen white families have done so, with full knowledge Negroes lived there.

Mrs. Menahem Magen of 14 Sackett St., the young wife of a teacher of Jewish studies, said of the Negro family living above her:

"They're a nice couple; they have a little baby, that's all. They don't jump on our heads and we don't blast the record player."

Mrs. Anna Oakes lives at 45 Rochambeau Ave. She grew up in Milan, Italy, and her husband is an industrial engineer from England. They have two small children.

Of her Negro neighbors, she said: "They're neighborly, quiet people, really ideal. In Europe you got the impression that everybody in America was against Negroes. You learn that isn't true."

Mrs. Edythe Sears, 70, is a Negro woman who lives in three tidy rooms at 40 Mawney St., which has six apartments. She is a domestic.

"A friend told me there weren't any colored on this block," she said. "I told her I didn't know. Maybe there're some in this house for all I know.

"I do know that it's a nice, quiet place. And it's right near the bus line and stores. I'm very, very contented."

As a buffer against white troublemakers, Mr. Fain was prepared to call on the Women's Intergroup Committee, ministers, priests and rabbis. It has never been necessary.

Once an East Side homeowner tried to stir up neighbors when Mr. Fain integrated two houses on his street. But nobody listened to him.

Another time an elderly West Elmwood woman complained when a Negro couple moved in. She since has called several times to say what nice neighbors they are.

Rumors still circulate. One is that Mr. Fain is a front for the National Association for the Advancement of Colored People and the Urban League, and a second is that he is a "straw man" for the federal government. Both rumors are totally untrue.

Hephzibah confronts both white sterotypes and Negro attitudes and fears. Rebuffed in the past, many Negroes avoid seeking apartments in white neighborhoods. Others fear dissension or harassment once they move in.

The Ronald Browns, the Negro couple who live above the Magens, spent four frustrating months looking for a place.

"You get tired of hearing the same excuse all the time: 'Someone came before you and put a deposit on the place,'" Mrs. Brown said.

The Rev. Carl C. Banks referred them to Rotkin and Sydney. They now have a five-room apartment. "I even got to choose my own wallpaper," Mrs. Brown said.

Hephzibah has helped to upgrade some neighborhoods. When Mr. Fain bought two houses in Elmwood, he painted them in fresh pastels, put in new sidewalks, landscaped the grounds and tore down some old garages. Two neighbors repaired their houses soon after.

A BUSINESS VENTURE

Mr. Fain stressed that he attempts to operate a normal real estate venture, with a fair return on investment. To do otherwise, he said, would defeat Hephzibah's meaning, which is to prove that open occupancy is a sound practice.

"I don't want to be put in the position of a 'do-gooder' or someone that somebody else has to thank," he said.

"When a person goes into a car lot to buy an auto for $3,000, he doesn't have to go up to the owner and thank him for selling it.

"Neither should there be any call for thanking a landlord when he rents an apartment. That's what a landlord has a house for."

WILL THE TORCH BE PASSED TO A NEW GENERATION OF AMERICA'S POOR?

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. BROWN of California. Mr. Speaker, I should like to direct the attention of my colleagues to an interesting and significant article which appeared in the December 9, 1967, issue of the Washington Post. The article is entitled "Nixon Sees Threat of U.S. Race

War," and was written by Mr. Stanley Johnson.

The former Vice President is quoted as saying:

> The war in Asia is a limited one, with limited means and limited goals. The war at home is a war for survival of a free society. Anything less than total mobilization of our resources, would risk defeat.

Perhaps of more importance was Mr. Nixon's assertion that the "war in the making" between black and white in the United States was more important than the war in Vietnam, and if it is not solved, "it will not matter what happens in Vietnam."

I suppose that most will say that the above "goes without saying," but I bring it to your attention primarily because of the source—the former Vice President of the United States and a front-runner for the Republican nomination for the Presidency in 1968. Few will deny, I am certain, that one of the qualities frequently attributed to this respected Republican is his knowledgeable grasp and interpretation of foreign and domestic affairs.

I find myself in substantial agreement with the remarks of the former Vice President, and my primary purpose before you here today is to explain why.

However, before I begin to elaborate on a few selected and specific topics, I would like to share one general thought which I feel is paramount to my discussion today.

In my humble opinion, the central and critical question facing America at this time, is whether this great Nation can exist and prosper, one-quarter in poverty and three-quarters in affluence. It is doubtful whether this can be accomplished without continued convulsion of our society. The proof ought to indeed be convincing. One has only to review the spectacle of urban revolt, increasing violence, and pervading despair, to understand the magnitude and critical seriousness of the problems to which I address my remarks.

It is true—as Mr. Nixon suggests—that there appears to be a polarization of the races here in America. For whatever reason, the Negroes of this country are concentrated in urban ghettoes, while most other Americans opt for the comfort, security, and pleasure of the suburban life. Partly, this is a consequence of economic segregation, but we also know that pure and simple racial prejudice must account for a substantial part of the fault. There are, of course, other reasons of lesser importance.

One cannot deny the tragic problem facing us in the area of race relations. And, it is not enough, I might add, to pass civil rights legislation and engage in prayer to forestall urban revolt. To begin the task, the war on poverty must be escalated tenfold, and must involve every segment of our society, as well as all levels of government.

I make first reference to the war on poverty, Mr. Speaker, because it is designed to assist all of our disadvantaged people—Negro, Mexican-American, the rural poor, and others. As we well know, the economically afflicted encompasses more than American Negroes alone. The following editorial which appeared in the December 11, 1967, issue of the Washington Post discusses very lucidly, for instance, the nature and scope of rural poverty in America:

RURAL POVERTY

The President's National Advisory Commission on Rural Poverty has made findings and recommendations so sweeping and comprehensive and exhaustive in character that its report is bound to figure in the formation of national policy for a generation.

Its disclosures on the nature of rural poverty will not surprise or amaze those who have heard the reports of Secretary of Agriculture Orville Freeman and others. The poverty of 14 million rural Americans is, as the Commission says, "a national disgrace." It is not the first to say that the urban riots of 1967 "had their roots in considerable part in rural poverty." The Commission rightly makes the point that "the more vocal and better organized urban poor gain most of the benefits of current anti-poverty programs."

The disparities between urban and rural life have become a matter of common knowledge: one in every eight urban persons is poor, one of every 15 suburban, one of every four rural persons. Thirty per cent of the people live in rural America, but 40 per cent of the poor. Three out of five rural white people are poor. There are three million illiterate rural adults. One out of 13 houses are unfit. The melancholy indices of rural calamity can be continued ad infinitum.

The Commission, in spite of its gloomy findings of fact, is hopeful that something can be done and it wishes the country to adopt and put into effect a policy that would give to residents of rural America equal opportunity with those of other citizens. It has a program for providing full employment, adequate shelter, rural education, medical care, family planning, rural housing, better rural government and other answers to rural inadequacies.

In total, its recommendations would involve Federal commitment to rural change on a scale unprecedented as to both expenditure and intervention in local and state affairs. Some of its proposals tend toward complicating governmental arrangements that elsewhere it finds already too involved.

The Commission's appraisal of the Federal acreage crop adjustment programs acknowledge that they are not specifically "poverty" programs, but faults them for not having more effect on the poor. The crop adjustment programs have effects that permeate the life of many parts of rural America, maintaining commodity price levels that otherwise would descend to disaster levels, distributing direct benefits and sustaining the prosperity of the vast rural business of supplying and marketing farm commodities. These commodity programs may not deal with the rural poor—but they deal with a lot of people who would be poor without them and their significance and importance in relations to rural life should not be minimized.

To close the poverty gap by cash subsidies to the poor, the Commission estimates, would cost $12.5 billion—$5 billion for rural poor alone. It is an alternative the utter simplicity of which, in the form of income subsidies of one kind or another, in the end may strongly recommend itself as an alternative to the more involved social, economic and cultural programs the Commission proposes.

As the editor of the Washington Post states, the President's National Advisory Commission on Rural Poverty was not the first to declare that the urban riots of 1967 "had their roots in considerable part in rural poverty." Indeed, the rural poor continue to move into our large cities in vast numbers, seeking the better life they have heard tell of, or witnessed on television.

Farming, for the small family farmer, is too large a risk, too costly a proposition, and too competitive with the gigantic, highly mechanized, corporation "agribusinesses." Subsistence is difficult, profit hardly a motive. Many older farm people are engaged in a holding operation, the younger farm members are leaving in droves. It is doubtful that this trend will be reversed.

We know, of course, that not all of the expatriates from the farm are former land operators or owners. The majority of these new arrivals to our cities are former agricultural workers, recently displaced by a machine of some sort, and forced to vacate the rural habitat. Many of them were migratory workers, following the harvest of the crops, year after year, and, more tragically in some cases, generation after generation.

But no one stands in the way of change and progress. New ideas and innovations force changes of custom, habits, and methods. Such things as power, wealth, population distribution, and leadership all shift to accommodate change. The large corporation farm replaces the family farm, and machines replace workers.

There are other forces of change currently in motion. Of noteworthy significance is the movement to organize those farmworkers who have chosen to remain in the fields. This organizational drive has developed considerable momentum, talent, and support both in dollars and sympathy from the general public.

In the vanguard of these organizational efforts is the United Farm Workers Organizing Committee centered in Delano, Calif., the heart of the grape-producing region of that great State. Impressive and precedent-setting victories have been won by the farmworkers under the able and respected leadership of a man described by the Vice President of the United States as "a man of unselfish dedication and personal courage who has aroused the conscience of this Nation: Cesar Chavez."

These are a few of the activities underway in the American countryside, where poverty is widespread, frequent, and seemingly entrenched. What of the poverty in our cities?

The subjects of poverty and violence in our cities have been restated so many times, that I hesitate to embark upon a restatement of the nature, causes, and consequences of them. Suffice it to say, at least for our purposes that the situation is critically serious, and demanding of immediate action on the part of all governmental agencies—local, State, and Federal. The time is desperately short, hope seems drastically distant, and the patience of America's poor is dangerously thin. We must act now and hope that we are not too late.

The question remains: Will we act to ward off impending disaster? Some knowledgeable, competent, sources think not. I ask you to review carefully the following editorial which appeared in the December 1967 issue of Agenda, a magazine published by the Industrial Union Department, AFL–CIO:

CONGRESS TRIES HARD TO IGNORE THE FACTS OF LIFE

During the recent House debate on the anti-poverty bill a group of ragged, bearded Negro youths appeared in the public gallery. An old doorkeeper shook his head. "They don't belong here," he said. "They're not helping their cause one bit."

Since their future was being decided by the floor debate, their right to be there seemed beyond question. But the resentment their presence stirred is eloquent indication of the atmosphere in which laws are made on Capitol Hill. The intrusion of harsh reality, even while it is under discussion, strikes many as offensive.

This tendency is evade looking hard facts in the face was apparent during the first session of the 90th Congress. The present lull between the ending of the first session and the anticipation of the second next year is as good a time as any to try to assess the legislative mood.

Someone has already dubbed this Congress the Naughty Nineties. But that's too arch. Its stubborn resistance to the facts of life in the United States during the 60s is evidence of something grimmer than mere mischief.

There is evidence of the temper of Congress in its treatment of the poor. At a time when the country shows a disposition to recognize the presence of the heretofore invisible poor (mostly because the poor, like the youths in the gallery, have suddenly thrust themselves upon a country's notice), the attitude of many members of Congress is one of mid-Victorian disdain.

AID IS FOR ONLY THOSE CONSIDERED "WORTHY" OF IT

That was clear in the anti-poverty debate where the chief decision seemed to be, not shall we give them anything—for the members were all agreed that something had to be done—but only what's the smallest amount we can give.

The same mood was evident in the handling of welfare clients in the House version of the Social Security bill. There, in the best tradition of the 19th century English poor laws, the inclination was to help only the "deserving poor." The welfare proposals advanced would require youths and mothers on relief to take whatever training and jobs were offered them or face the loss of benefits—even if the jobs were unsuitable and if children suffered from lack of supervision.

Disdain appears to have been the operating factor when Congress let the Office of Economic Opportunity's spending authority expire on Oct. 23, so that many poverty programs had to shut down or try to operate on a volunteer basis.

There is also little disposition to pay for domestic programs on an adequate scale or to consider appropriate ways to pay for them. So the President's 10 percent surtax was allowed to die this session on the excuse that he would not cut essential programs. And the Senate Finance Committee for several days considered raising Social Security taxes higher than necessary in order to curb inflation, even though it risked undercutting the Social Security system, and even though the burden of such an increase would have been greatest on the employed poor.

SOME OF WORST ACTIONS WERE LATER REVERSED

Some of the other dubious distinctions of the first session were the House refusal even to consider a proposal to appropriate $40 million for rat extermination; and the refusal of the House Agriculture Committee to approve an emergency food program for the starving poor even though Senator John Stennis of Mississippi himself came and asked for it.

At such times 19th century standards seem to go deeper on Capitol Hill than the lush decor of crystal chandeliers, gilt framed mirrors and richly decorated halls; they seem to fix the prevalent point of view.

Fortunately, Congress is able to surmount these moments. Things are not that bad. The Senate Finance Committee in the end adopted a schedule of tax increases based on benefit increases. The rat extermination program and the emergency food program were added to other legislation. Welfare recipients, at least in the Senate bill, were treated with more consideration.

An excess of indifference to immediate problems, however, does exist.

For what finally emerges are programs that are insufficient: a War on Poverty that scarcely makes a good dent in the problems of the poor; urban rehabilitation and school programs that do not go very far in meeting the needs of cities.

One is always aware that such skimpy assistance is given at the same time that Congress approves $1.2 billion for a supersonic jet and applauds the $350 million spent to put the Saturn into space.

NATIONAL MOOD UNDERGOING MAJOR CASE OF ENNUI?

It is the war in far-off Vietnam, finally, that affects everyone and sets the tone. Congress after all does reflect the nation's mood.

No recent issue more engaged the hearts and minds of millions of Americans who favor social reforms than the threatened end of the War on Poverty. Yet when a reporter during the House debate asked a civil rights leader, "Is it like 1964?" He underscored the change that had taken place in three years.

It is not like the 1964 Congress which demonstrated its concern for the deprived. Even though many of the same groups whose outpouring of concern led to the enactment of the milestone Civil Rights Act of that year are involved in the War on Poverty, they were unable in 1967 to generate support of the same magnitude.

It is a melancholy sign of our time that the 90th Congress, at best, will provide no more than guns and margarine. It is another sign that many of us are ready to settle for that.

Now that the first session of the 90th Congress can be viewed and analyzed in retrospect, one can find any number of views and descriptions of our work. I was especially distressed by the assessment of Mr. Joseph Kraft, a columnist for the Washington Post, who stated in his column on December 17, 1967:

Thus the accomplishments of the Congress, as well as what it did not do, both conspire to underline the same point. Like it or not, political opinion in the country is turning right and the outlook for poor people and for minorities is bad.

That particular analysis gives cause for alarm, because one gets the impression that if what Mr. Kraft says is substantially true, then we face societal disruptions of a far greater intensity and magnitude than in recent years. This is to be anticiptaed because the poor of this Nation are slowly moving to the forefront to demand—I hesitate to say "ask"—from the affluent three-quarters of the populace, a decent share of America's overabundance. Who among us would have expected these fellow Americans to stay put? Would you?

There is special attention being paid in the ghettos, barrios, and other such areas in America today, to a statement attributed to an early American named Frederick Douglass. It goes like this:

If there is no struggle, there is no progress. Those who profess to favor freedom, and yet deprecate agitation, are men who want crops without plowing up the ground. They want rain without thunder and lightning. They want the ocean without the roar of its many waters. This struggle may be a moral one; or it may be a physical one; or it may be both moral and physical; but it must be a struggle. Power concedes nothing without a demand. It never did and never will. . . . Men may not get what they pay for but they most certainly pay for all they get.

The tragedy of it all, is that very few Americans have even a casual exposure to or understanding of the conditions and needs of our poverty-stricken citizens. Poverty has been conveniently isolated from our minds and view. Few have sought it out. Few will.

Nevertheless, factual and substantiated reports of the conditions daily facing these 25 to 30 million Americans are being placed before the general public. It is increasingly difficult to hide from the truth. The report I included for insertion concerning the rural poor is an example, there are many more. I offer two news items on the subjects of poverty and social alienation for your attention. The first deals with Americans of Mexican descent, the other with American Negroes:

[From the Washington Post, Sept. 21, 1967]

AT TEXAS INQUIRY INTO HUNGER: U.S. MEXICANS TELL OF POVERTY

(By Vicki Brandenberger)

SAN ANTONIO.—An ailing 62-year-old Mexican-American, a yardman and several poverty-stricken mothers were witnesses here Tuesday at an ad hoc Citizens' Board of Inquiry into Hunger and Malnutrition in the U.S.

The first to take the stand was Porter Salazar, 62, who suffers from bronchitis and asthma. Speaking in Spanish through an interpreter he told of having to choose between paying medicine bills and buying food.

He said he must care for his disabled wife and a 7-year-old grandson on $112 a month in pension, and has trouble with the confusing Government regulations on commodities allotments and medicines. He said he pays $25 a month in rent, $26 on a furniture debt and $10 for insurance.

His story was repeated again and again before the panel, which is sponsored by the Citizens Crusade against Poverty and included Philip Sorensen, former Lieutenant Governor of Nebraska, Msgr. Lawrence Corcoran, secretary of the National Conference of Catholic Charities; Yale law professor Edward Sparer, and Clark College (Atlanta) president Vivian Henderson. Hearings have already been held in Kentucky and will be held later in the cotton belt and on Indian reservations.

Another witness, Raymond Medel, a 46-year-old yardman, told the panel he had just been released from the county charity hospital after a three-month stay and that his three children are not going to school because they have no shoes or clothing.

Medel said he earns about $40 a week but while he was in the hospital his rent was not paid and he received notice that if he does not pay back rent he will "be out."

When questioned by Sparer, Medel said his family had attempted to get welfare assistance while he was in the hospital but that this wife was told the family was not eligible because she was capable of working.

He said she was not given advice on any jobs she might get but was told to look for work.

"Did they tell who would look out for her children?" Sparer asked.

"No," replied the witness.

Benita Luna, a young housewife holding a baby in her lap and clutching a toddler at her side, told of her problems of cooking

for a family of eight on a kerosene stove in the one room in which the family lives.

She said her husband's earnings permit her to spend $25 a week for food and that she is unable to give her children milk and her family seldom has meat.

Midway through the day-long hearing on problems of hunger among Mexican-Americans in Texas, Frances Delgado, a young mother of nine, showed a scrawled note she had found during the hearing lunch break. The note, from the Housing Authority of San Antonio, threatened her with legal action and eviction unless she paid $10 remaining on her monthly rent by 5 p.m.

"I paid $42.75, but I still owe them $10," she sobbed. "For $10 they want me to give up my home."

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

ONE HUNDRED AND THIRTY-FOUR U.S. NEGROES SETTLE IN LIBERIA

MONROVIA, LIBERIA.—A group of 134 American Negroes who emigrated to Liberia last month say they decided on the move because of increasing violence against Negroes in America.

A spokesman for the group, Moses Buie, said at the village of Gbartala, 150 miles from here, that "we never had any real freedom in America."

The group, calling themselves "Black Hebrews," have set up a tent camp in the village while the Liberian government is seeking to help them adjust to their new life.

(The immigrants came from six U.S. states: New York, Illinois, Mississippi, Georgia, Arkansas and Louisiana. The oldest is an 82-year-old widow from Chicago, and the youngest is 7 months. The average age is 39 years.)

Some of the group's members were living in Monrovia, where they formed a band called the "Soul Messengers" and performed in local night clubs.

Asked how it felt to give up the modern conveniences of the United States for a tent in the African bush, one immigrant said: "To us it is better to live in tents in an African society on a black continent than to live in a mansion in America like a slave."

"Things are getting worse and worse for our people in the United States," Buie said. "Because we are not wanted, tanks are used against us and this shows we are not welcome in America."

The Liberian Government Immigrant Adjustment Board recently inspected the camp and described the situation there as urgent because some of the women needed prenatal medical care and some of the children were underfed and needed attention.

But a Board spokesman emphasized that the government was not responsible. He said that under Liberian law the immigrants should have informed the government prior to their arrival so that preparations could have been made to receive them.

Yes, Mr. Speaker, it is a sad and tragic thought, indeed, but the "American dream" is still but a nightmare to millions of Americans. We may believe this to be unthinkable, but we do not suffer from malnutrition, dilapidated housing, inadequate medical care, insufficient and inadequate schooling, racial or ethnic prejudice, economic segregation, inadequate and insufficient employment, and so forth.

No; we would not for a moment think of foregoing that which is ours here in America, for a life in Liberia or elsewhere. We have it too good. However, not everyone shares our good fortune.

One is prompted to say that leaving the country is sidestepping the issue—the struggle to eliminate prejudice and inequity is here, not in Liberia. True and only a few malcontents are leaving for Liberia and other places. Most have opted to stay and fight. Escalation of this social confrontation in America therefore appears to be inevitable.

You ask whether this is anything new? Granted it is not, but the torch has been passed to a new generation of America's poor and alienated—and, as vividly evidenced by recent years, the glow from that torch can burn our great cities and shatter our American dream.

Mr. William Shannon, a news correspondent for the New York Times, has made this point very well in the article which follows:

[From the New York Times, July 27, 1967]

NEGRO VIOLENCE VERSUS THE AMERICAN DREAM

(By William V. Shannon)

The major outbreak of Negro violence is such a profoundly disturbing event because it calls into question so many optimistic assumptions about American society.

Most Americans are optimists about themselves and their country, and they have good reason to be. Whether they are descendants of Pilgrims who came over on the Mayflower or of European immigrants who arrived one or two generations back, they have found diverse opportunities for personal fulfillment and an ever-widening share of material success. "America is promises," a poet has written, and as an open society it has largely kept those promises.

ON THE PLUS SIDE

Until recently, most people of goodwill have been not only hopeful but confident that Negroes would also increasingly participate in the good things of American life. Innumerable statistics detail the rise in Negro incomes, the increase in Negro college graduates, and other proofs that the open society is working for Negroes. Court decisions and civil rights laws are creating genuine legal equality between the races.

More specifically, in Detroit Negroes have a substantial share of power in politics and the trade unions. Their votes helped elect Mayor Cavanagh, who has been energetic in fighting for their interests.

Against this background, the events of recent days seem baffling and senseless. Governor Reagan dismisses the rioters as "mad dogs," but that only demonstrates his poverty of spirit. The rioters are human beings with human motives and aspirations that deserve to be understood, no matter how alien or repulsive their conduct may be.

CRIMINAL OR RACIAL?

Many are tempted to dismiss the disturbances as merely criminal behavior having nothing to do with civil rights. In any disaster there are, of course, street corner hooligans of both races who are delighted to have a chance under cover of the confusion to smash a window and grab a television set or a quart of liquor. But the fact remains that violence originated in Negro neighborhoods, and Negroes are the predominant participants. Race remains the crucial factor that has to be understood.

Two broad considerations may contribute toward an understanding of these complicated events. First, the improvement in Negro circumstances in the past decade paradoxically contributed to bringing about the violence. Nothing is so unstable as a bad situation that is beginning to improve. The war on poverty's community action programs have stirred interest and hope in the ghettos where formerly there was only passivity and despair. Older teen-agers who have been prominent in these riots are particularly sensitive to these changes in community atmosphere. They have the energy, free time and recklessness to try to force the pace to change by violently challenging the *status quo*.

A small minority, but a restless, activist minority, in the Negro community is caught up in the romantic dream of ending all their disabilities and injustices at one stroke by revolutionary action. Stokely Carmichael's remarks in Havana about "guerrilla movements" in American cities seem absurd to older, wiser heads, but they strike a note with some Negroes. If the slum is an awful place, why wait ten years for an urban renewal program to change it? Why not put a torch to it right now? Detroit's Negroes are going to live with a depressing morning-after to these midnight fantasies, but the impulse beneath these fantasies is strong and real.

A second element is the psychology of violence. "Violence is a cleansing force. It frees the native from his inferiority complex and from his despair and inaction; it makes him fearless and restores his self-respect."

Those words were written by Frantz Fanon, a Negro psychiatrist from Martinique who served with the Algerian rebels. He argued in his book, "The Wretched of the Earth," that violence is not only a political necessity for the colonial peoples seeking their independence but a personal necessity for colored "natives" striving to be men. Because the systematic violence of the colonial system deadened and degraded the natives, Fanon argued, they could achieve psychic wholeness only by committing acts of violence against the white masters whom they wish to supplant.

VIOLENCE AS "THERAPY"

Fanon's argument is dubious psychiatry. It ought to be possible to express aggression without channeling it into physical violence. But, dubious or not, his book has gone through five paperback printings in a year and is an underground best seller. The statements of H. Rap Brown and other young radical Negro leaders are in accord with Fanon's exalting of violence for therapeutic reasons.

Faced with this inchoate militance and dark striving, a society as rich and successful as the United States has a fateful decision. It can rely, simply and solely, upon armed repression. Or it can also spend enough money—much more than it is now spending—to ransom these lost Negroes from the squalor and frustrations that torment them.

Mr. Speaker, my concern is for all of our disadvantaged citizens, whoever and wherever they may be; however, the nature of the congressional district which I have the honor and privilege of representing is such that I take a special interest in the problems and advancement of Americans of Mexican descent. To elaborate, Los Angeles County has the second largest concentration of persons of Mexican descent in the world—second only to Mexico City. The district which I represent includes most of east Los Angeles, the hub of the Mexican-American community in that area.

I submit that not all Mexican-Americans are poor and disadvantaged. But numerous statistical studies reveal that they are, as a group, not sharing in the bountiful plenty of America. However, it is plain that this inequity will be rectified, for new winds of change are blowing through the American Southwest which challenge the past and those who would defend it. The words of my good friend and colleague from Texas, the Honorable HENRY B. GONZALEZ, are especially significant today as the Mexican-American

strives to share and participate in the American dream:

Americans of Spanish surname, who have furnished the muscles that turned much of the Southwest from arid desert into miraculously productive farmland, who laid the foundations of our cities, and who have willingly laid down their lives to defend it all, now know that the great American dream, so long denied, can be theirs.

Yes; the American dream can and will be theirs. Unity has replaced apathy and patience in the current struggle underway to uplift the lives of Americans of Spanish surname.

Four months ago in El Paso, Tex., I had the privilege of attending the cabinet hearings on problems of the Mexican-American. Over 1,000 persons were invited by Mr. Vicente T. Ximenes, head of the President's newly created Inter-Agency Committee on Mexican-American Problems, to interact with White House Cabinet members. I offer for the perusal of the Members, a list of the reports presented at those El Paso hearings:

LIST OF REPORTS PRESENTED AT EL PASO HEARINGS

1. Economic and Social Development:
a. Discrimination Against Mexican-Americans in Private Employment, presented by Albert Armendarez, J.D.
b. Civil Service and the Mexican-American, presented by Judge Alfred J. Hernandez (Texas).
2. Agriculture:
a. Housing Problems of the Rural Mexican-Americans, by Armando C. De Baca (New Mexico).
b. Rural Cooperative Development and Economic Opportunity Loans as Methods for Economic and Social Development by Angel Gomez.
c. Food Distribution Programs in Texas, by Ricardo Garcia, Jr.
d. Agricultural Research and Orientation of the Department of Agriculture by Alex P. Mercure (New Mexico).
e. The Forest Service and the Spanish Surname American, by Tomas C. Atencio (New Mexico).
f. The Agricultural Workers and Sugar Beets by Jonathon B. Chase.
g. Rural Community Development by Dr. Ernesto Galarza (California).
3. Housing and Urban Development:
a. Recommendations for Solution of Land Tenure Problems Among the Spanish Americans in New Mexico by Dr. Clark S. Knowlton.
b. The Housing Problems of New York Puerto Ricans by Jose Morales, Jr.
c. Special Housing Needs of the Mexican-American Community, by Augustine Flores (California).
d. Community Facilities, by Father Henry J. Casso (Texas).
e. Rehabilitation of Homes, Job Training and Community Development by Joe R. Romero (New Mexico).
f. Rehabilitation of Existing Substandard or Obsolete Housing Through Self Help Programs, by Lorenzo A. Chavez (New Mexico).
4. War Against Poverty:
a. Vista by Facundo B. Valdez.
b. Mexican-American Problems and the Job Corps, by D. G. Coronado.
c. Motivation Against Poverty Groups (Head Start) by Patsy Jaquez.
d. The Choiceless Consumer: The Plight of the Mexican-American in the Southwest, by Robert W. Wanless (California).
e. Community Action Programs, by Carlos F. Truan (Texas).
f. Legislative Recommendations for War on Poverty, by Daniel R. Lopez (California).
g. Migrant Farm Workers in America, by Gilberto Esquivel.
5. Health, Education and Welfare:
a. Educational Problems of Mexican-Americans by Dr. Julian Nava.
b. The Extension Service in the Southwest, by Peter M. Mirelez.
c. Inter-Minority Relations, by Leonel J. Castillo.
d. Elementary and Secondary Education, by Edward V. Moreno.
e. Need to Use HEW Funds to Secure Equal Education Opportunity for the Mexican-American, by Dr. Miguel Montes (California).
f. Higher Education, by Priscilla S. Mares (Colorado).
g. Bilingual Education, by Hercilia Toscano (Texas).
h. Bilingualism in Education, by Nick E. Garza.
i. Adult Illiteracy, by A. R. Ramirez.
6. Health:
a. Current Problems in Mental and Public Health Services as Related to Mexican-Americans, by Faustina Solis (California).
b. Welfare, Crime and Delinquency Problems, by Juan Acevedo.
c. Social Security, by Ed Idar, Jr. (Texas).
d. Partnership for Training, by Delia Villegas.

A great wealth of information, both factual and statistical, was produced as a consequence of the hearings. There were many excellent papers dealing with the special problems of this ethnic minority. More important than the reiteration of the problems, however, were the historical perspectives recounted, and the presentation of solutions to the many problems related to housing, education, employment, health, land tenure and use, and so forth.

The general message was one of urgency and frustration, an intense desire to get on with the work of rebuilding the communities and bettering the lives of the Mexican-American people. The following excerpts from the "Report on Labor Standards," presented by Mr. Maclovio R. Barraza, is an excellent example of the caliber of the presentations, and the competent and highly useful research material made available to the Federal agencies:

LABOR STANDARDS

(Presented by Maclovio R. Barraza)

In the programs of the federal government directed against poverty there is increasing emphasis on the need for the poor to be presented. It is logical that it takes the poor to understand the problems of the poor and to be involved in the plans and decisions aimed at the solution.

It is equally true that one has to be a Mexican-American living in the Southwest to know and understand the problems of this people, who today are among the most disadvantaged segment of our society and for whom the door of opportunity is, in most instances, more tightly shut than for even the American Negro.

My name is Maclovio R. Barraza. I live in the Southwest, where most of my people in this country live and yearn for a chance to contribute to and share in the country's promise of freedom, equality and justice for all.

I am a trade unionist who rose from the ranks of working people—a miner who saw in the labor movement an opportunity to work for the correction of the many abuses and injustices imposed on the workers, particularly the Mexican-American, in the Southwest.

Serving at all levels of my local union I was able to achieve a role of leadership in the International Union of Mine, Mill and Smelter Workers as an executive board member for the Southwestern region. Since the merger of this union with the United Steelworkers of America, I hold a similar post in this great labor organization.

This conference called by President Johnson affords me another opportunity to speak out in behalf of my fellow trade unionists of Mexican descent as well as those others bearing Spanish surnames who as yet do not enjoy the advantages of trade union representation.

While I personally welcome the invitation to present my views, I cannot refrain from informing you that several important organizations equally concerned with the problems of the Mexican-Americans view this conference with suspicion. They hold little or no expectation that it will result in anything meaningful for the Mexican-Americans. These groups consider this meeting as being politically motivated at a time when the federal election season approaches. They charge that the conference is structured so as to have only the (quote) "safe" (unquote) Mexicans participating.

At the risk of being labeled a Malinchista—which is the Mexican equivalent of what the American Negroes call "Uncle Tom", I, nevertheless, accept this invitation even if I may face the scorn and possible ostracism of my many dear friends in these organizations. Long ago I vowed that I would seek every available forum to tell the plight of my people who have for so long been neglected by our society and allowed to exist only in its shadows.

Whatever other reasons many may have for distrusting the intentions of this conference, perhaps the most central is that we Mexicans are very disappointed with the performance of all levels of government. In spite of the many studies and voluminous reports; the many conferences and the big promises, we have yet to see any significant evidence of the kind of action needed at all levels of government to correct the legitimate grievances of our people.

Neglected for years, the Mexican-Americans, nevertheless, have not turned their backs on this country and have, in fact, displayed a steadfast loyalty to it. Their record of valor on the battlefields, for instance, is a shining example of their faith in the national ideals for which they are willing to sacrifice. Proudly I say that they have been and are among the best citizens and have assumed a responsible role every time they were called on.

We Mexicans know who our political friends are and who our enemies are in government. Experience taught us that hard lesson. I willingly volunteered to head the Viva Johnson committee in Arizona in 1964, and along with others have worked hard in his behalf. The Mexican-Americans responded to his promise of a great society with enthusiastic fervor. This is why the disappointments we are experiencing are so much more bitter and frustrating.

We are aware of some progress. We understand the difficulties and crises government faces. Along with all other minority groups, we saw hope in the passage of the important Civil Rights measures. The war on poverty programs advanced by this administration offered us a promise. The enactment of Medicare for our older citizens is a sign of new direction in social legislation. We in the hard-rock mining unions appreciate the Mine Safety Bill, which can be a start of a positive program to spare the life, limb and agony of the miners—a large percentage of whom are Mexican-Americans in the Southwest.

We are most thankful for these and others. We regard them with favor. They speak loudly of the accomplishments of President Johnson and his administration.

But what the Mexican-American is say-

ing is: It's not enough and it barely touches the many problems that beg attention. Our people are saying that before we shout Viva Johnson, there better be a Viva la gente Mexicana program. There must be a bridge built immediately between the well-intentioned promises and some real positive action.

Along with the other disadvantaged people, the Mexican-American is growing more and more restless. He's patient but it's running out. He may soon be forced to seek dramatic alternatives to his patience—alternatives that seem to bring more generous responses from government than obedient restraint in face of adversity and injustice.

I don't like to believe what is being said by a prominent sociologist at a leading Western university that the poverty conditions in the Mexican ghettoes of El Paso are far worse than any found in the grimmest sections of Lima, Peru. He is convinced that a powder keg exists here in El Paso and other cities of the Southwest which could at any moment explode into violent riots far more intense than those of Watts, Detroit, or other cities which experienced poverty outbursts. Significantly, when such should happen, there will not be a single Negro involved.

The common denominator is there—the same in Watts, Detroit or El Paso. It's poverty amid plenty. It's poverty brought about by the dominant segments of our society who callously ignore reality and are not permitting all the people to share in the abundance of this nation. And, I need not remind any person who cares to study the problem that it cannot be avoided by placing more Mexican-Americans in the National Guard of Texas or any other Southwestern state.

I wish to devote attention to some—by no means all—of the problems facing the Mexican-Americans. While these are in many ways the same as those of other minority groups, there are significant differences which, in my opinion, make the plight of the Mexican more difficult.

Allow me to mention but a few. To the Mexican-American in the Southwest this is his land and his roots are sunk deep in it. Unlike that of the American Negro, his history is not one of economic slavery by force and chains. In many if not most cases, he preceded those who have and are exploiting him. The Mexican-American has a culture with which he is able to and does identify. It's one he cherishes dearly.

His country of origin and its culture is not some vague place in a distant continent. It's Mexico. It's near. It's a country today much alive in growth, industrial expansion and cultural development. He knows it and understands it. He feels its winds of progress across the nearby border.

Strong in his allegiance to the United States, he fiercely resists any and all attempts to erode his culture, his language or his life style just to satisfy the whim of a market-place morality. He is industrious—not lazy. He is proud—not humble. He wants to believe that the United States is a land of promise where he can preserve his values and to share equally with others an opportunity to be recognized and to be allowed to contribute to it.

His ancestry links him to the most advanced cultures and civilizations in the world. Yet his life in this country has been and is in too many ways inhuman degradation imposed on him by interests who distort the national ideals and who discriminate against him for their selfish economic ends.

These are very serious indictments of those who degrade the Mexican-Americans. But they can be substantiated by readily available facts. It requires no depth study, no special commissions, to learn that it was not until World War II that in the Southwest the Mexican-American miner was paid a very special rate of wages. Regardless of his classification or his skill, he received only 60% or less of the rate paid to his Anglo counterpart. Imagine, doing the very same work but getting but a fraction of the pay that the non-Mexican received for doing no more.

Were it not for the trade unions that were born through the New Deal, this practice would likely be continued to this date. Efforts of unions like the Mine, Mill and other CIO unions put an end to this fraud. It was union combat and not the benign employers or politicians in their hip pocket that erased this discriminatory differential.

But this did not end all of the problem or did it relax the persistence of the exploiters. Employers as well as state and other governmental agencies still use the Mexcian worker in their not too subtle design to depress and keep depressed the wages of all the working people. This practice is prevalent today not only in the agricultural industry, which still craves economic slavery, but by other segments of the economy. The Mexican is sick and tired—and getting more so with each day—of being made a scapegoat for the employers and other chiselers to use in order to avoid their obligation to pay a decent living wage to the workers.

The loud hue and cry being raised today about the curtailment of bracero importation is coming from those who seek to perpetuate this rotten system. The agricultural industry, already heavily subsidized with tax payer money, wants the additional advantage of having its dirty labor performed at starvation wages and at conditions that no decent person should be forced to endure.

As in other industries of the Southwest, workers in the field are today more than ever before looking for a champion. They crave recognition of their union so they can by trade union action correct some of the evils and abuses in the same way as the industrial workers did in auto, steel, mining, and others.

Need this conference be told that farm workers are not afforded the advantages of the meager provisions of the Fair Labor Standards Act? Since they do not come under the National Labor Relations Law, they are not allowed to express democratically their wishes to be represented by a labor union. Since so large a percentage of Mexican-Americans are in the agriculture labor market, these are the great handicaps they have in solving their social and economic woes.

It's time now that we're reaching the planets with space ships for the farm industry oriented congressmen to take off their blinds and face the reality of our day. The farm worker must be made a full citizen and a good beginning can be made if he is included under all the fair labor standard provisions and that the policies of the National Labor Law apply to him.

The Mexican farm worker knows what automation is doing even more than the industrial worker. Technology is continuing to reduce the need for farm labor. The federal government should right now embark on a full-scale program of educating and subsidizing the farm workers so they can be acceptable for employment in the new and growing industries and services. Who will pay the bill? "Who pays it now for the farmers who are literally unemployed but who get paid for not raising crops through a subsidy program? It is a reflection on the national values to have some paid for not working because they own land that rewards its owner for not being plowed and others suffering who are willing to work but for whom the subsidized industry no longer has need.

But as important as such measures are, they alone are not enough to lift the farm worker to the same status as others. There is need to strengthen the most important instrumentality for economic equality of all working people. The trade unions today are the targets of much assault by the very interests who are responsible for the exploitation of the Mexican-American. While the government's announced labor policy supports Collective Bargaining, little has been done by the recent administrations to strengthen it. In fact, the opposite is true. It is difficult if not impossible for trade unionism and collective bargaining to flourish in the Southwest.

Here in Texas, the second White House of the United States, we are in Right-to-Work Country just as in most all of the Southwest where the bulk of the disadvantaged must scrape to keep up with life's necessities. Let's not forget that it was a provision of the National Labor Law—Section 14b—that gave license to the states to perpetuate their opposition to unions and thus render weak the only instrumentality that can effectively oppose the exploitation of the Mexican-American people.

It is my firm opinion that if strong unions were in existence in all the industries of the Southwest and the impact of free collective bargaining was allowed to have its play, a very high degree of social and economic equalization would be realized without much assistance from government. It would be accomplished in the private sector of our economy.

It was not the poor Mexican who runs to Washington wanting to be saved from so-called labor bosses. It is the voice of the exploiters of all labor that was and is, I dare say, listened to in Washington.

It should be recognized that without a strong, contravailing force of organized labor there is little hope for the Mexican-American in the Southwest to achieve any decent standard of equality or justice. The common opinion today among the Mexican workers is that the situation is hopeless and that the big interests have their own way with government. If this is not a true appraisal of the predicament then it is the responsibility of all government leaders to show otherwise by deeds and actions and not by platitudes inserted in party platforms at election time.

The leadership ranks of our Union in the Southwest is heavy with Mexican-Americans. In a democratic climate of unionism, they assume leadership and responsibility. They are among the best qualified negotiators, the most articulate spokesmen. If democracy in unions proves the Mexican American capable, why is he not allowed to demonstrate his abilities and talents in other fields? If some claim that he is, there is no statistics to prove where the Mexican-American stands in relations to the others.

I am privileged to look at the statistics issued regularly by the Department of Labor. Lost in the figures of unemployment and employment is the picture of what is happening to the Mexican-American. True, the figures are issued only in terms of white and non-white. But the Mexican is a white and his predicament is buried in the maze of figures. But by observation of the actual scene, the Mexican-American's lot is that he is suffering the same degree of unemployment as the American Negro and perhaps even more.

The Mexican family has a father head and he usually is the breadwinner. Few wives, mothers, or daughters are identified with the work force or are they seeking to enter it. Labor statistics don't measure this number. Many Mexican-Americans, then, are either assumed not to exist at all or are considered employed.

Federal and state governments have expressed considerable concern for some of the minorities but have neglected the Mexican-American. Fewer Mexican-Americans are placed in government jobs than are opened to others. In fact, this policy extends even to our Mexican-American members of Congress. Congressmen of Mexican descent are not placed on committees which deal with Latin-American relations. Is it any wonder that many of us are prone to question if anybody in Washington really cares about

us at any other time except when election time draws near.

This neglect is felt and it is being seriously considered in the new political movements taking shape among the Mexican-American communities. If plans which are presently afoot in most of the key areas of the Southwest materialize, the political complexion of the areas will change abruptly.

Most political scientists studying this new phenomenon are convinced that once the Mexican-American vote is crystalized, the ultra-conservative political alignments of the Southwest will change violently. This force now in evidence may not favor any party label. It is issue oriented.

It is far from the truth to say that it is the Mexican-American alone who is the victim of social and economic injustice in the Southwest. The whole section of the country suffers from the discrimination being practiced. The Anglo cannot make real progress so long as the Mexican is used to keep down wages. The Federal laws are being winked at every day and the brand new Civil Rights legislation is without teeth, has no investigatory power of its own that we can notice, and it is not being enforced.

* * * * *

The state controlled systems of unemployment insurance, workmen's compensation and other so-called labor benefit programs are not only inadequate in the Southwest but they may be beyond redemption. They have not kept pace with the times and the employer groups and insurance interests continue to have increasingly more influence on the legislatures than do the working people. A federal system of standards is urgently needed to correct the glaring deficiencies in the compensation programs. It's plainly ridiculous that a loss of an eye compensates a worker differently in one state than it does in another or that an injured worker should receive less in weekly benefits than one who is laid off. There is not enough time to enumerate all the ridiculous assumptions that the provisions of the various programs imply. It suffices to say that they serve as an example of the neglect given them by the state governments and by the federal administration. When there is more consideration given a soldier who loses an arm in combat than to one who loses it working for a wealthy copper firm it is not difficult to detect a sickness in our society.

These are not singularly Mexican-American problems and they are common to all workers in the Southwest. The need for some supplementation of income for basic subsistence is today in great need.

We have but to look at the plight of the Mexican-American beyond the workplace to recognize even more startling examples of cruel discrimination. In housing, he is limited where he can live and his income will permit only the less desirable shelter. In education he is regarded as some special problem. He doesn't conform too easily to the ways of the Anglo, therefore he is assumed by some to be inferior. He clings to his Spanish language, therefore, he must not be trusted because those who are not bi-lingual can't understand his speech. He refuses to relinquish his mother tongue and he should be encouraged in his efforts.

While I suggest no programs that require even a fraction of what is spent to study the dark side of the moon, some money is needed to raise the nation's poor to a level of decency. It's needed in the area of public health, education, welfare, training, and job or income protection. Most of the current programs in these areas have not yet significantly touched the Mexican-American problems. Money must be made available and the investment of it in developing the human resources will be returned many times in the building of a better society.

Permit me to point out a geography lesson. South of us lie great nations of Spanish-speaking Americans. They are viewing our nation as a model—an example setter—after whom they may wish to pattern their development. They know we too came from a revolutionary movement that cast off the yoke of oppression. Abraham Lincoln's America is what they want to believe in. If we cannot meet the problems of our Mexican-Americans, can we honestly hope to impress the other Latin countries? Our government and our institutions are confronted with a challenge to meet the crises in our own country. The Mexican-American is eager to make this nation faithful to its democratic tenets.

If we accept this challenge as an opportunity to perfect our way of life, we will succeed in making this nation and the world a better place for all people. If we continue to be blinded by prejudice and selfishness of a few, do we deserve the place of world leadership that destiny has thrust upon us? We must start now towards our avowed national goals. Mañana is too late.

One sizable Mexican American group in El Paso united under the slogan "La Raza Unida" and identified with the aspirations of the poorest of their ethnic populace. La Raza Unida was organized by Mexican Americans representing 45 or so organizations across the Southwestern United States. Dr. Ernesto Galarza, of California, was named provisional chairman of the unity conference by the founding organizations. A plan was adopted and begins with the preamble:

On this historic day, October 28, 1967, La Raza Unida organized in El Paso, Texas, proclaims the time of subjugation, exploitation and abuse of human rights of La Raza in the United States is hereby ended forever.

La Raza Unida affirms the magnificence of La Raza, the greatness of our heritage, our history, our language, our traditions, our contributions to humanity and our culture. We have demonstrated, proven and again affirm our loyalty to the Constitutional Democracy of the United States of America and to the religious and cultural traditions we all share.

We accept the framework of Constitutional Democracy and freedom within which to establish our own independent organizations among our own people in pursuit of justice, equality and redress of grievances. La Raza Unida pledges to join with all our courageous people organizing in the fields and in the barrios. We commit ourselves to La Raza, at whatever cost.

With this commitment we pledge our support in:

1. The right to organize community and labor groups in our own style.

2. The guarantee of training and placement in employment in all levels.

3. The guarantee of special emphasis on education at all levels geared to our people with strong financial grants to individuals.

4. The guarantee of decent, safe and sanitary housing without relocation from one's community.

5. We demand equal representation at all levels of appointive boards and agencies, and the end to exploitative gerrymandering.

6. We demand the strong enforcement of all sections of the Treaty of Guadalupe Hidalgo, particularly the sections dealing with land grants, and bi-lingual guarantees.

7. We are outraged by and demand an end to police harassment, discrimination and brutality inflicted on La Raza, and an end to the kangaroo court system known as juvenile hall. We demand constitutional protection and guarantees in all courts of the United States.

8. We reaffirm a dedication to our heritage, a bi-lingual culture and assert our right to be members of La Raza Unida anywhere, anytime and in any job.

I want to emphasize to the Members present, that this high-sounding and urgent document represents the true desires and demands of millions of Americans of Spanish surname. It establishes a set of goals which they seriously expect to further and champion.

The problems which confront American citizens of Mexican descent are well known, and were reiterated by Vice President HUMPHREY as he kicked off the hearings in El Paso. Speaking to the large assemblage of participants at the University of Texas at El Paso campus he said:

We are witnessing a new awakening of La Raza which, I believe, will bring some of the greatest social reforms this nation has yet known.

He emphasized that President Johnson has requested results and not reports, a program for the future, not the past, and solutions, not a reiteration of the problems.

The Vice President outlined the problems which he said were well known:

The average Mexican-American earns less than half as much as other citizens of the Southwest. His unemployment rate is almost double the average for this area. He suffers historic injustices because his forefathers were driven from their Spanish and Mexican land grants.

His children usually attend segregated or semi-segregated schools. They get on the average, five years less of schooling than other Southwestern children. They are compelled to give up their native tongue. They cannot find their proud ancestors in the history books, or discover why there are great American cities called Los Angeles, Santa Fe, Corpus Christi and El Paso.

Yet—

HUMPHREY said—

most of these same people have been American citizens for generations—many of them since well before the Humphreys arrived from Scotland. They have played a vital role in building our cities, stretching our highways, reaping the harvest of our rich Southwest. And they have for too long been denied their fair share in American prosperity. Those painful inequities might have been unavoidable in the past. But, today, when we have the wealth and the power to remedy them, they are indecent, unnecessary, unacceptable—unbearable.

I concur with those remarks by Vice President HUMPHREY. However, there is one contribution absent, which I feel should also be told—that is the heavy sacrifice being borne by Americans of Spanish surname in the defense of our country. I have told this story before.

I quote now, Mr. Speaker, from a speech I delivered before this distinguished body of Representatives on June 15 of last year:

QUOTED FROM "VIETNAM CASUALTIES: LOYALTY AND SACRIFICE"

. . . Following last month's insult by Time magazine on the Spanish-speaking community of Los Angeles, I chastised that publication for allowing such a gross distortion of the true character and meaningful contribution of these citizens to our Nation. Contrary to the base article entitled "Pocho's Progress" in the April 28 issue of the nationally circulated magazine, the contributions of the Mexican-American community are many. There is one special contribution which I feel that our entire public should be more aware of, the sacrifice which has been made in the

past, and that which is presently being made 6,000 miles away in Southeast Asia by Americans of Mexican descent.

I have with me, a few statistics compiled with the assistance of the office of the adjutant general from the State of California, which will strengthen and clarify the points I will make in my remarks today. These figures show that during 1966 there were 125 casualties as a result of the hostilities in Vietnam from the county of Los Angeles, Calif. Twenty-two of them were of Mexican descent. The U.S. census of population shows that Spanish-surnamed persons comprise roughly 9½ percent of the population of Los Angeles County. This means, then, that a group comprising 9½ percent of the Los Angeles County population is suffering 17.6 percent of the deaths in Vietnam, based on this analysis of those who listed an address in Los Angeles as their place of residence. In all fairness, I should point out to you that I was cautioned that a small number of those both Mexican-American and non-Mexican-American who listed their place of residence as Los Angeles County, may, for all practical purposes, be citizens of another State.

What do these statistics mean? What can we deduce from them? Obviously, many things. In the first instance, one is tempted to wonder about the inequities of the Selective Service System or, perhaps, the socio-economic conditions in this country which very much determine who will be inducted into the military service and who will not. And, more positively, there is the question of patriotism on the part of those who volunteer.

It is common knowledge that Negroes, Mexican-Americans, and those persons generally in the less affluent sector of our society, bear a heavier burden than most, simply because they do not qualify for or cannot afford the methods of obtaining deferment status—primarily attendance at an institution of higher learning. This point is hardly debatable.

Another inequity is immediately evident upon viewing the makeup of local draft boards across the country. The President has, in fact, instructed the Director of the Selective Service to insure that local boards are more representative of the communities they service and to submit periodic reports of the progress of this effort. This move is particularly significant for the Mexican-American community, since its participation in local boards is quite limited. The chart shown below, which was taken from a recent report of the National Advisory Commission on Selective Service, reflects such an inequity. Although the category which includes Spanish-speaking Americans, also includes Orientals and Indians, the figures are quite meaningful and tragic, since in all of the five States listed one discovers that Spanish-speaking Americans comprise the vast majority of this category:

State	Percent of Spanish-Americans, Indians, orientals on local draft boards	Percent of Spanish-Americans, Indians, orientals in the population	Percent of Spanish-Americans (1960 census)
Arizona	4.8	21.8	14.9
California	4.4	11.5	9.1
Colorado	2.0	9.7	9.0
New Mexico	31.4	34.4	28.3
Texas	5.3	15.0	14.8

Last year, I reported to you that in one of the areas in Los Angeles County where there is a heavy concentration of Mexican-American citizens, there are three selective service boards in operation. I also indicated at that time that only one member from these boards was of Mexican-American descent. That, in all of Los Angeles County, with more than 600,000 Mexican-American citizens, there seemed to be only three draft board members from this ethnic background.

A concerted and cooperative effort carried out by local citizens, the State of California Director of Selective Service, and my offices, has rectified this imbalance somewhat. A few appointments have been made, and I believe there is a sincere desire by Selective Service to place more Americans of Mexican descent on local draft boards in California. But, I hasten to add, there are still less than a dozen sitting on the local draft boards of Los Angeles County, and we have a long way to go before we arrive at an equal and just representation.

We know that the whole concept of selective service itself has been the target of much criticism lately. However, that is an entirely different subject, which I expect to discuss at a later date. Rather, let us take a close and hard look at the statistics I presented earlier.

I submit to you that from any angle that we analyze these statistics—and let us not forget that each one of these figures stands for a human being—the one fact that stands out clearly is that deaths of Spanish-surnamed persons from Los Angeles County account for twice their ratio of the total county population. The truth is, that a large number of Americans of Mexican descent are drafted into military service, and a large number of those killed last year were draftees. But my statistics also reflect that a larger number of these young men were volunteers, men who voluntarily chose to serve their country.

These men sought no special recognition for serving their country, they sought only to do their share. But notwithstanding this selfless demeanor, this Government has recognized them for their outstanding contribution to our war efforts. They have proven themselves to be among the most gallant and courageous Americans. The proof is plain and incontestible. Eighteen Americans of Mexican descent have been awarded the Congressional Medal of Honor, the highest medal for valor that this Nation can bestow upon one of its fighting men. I seriously doubt that any ethnic group in this country can boast of such a magnificent achievement.

A great wealth of information on this subject is contained in an excellent book entitled "Among the Valiant," written, I am proud to say, by one of my former constituents, the late Mr. Raul Morin, a highly respected and admired American of Mexican descent from Los Angeles County.

That a disproportionate number of these young men are in combat units in Vietnam should not come as a surprise to anyone. They have in large part volunteered for such duty, and I believe we can expect that they will continue to volunteer for this hazardous action as the war drags on.

I want to point out, Mr. Speaker, that my study is not unique. One can find the same results in a survey conducted by my esteemed colleague, the gentleman from Texas, Congresman HENRY B. GONZALEZ. For 1966, Congressman GONZALEZ had the Vietnam casualty figures analyzed for San Antonio—a city in which 41 percent of the population is of Spanish surname—and discovered that Mexican-Americans comprised 15 of the 24 deaths from that city or 62.5 percent of the total. It was found that most of those men had been drafted.

I sincerely believe that an analysis on this subject in any area where there is a concentration of Spanish-speaking people, would bear out the same message—that Americans of Mexican descent are doing more than their share in our military efforts. We should recognize this fact, and not forget it.

Mr. Speaker, second-class citizenship with all its attendant evils is both intolerable and unacceptable in America. I am confident that it will be eliminated from the American scene. I will tell you why: The revolution of rising expectations presently sweeping the lesser developed areas of the world is relevant to certain sectors within the American society. The message is out, and it has been understood well—government is instituted for the well-being and security of all the people, not the chosen few or even the well-off and secure majority. If minimal requirements for equality are not met and guaranteed, then societal equilibrium is in jeopardy.

The time for action and reconstruction is at hand. The war on poverty must be energetically advanced and expanded. This Government—we here in this great Chamber—must work hand in hand with the poor to assist them in their efforts to lift themselves up. Our refusal to place in their hands the necessary tools to better their lot, will serve to encourage those who have preached violence and hatred. We must open up new avenues to progress, new causes for hope, new implements for carrying on the anti-poverty efforts of our Government.

Mr. Speaker, the poor of America are awakening from patience and nonparticipation, and we can expect that they will continue to move forward. We would do well to remove many of the obstructions they face in their struggle, for the national interests are at stake.

It is a matter of Americans assisting fellow Americans, and certainly that is an alliance of supreme importance—an alliance for progress at home. And I firmly agree with the words of President Johnson, delivered at his most recent state of the Union message, to the effect that it is not whether we can do it, but whether we will do it.

I believe we will.

THE U.S.S. "PUEBLO" CRISIS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RODINO. Mr. Speaker, North Korea's seizure of our naval vessel *Pueblo* and its crew has presented the Nation with a grave and perilous crisis.

I know all Americans feel a sense of outrage and a natural desire for retaliation to this manifestly unprovoked attack.

We must certainly make clear our determination to recover the ship and its crew. And, beyond doubt, we must make the Communist world realize that such acts of aggression will not go unchallenged, that the United States of America cannot be attacked with impunity.

I believe the President's action today in calling up Air Force and Navy Reserve and National Guard air units as a precautionary measure is concrete evidence of our firm resolve in this confrontation.

But this time of crisis demands, above all, calm, sober decisions based on full facts on the situation. We must avoid precipitous, rash overaction. Despite our anger and resentment, we must proceed

without panic. Most vitally important is the President's effort to find a solution through diplomatic channels. Every possible approach and procedure should be thoroughly explored, and I am encouraged that the President, even at the moment of announcing the callup of Reserve forces, continues to seek a peaceful solution.

Mr. Speaker, the situation is already inflammatory, but it should not permit us to be stampeded into a world conflagration. The United States has always used its decisive strength with responsibility and restraint. But while no one doubts our strength, no one should doubt our resolve to defend our interests and protect our citizens.

IMMIGRATION OF ITALIAN EARTHQUAKE VICTIMS TO THE UNITED STATES

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. RODINO. Mr. Speaker, yesterday I introduced special legislation (H.R. 14808) to authorize the immediate entry into the United States of 2,000 natives of Italy and their families who have lost their homes and livelihoods as a result of the tragic earthquakes in Sicily some 10 days ago.

As a member of the House Immigration Subcommittee, I studied the possibilities for action and decided on the route of special legislation because use of existing provisions of law would count the number of earthquake victim immigrants against the ceiling on Italian immigration. Special visas issued to these distressed aliens would be outside any ceiling on immigration, but prospective immigrants to benefit from the bill would still have to fulfill the eligibility qualifications for immigration under present law as to health, good character, et cetera.

My bill makes available 2,000 special immigrant visas only to those earthquake victims uprooted from their homes and in urgent need of assistance to obtain the essentials of life. The wives and children of such aliens would also be issued special visas. The legislation might therefore benefit some 10,000 to 20,000 people, on the basis of the best available estimates of the number of people suffering from the earthquake who would want to emigrate from Italy.

There is clearly established precedent for this type of special legislation, for in 1958 a similar bill was enacted to help the Portuguese victims of volcanic eruptions in the Azores. This situation is equally tragic, for the victims of this disaster have lost their homes, their jobs, and have no future to look forward to in their impoverished and underdeveloped homeland. It is legislation in the best tradition of America's humanitarian policy of offering a haven to the distressed and suffering, and to victims or refugees from disaster or tyranny.

Mr. Speaker, many of the earthquake victims are also close relatives of U.S. citizens who have encountered long delay in obtaining visas to join their families in the United States. I am hopeful that my bill will not only help alleviate the distress and suffering of these unfortunate victims of disaster, but will also result in the reunification of families which have been separated for many years.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WALKER (at the request of Mr. ALBERT), for the remainder of the week, on account of the death of brother.

Mr. BATTIN (at the request of Mr. GERALD R. FORD), for today, on account of influenza illness.

Mr. ANDREWS of North Dakota (at the request of Mr. GERALD R. FORD), for today through January 31, on account of official business.

Mr. BROCK (at the request of Mr. GERALD R. FORD), for today through January 31, on account of official business.

Mr. WHALEN (at the request of Mr. GERALD R. FORD), for today through January 31, on account of official business.

Mr. SPRINGER (at the request of Mr. GERALD R. FORD), for today through January 31, on account of official business.

Mr. ROBISON (at the request of Mr. GERALD R. FORD), for today through January 31, on account of official business.

Mr. RUMSFELD (at the request of Mr. GERALD R. FORD), for January 26 through February 16, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BLATNIK (at the request of Mr. BOGGS), for 3 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. GROSS, for 30 minutes, on Monday, January 29; to revise and extend his remarks and include extraneous matter.

Mr. MICHEL, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. RIVERS (at the request of Mr. LONG of Louisiana), for 60 minutes, on January 29 and January 30; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. MOORE previous to passage of H.R. 14563 and to include extraneous matter.

Mr. BYRNES of Wisconsin and to include a report of the Treasury Department on bills to encourage industrial development and abolition of bond abuse.

Mr. MILLER of Ohio and to include extraneous matter.

Mr. DORN and to include extraneous matter.

Mr. RODINO in the body of the RECORD and to include extraneous matter.

Mr. HORTON and to revise and extend his remarks during debate on the railroad retirement bill.

(The following Members (at the request of Mr. GUDE) and to include extraneous matter:)

Mr. ANDREWS of North Dakota.
Mr. HALPERN.
Mr. FINO.
Mr. SCHWEIKER in four instances.
Mr. DERWINSKI in three instances.
Mr. MOORE in two instances.
Mr. LLOYD.
Mr. REINECKE.

(The following Members (at the request of Mr. LONG of Louisiana) and to include extraneous matter:)

Mr. EVINS of Tennessee in two instances.
Mr. LONG of Maryland.
Mr. TEAGUE of Texas in six instances.
Mr. BRADEMAS.
Mr. VANIK in four instances.
Mr. DINGELL.
Mr. PICKLE in two instances.
Mr. DANIELS.
Mrs. SULLIVAN in four instances.
Mr. DULSKI in two instances.
Mr. RYAN in three instances.
Mr. GRIFFITHS.
Mr. HAGAN in three instances.
Mr. PUCINSKI in 10 instances.
Mr. GIAIMO.
Mr. WOLFF in two instances.
Mr. BOLLING.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 33. Concurrent resolution to express the sense of the Congress that the Joint Economic Committee should include within its investigations an analysis of the growth and movement of population in the United States; to the Committee on Rules.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 306. An act to increase the amounts authorized for Indian adult vocational education.

ADJOURNMENT

Mr. LONG of Louisiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p.m.), under its previous order, the House adjourned until Monday, January 29, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1402. A letter from the Secretary of the Air Force, transmitting a report entitled

"Semiannual Experimental, Development, Test, and Research Procurement Action Report," covering the period July 1 through December 31, 1967, pursuant to the provisions of section 2357, title 10, United States Code; to the Committee on Armed Services.

1403. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to further amend the Federal Civil Defense Act of 1950, as amended, to extend the expiration date of certain authorities thereunder, and for other purposes; to the Committee on Armed Services.

1404. A letter from the Steptoe & Johnson, attorneys at law, Washington, D.C., transmitting the Annual Report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1967, pursuant to the provisions of law; to the Committee on the District of Columbia.

1405. A letter from the Comptroller General of the United States, transmitting a report of the need for improvement in the Army's supply system to insure the recovery of repairable spare parts, Department of the Army; to the Committee on Government Operations.

1406. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

1407. A letter from the Chairman, Federal Power Commission, transmitting its recommendation concerning "recapture" of 22 projects the licenses of which have already expired or will expire by 1971, pursuant to the provisions of 16 U.S.C. 803(i); to the Committee on Interstate and Foreign Commerce.

1408. A letter from the Librarian of Congress, transmitting a report with respect to positions in the Library of Congress in grades GS–16, GS–18, pursuant to the provisions of Public Law 89–632; to the Committee on Post Office and Civil Service.

1409. A letter from the Deputy Administrator, Veterans' Administration, transmitting a report on the disposal of foreign excess property during the period January 1 through December 31, 1967, pursuant to the provisions of Public Law 81–152, amended; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of California (for himself, Mr. KING of California, Mr. HOLIFIELD, Mr. MILLER of California, Mr. GUBSER, Mr. MOSS, Mr. UTT, Mr. BOB WILSON, Mr. LIPSCOMB, Mr. TEAGUE of California, Mr. MCFALL, Mr. BELL, Mr. CORMAN, Mr. BROWN of California, Mr. ROYBAL, Mr. VAN DEERLIN, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. TUNNEY, Mr. REES, Mr. WIGGINS, Mr. SMITH of California, and Mr. REINECKE):

H.R. 14834. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOSMER (for himself, Mr. LEGGETT, Mr. HANNA, Mr. PETTIS, Mr. EDWARDS of California, Mr. MAILLIARD, Mr. MATHIAS of California, and Mr. MCCLOSKEY):

H.R. 14835. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CARTER:

H.R. 14836. A bill to amend title 10 of the United States Code to provide for a Medical Badge to be awarded to medical personnel of the Army, Navy, and Air Force who were or are exposed to attack by hostile or enemy forces; to the Committee on Armed Services.

By Mr. DORN:

H.R. 14837. A bill to amend the National Housing Act to provide flexibility in interest rates under the various Federal Housing Administration mortgage insurance programs; to the Committee on Banking and Currency.

H.R. 14838. A bill to amend chapter 37 of title 38, United States Code, to remove certain requirements with respect to the rate of interest on loans; to the Committee on Veterans' Affairs.

By Mr. FINO:

H.R. 14839. A bill to amend title II of the Social Security Act to provide that an insured individual 50 years of age or older shall be eligible for old-age insurance benefits if he loses his job (and cannot obtain another one that is comparable) by reason of automation, relocation, reduction, or other causes beyond his control; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 14840. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. GURNEY:

H.R. 14841. A bill to amend title 23, United States Code, in regard to the obligation of Federal-aid highway funds apportioned to the States; to the Committee on Public Works.

By Mr. KING of New York:

H.R. 14842. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. MATSUNAGA:

H.R. 14843. A bill to permit payments under the program for the support of education in federally impacted areas for children of parents residing on Wake Island who attend private nonprofit secondary schools off such island; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 14844. A bill to require the Secretary of Agriculture to make advance payments as soon as possible after signup time, to farmers participating in the 1968 and 1969 feed grain program; to the Committee on Agriculture.

By Mr. NIX:

H.R. 14845. A bill to authorize participation by the United States in the construction of a dual-purpose electrical power generation and desalting plant in Israel; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H.R. 14846. A bill to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PETTIS:

H.R. 14847. A bill to require disclosure by each executive agency of the status of development of its accounting system for the implementation of planning-programing-budgeting systems; to the Commtitee on Government Operations.

By Mr. PURCELL:

H.R. 14848. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. VANDER JAGT:

H.R. 14849. A bill to declare and determine the policy of the Congress with respect to the primary authority of the several States to control, regulate, and manage fish and wildlife within their territorial boundaries, to confirm to the several States such primary authority and responsibility with respect to the management, regulation, and control of fish and wildlife on lands owned by the United States, and to specify the exceptions applicable thereto, and to provide procedure under which Federal agencies may otherwise regulate the taking of fish and game on such lands; to the Committee on Merchant Marine and Fisheries.

By Mr. WOLFF:

H.R. 14850. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmasters, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R.14851. A bill to establish a self-supporting Federal program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Ways and Means.

By Mr. KEITH (for himself, Mr. BOLAND, Mr. O'NEILL of Massachusetts, Mr. BATES, Mr. HALPERN, Mr. KUPFERMAN, Mr. SANDMAN, Mr. BLACKBURN, Mr. DANIELS, Mr. ST GERMAIN, Mr. MCCLORY, Mr. GROVER, Mr. HOWARD, Mr. ST. ONGE, Mr. DULSKI, and Mr. FARBSTEIN):

H.R. 14852. A bill to authorize the Coast Guard to study methods of preventing casualties involving vessels carrying certain contaminants, to authorize the Coast Guard to conduct continuing research on the removal of contaminants from beaches and waters, to authorize the examination of routes used by vessels carrying certain contaminants, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KIRWAN:

H.R. 14853. A bill to authorize the Smithsonian Institution to acquire lands for a museum park, and for other purposes; to the Committee on House Administration.

By Mr. ROONEY of New York:

H.R. 14854. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 14855. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 14856. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 14857. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 14858. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 14859. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 14860. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 14861. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 14862. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 14863. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 14864. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. TIERNAN:

H.R. 14865. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.J. Res. 1007. Joint resolution to provide for the issuance of a special postage stamp

in commemoration of Dr. Enrico Fermi; to the Committee on Post Office and Civil Service.

By Mr. BIESTER:

H.J. Res. 1008. 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. BROWN of California:

H.J. Res. 1009. Joint resolution authorizing the President to proclaim the period February 11 through 17, 1968, as LULAC Week; to the Committee on the Judiciary.

By Mr. COLLIER:

H.J. Res. 1010. Joint resolution to provide for the issuance of a special postage stamp in commemoration of Gen. Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. FINO:

H.J. Res. 1011. Joint resolution to provide for the issuance of a special postage stamp in commemoration of Dr. Enrico Fermi; to the Committee on Post Office and Civil Service.

By Mr. MOSS (for himself and Mr. LEGGETT):

H.J. Res. 1012. Joint resolution authorizing the President to proclaim the period February 12 through February 18, 1968, as Active 20–30 Week; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 1013. 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. FINDLEY:

H. Con. Res. 619. Concurrent resolution expressing the sense of Congress that the President has implied powers to take appropriate measures for the safe recovery of the crew of the U.S.S. *Pueblo* and the vessel itself; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H. Con. Res. 620. 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. MILLER of California:

H. Res. 1045. Resolution to provide funds for the further expenses for the studies, investigations, and inquiries authorized by House Resolution 312; 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. 14866. A bill for the relief of Luigi Caruso; to the Committee on the Judiciary.

By Mr. ANDREWS of North Dakota:

H.R. 14867. A bill for the relief of Robert N. Russell; to the Committee on the Judiciary.

H.R. 14868. A bill for the relief of Sidney W. Douglas; to the Committee on the Judiciary.

H.R. 14869. A bill for the relief of Olaf G. Hanson; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 14870. A bill for the relief of Ignacio Sutera; to the Committee on the Judiciary.

H.R. 14871. A bill for the relief of Ferruccio Bertulli; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 14872. A bill for the relief of Gustavo Genovese, his wife, Marianna Genovese, and their children, Simone Genovese, Salvatore Genovese, and Caterina Genovese; to the Committee of the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 14873. A bill for the relief of Eleanor C. Gilmore; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 14874. A bill for the relief of Dr. Taher Ahmad Dajani; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 14875. A bill for the relief of Mr. Renato Di Popolo; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 14876. A bill for the relief of Dr. Lalendra Kumar Sinha; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 14877. A bill for the relief of Mr. Lloyd J. Poupard; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 14878. A bill for the relief of Francesco Costanzo; to the Committee on the Judiciary.

H.R. 14879. A bill for the relief of Charles J. Culligan; to the Committee on the Judiciary.

H.R. 14880. A bill for the relief of Filippo D'Agostino; to the Committee on the Judiciary.

H.R. 14881. A bill for the relief of Fortunato Armindo Arias-Maldonado; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

H. Res. 1046. Resolution to refer the bill, H.R. 14789, entitled "A bill for the relief of the heirs of Harmon Wallace Jones" to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Communities of Tomorrow

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. MILLER of Ohio. Mr. Speaker, in southeastern Ohio, we are quite fortunate to have located one of America's leading institutions of higher learning, Ohio University. Located in the heart of southeastern Ohio at Athens, Ohio University has long been a pacesetter for progress in this region.

The university's leadership has been provided by its president, Dr. Vernon R. Alden, and a vigorous administration. Dr. Alden and his administration have demonstrated that they look, plan, and move ahead for the betterment of southeastern Ohio.

It is for this reason that I submit for the attention of my colleagues a recent paper presented by the president of Ohio University, Dr. Vernon Alden, to the symposium on "Communities of Tomorrow," held in Washington this past December:

STATEMENT BY VERNON R. ALDEN, PRESIDENT OF OHIO UNIVERSITY, TO THE SYMPOSIUM ON "COMMUNITIES OF TOMORROW," WASHINGTON, D.C., DECEMBER 11, 1967

For almost a decade now, much has been written in America's newspapers and magazines, in feature stories and in editorials, about the desperate need to stem the outmigration of Appalachia's greatest resources for the future—its young, its educated, and its energetic people.

Much has been written in research papers and emotion packed books about the fact that Appalachians don't really want to go to Detroit, Dayton, and Cincinnati for jobs and that these cities can't really handle them.

Much has been said in college classrooms, on radio and television, and in the halls of the United States Congress about the urgent need to help solve one of urban America's great problems by solving one of rural America's problems.

In recent years, many new ideas have been fostered which can be helpful in achieving these ends—the Area Redevelopment Act, the Manpower Development and Training Act, the Economic Development Act, the Appalachian Regional Development Act and numerous programs fostered by the Office of Economic Opportunity.

State and private organizations have also become involved and have provided a series of exciting new opportunities to help make "tax payers" out of "tax eaters" in Appalachia. Obviously, this can be done only when productive jobs are abundantly available.

Southeastern Ohio is typical of the rural areas of the nation. To cite one staggering statistic—the out-migration of our most productive citizens between the ages of 24 and 34—is enough evidence of the problems we face. In 1950 our region had 165,980 young people from ages 14 to 24. By 1960 this same group, which was then ten years older—24 to 34—had declined in number to 60,187—a sudden drop of 63.7%. In other words, Southeastern Ohio lost 105,793 young men and women.

In 1961, shortly after my arrival at Ohio University, I had the opportunity to speak to the local businessmen's association about our willingness to commit the vast resources of the University in the struggle to accelerate the industrial and economic development of Southeastern Ohio.

With the passage of President Kennedy's Area Redevelopment Act, Ohio University began seriously considering the establishment of a comprehensive development planning unit for the region. A proposal was soon made to the Area Redevelopment Administration for the creation of such an agency.

INSTITUTE FOR REGIONAL DEVELOPMENT

In May of 1964, during a visit to Ohio University, President Johnson defined the "Great Society" for the first time, and announced the establishment of the Institute for Regional Development with an Area Redevelopment Administration grant to provide technical assistance to the 21 counties in the area in drawing up their overall economic development plans.

Later in 1964, the Institute received a grant from the newly established Economic Development Administration, successor to the Area Redevelopment Administration. This second grant broadened the work of the Institute to include direct technical assistance to existing businesses and indutries which were faltering or appeared to be capable of expanding employment and production more rapidly.

COMMUNITY SERVICES OFFICE

At the same time the Institute realized the tremendous need for complementary programs in the area of human development. It became evident that industrial expansion without comprehensive job training and educational upgrading of the unemployed was futile. Thus a grant was received from the Office of Economic Opportunity in May of

1965, to assist the counties in forming community action agencies and in developing projects such as Head Start, Neighborhood Youth Corps, and adult basic education courses.

When the Appalachian Regional Commission designated 28 Southeastern Ohio counties as having the socio-economic and geographical characteristics to place them within the defined Appalachian Region, the Institute expanded its base of service to the 28 counties which included all of the 21 originally served.

Today, the Institute provides the 17 community action agencies which comprise the 28 Appalachian Ohio counties with:

Comprehensive training and orientation programs covering all aspects of human and economic development for community action staff and board members, as well as other community leaders;

Development and implementation on a regional basis of supplemental or experimental community action oriented and related programs such as comprehensive consumer education, teenage Head Start teacher aides, a comprehensive manpower development and training clearing house, Project Upward Bound, VISTA, and regional health services;

A regional information center to collect, analyze, disseminate and catalogue statistical data and to serve as a ready source of news for all community action and related activities in Southeastern Ohio;

Administrative services such as accounting, equipment procurement and related functions.

The above activities directed toward easing the problems of poverty in Appalachian Ohio are administered by the Institute's Community Services Office.

SOUTHEASTERN OHIO ALLIANCE FOR COMMUNITY ACTION

In January of 1967, a meeting of community action directors and board members from the 28 counties of Southeastern Ohio was held in Athens to discuss the formation of a unique partnership. Representatives of the Institute for Regional Development and the Office of Economic Opportunity met with the community representatives and a plan was presented for the formation of a federation of these community action agencies.

On April 15, the group met again in Athens and it was at this meeting that by-laws were approved, officers were elected, standing committees were established and the organization became known as the Southeastern Ohio Alliance for Community Action. The 48-member Alliance board consists of three representatives from each of the 16 participating community action boards, one person from each of the traditional OEO categories: public, private, and poverty. The Executive Committee, which meets monthly, consists of a president, 1st, 2nd, 3rd vice presidents and a secretary-treasurer.

The standing committees of the Alliance have met individually to establish regional programing priorities in the areas of manpower development and training, supportive services, and organization services.

In order to tell others about the Alliance, a monthly newsletter, "Voices and Views", was created and presently has a circulation nearing ten thousand.

Additionally, the Alliance serves as a model for other rural areas in the nation. This spring in his testimony before the Presidential Commission on Rural Poverty, Sargent Shriver urged rural areas to form such "confederations" of community action agencies. It is significant that the Institute and its related community action agencies anticipated this development.

ASSOCIATED STUDENT VOLUNTEERS

During the 1966 Easter vacation, thirty Ohio University students, half of them foreign students, spent eight days in Youngstown, Ohio, helping to organize the poor of the east side into an effective community action organization. Interest among students grew during the next school year, and each vacation more students became involved with volunteer work. Projects were carried out throughout Appalachian Ohio.

The work of an ASV can be equated with that of a part-time VISTA. ASV activities range from one-day cleanup campaigns to entire summer community organization projects. Presently, about 250 Ohio University students are members of the Associated Student Volunteers.

The Associated Student Volunteers has decided to expand its activities to Ohio University's branch campuses this fall and to utilize more fully the students' academic knowledge. An example of this new type of volunteer work is a student business corps in which students following a business curriculum will spend weekends helping small businessmen in improving their operation.

SOUTHEASTERN OHIO PUBLIC OFFICIALS CONFERENCE

In September of this year, a major conference was held of local mayors and county commissioners of Appalachian Ohio for the purpose of creating a face-to-face discussion of the problems that face a rural community leader with representation of federal and state government agencies. The two primary focuses of the Conference were "Industrial Development and Employment" and "Financing Local Government and Community Improvements."

CENTER FOR ECONOMIC OPPORTUNITY

A second division of the Institute is the Center for Economic Opportunity, under a grant from the Office of Economic Opportunity. The Center is charged with engaging and training businessmen to take positions of responsibility and positive influence in programs of human and economic development in the thirteen state Appalachian region.

Specific projects of the Center include:

"Operation Alternative", an effort, in cooperation with the U.S. Jaycees, by Appalachian Jaycee chapters to launch their own "war on poverty" as an additional service in their communities;

An Appalachian Housing Program designed to confront the building trades, financial institutions, and trade unions with the problems and prospects of low-cost housing for impoverished rural Appalachian families;

A selected Appalachian Communities Comprehensive Development program, to demonstrate the desirability of merging community action related human development activities with longer range economic and industrial development planning;

"Operation Whistle Stop", an effort to utilize railroad trains equipped as classrooms and living quarters to serve as mobile occupational training facilities for remote hill communities throughout Appalachia;

"Operation TASK Force", a program designed to pool the resources of the Ohio University College of Business Administration, the Small Business Administration, and the SBA SCORE program to provide continued free expert advice and consultation to the small businessmen of Appalachia. This program is expected to provide the small businessman with the tools necessary to prosper and expand by creating a corps of experienced businessmen to give such advice and consultation.

DEVELOPMENT PLANNING INSTITUTE

The Development Planning Institute was established on July 1, 1966 in response to the increasing importance of planning in the overall development of the region. Originally, Development Planning was incorporated within the Institute for Regional Development for the purpose of encouraging comprehensive community planning and coordinating the effort of the Institute for Regional Development with regional plans and planning programs. As the support for development planning activities and development responsibilities expanded, the original program abandoned its subordinate role within the Institute for Regional Development. The Development Planning Institute now fulfills the need for an independently administered program.

The tasks of the Development Planning Institute is to develop programs and studies in areas of Resource Development, Recreation and Tourism, and Comprehensive Community Planning. It is the purpose of the Resource Development Program to prepare specialized feasibility studies and develop data for the extractive industries and those firms involved in basic resource production in and around the Southeastern Ohio Region. The staff of the Recreation and Tourism Program prepare feasibility studies and develop information so that the recreation and tourism potential of Southeastern Ohio may be realized.

The Comprehensive Community Planning Program provides the Southeastern Ohio community with a variety of planning services directly concerned with the preparation and support of community master plans and local planning programs.

THE SOUTHEASTERN OHIO REGIONAL COUNCIL

The Southeastern Ohio Regional Council was created in 1947 to promote the total economic development of Southeastern Ohio, to serve as a helpful arm to private state and federal agencies and to establish mutually beneficial relations among counties, individuals and organizations. In short, the Council is active in the promotion of industrial development, tourism, highways, area and community facilities and general promotion of the region.

OHIO UNIVERSITY BRANCH CAMPUSES

In addition to the Ohio University campus in Athens, Ohio, there are seven branch campus facilities located in Belmont County, Chillicothe, Ironton, Lancaster, Portsmouth, Zanesville, and Lockbourne Air Force Base. These campuses are providing additional opportunities for the youth of Southeastern Ohio who cannot afford to live on campus in Athens. They also provide for the growth that Ohio University is experiencing.

THE IMMEDIATE FUTURE

In an effort to insure an ever-increasing role of the University's resources toward problems that tend to hinder the development of Southeastern Ohio and the other regions of Appalachia, the major thrusts of future endeavors, in addition to continuation and expansion of those in the foregoing pages, will be in the following areas:

A National Service Training Academy, designed to provide comprehensive training in community development for local community action volunteers and for such national agencies as VISTA, Teachers Corps, Peace Corps, and others;

An Appalachian Educational Service Unit to research, analyze, and disseminate information concerning the most advanced teaching devices and methods, and working to insure that the characteristics unique to Appalachian education are taken into consideration in the further development of the "software" industry;

A regional health center, developed in cooperation with the Ohio Valley Health Services Foundation and recently funded by the Appalachian Regional Commission, to provide heretofore unavailable medical services to many residents of the region;

A Center for Local Government to provide extensive administrative assistance to the 391 mayors, city managers and county commissioners in Southeastern Ohio;

The development of an academic curriculum leading to a degree in social administration which would include at least one year of practical field experience;

An Appalachian Fund, designed in a sim-

ilar fashion to the North Carolina Fund, to use its full resources in raising money to support the many worthwhile human and economic developments;

An intensive action-oriented Center for the Study of Appalachian Poverty to take advantage of the tremendous network of programs built around the Institute as a laboratory for the nation in solving the problems of a non-agricultural rural economy.

RECOMMENDATION: A CHANGE OF HEART

In the past six years, we have developed here in Southeastern Ohio an awareness of the opportunities for development, a desire to mobilize local initiative, and a tremendous set of inter-related organizational structures to take advantage of these opportunities.

No rural region is better prepared to serve the nation as a laboratory for testing alternative means of stemming the out-migration of its most productive natives. No rural-based university is more committed to such social action. The marriage of "town and gown" has been effected in its best sense here in Southeastern Ohio.

What is needed most now, in our judgment, is a national decision that the resources of federal agencies will be made available on a broad-scale to the rural regions of the nation. There has been almost continuous dialogue and debate, at all levels of government, about what to do. The response to the riots in the cities has resolved part of the dilemma, but only for the time being.

As we plan and develop for communities of tomorrow, it is absolutely necessary that we make up our minds.

Will we continue to pack our cities with hundreds of thousands of rural migrants, most of whom don't really want to go there in the first place?

Or will we have a change of heart and decide once and for all to adequately finance the redevelopment of rural America?

Defendant's Side in Controversy on South African Prisons

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DERWINSKI. Mr. Speaker, the following article by William Fulton, which appeared in the January 25 issue of the Chicago Tribune is in the finest spirit of journalism since it sets forth in a very objective fashion the story of one of the newest controversies that the United Nations has manufactured against the Republic of South Africa. South Africa has been the victim of so much abuse that it is necessary in the traditional concept of fair play that articles like this be called to our attention to give some balance to the reporting.

The article follows:

DEFENDANT'S SIDE IN CONTROVERSY ON SOUTH AFRICAN PRISONS

(By William Fulton)

NEW YORK, January 24.—Now that another special interest group at the United Nations has condemned the Republic of South Africa, it is only fitting that the defendant's side of the case be aired.

A working group has just blasted South Africa for prison conditions—based on the flimsiest of hearsay evidence—as similar to those used by the gestapo under Hitler's nazi regime in Germany. The group wined and dined in London and elsewhere for nine months, listened to 26 witnesses, and spent $309,000, toward which American taxpayers will contribute one-third.

The working group described itself as composed of "eminent jurists and prison officials," altho there wasn't a single recognized penologist in their midst.

Ambassador Matthys Botha, South Africa's chief delegate to the U. N., presented his government's position. He called activities of the working group "the latest facet of a vindictive politically inspired campaign which members of the U. N. have waged against South Africa for a number of years."

In the South African view, the working group's exercise was in clear violation of a basic provision of the U. N. charter that forbids intervention in matters that are essentially within the domestic jurisdiction of a state.

"Prison management in any country is patently a domestic matter and the South African government is not prepared to renounce its jurisdiction in this regard—a view no doubt shared by all states," the South African statement said. "In the circumstances, the South African government could hardly be expected to cooperate with the working group."

WITNESSES ALL FOES OF SOUTH AFRICA

Members of the small, hand-picked coterie of witnesses had long been known for their hostility toward the South African government. Some, on their own admission, were members of an underground communist movement in South Africa whose aim was to overthrow the government by violent means.

Others were known saboteurs. Still others were members of, or associated with, militantly anti-South African organizations abroad. Some had no personal experience with the prison conditions they described.

"It should hardly surprise anyone that malpractices do occur in prisons of any civilized country," the South African statement said. "South Africa certainly does not claim to be an exception. Such malpractices as do occur in South Africa are, however, the product of human frailties and are not the subject of deliberate policy as has been alleged."

PENAL LAWS FOLLOW U.N. CODE

South African legislation governing the administration of prisons is based upon the international standard minimum rules as approved in 1955 by the first U.N. congress for the prevention of crime and the treatment of offenders.

The republic's prison administration has been accused of taking refuge behind the rules or violating them in practice.

However, in 1964 the South African government asked the international committee of the Red Cross to investigate prison conditions. George Hoffmann, delegate general of the international committee, visited prisons and places of detention. His report has been published and the government accepted his recommendations. But the Red Cross, of course, could not prevent the junketeering diplomats at the U.N. from taking another costly joyride.

Encyclopaedia Britannica Bicentennial Marked by Book Gift

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, January 25, 1968

Mr. SCOTT. Mr. President, the continued dedication of the Encyclopaedia Britannica to the increase and diffusion of knowledge was manifest in a recent ceremony at the Smithsonian Institution celebrating the Britannica's 200th anniversary. Expressing concern that there are some schools in the country which do not have the most basic facility of education—a library—the chairman and publisher, U.S. Ambassador to UNESCO William Benton, presented to President Johnson 1,000 "Presidential reference libraries" for distribution to needy schools throughout the Nation. Former Senator Benton should be commended for this generous assistance to our disadvantaged schoolchildren.

In a recent editorial in the New York Times, Encyclopaedia Britannica was very aptly labeled "one of the great ornaments of international publishing." I think it appropriate that the "Britannica Bicentennial" editorial be printed in the Extensions of Remarks.

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

BRITANNICA BICENTENNIAL

The distinction of publishing the first modern-style encylopaedia belongs to the Chinese, who issued one in the tenth century. The first important encyclopaedia in English, the Lexicon Technicum, was put out in 1704 but only covered mathematics and the physical sciences. The first volumes of Diderot's Encyclopédie appeared in 1752, were suppressed as injurious to royalty and the clergy—and helped to provide some of the literary kindling for the French Revolution.

Nobody thinks of the Encyclopaedia Britannica as a revolutionory document, but the three Scotsmen who started it just 200 years ago were influenced by the sensational French Encyclopédie. A "Society of Gentlemen" was formed to back publication in Edinburgh, and a brilliant young scholar, William Smellie, became its first editor. He turned out the first volumes in December 1768.

Since then the Britannica has changed and grown into one of the great ornaments of international publishing although its articles are no longer considered the goal of major contemporary writers.

The year-long observance of the 200th anniversary began auspiciously at the Smithsonian Institution with the donation of basic reference books to 1,000 school systems in disadvantaged areas around the country. "Utility ought to be the principal intention of every publication," the editor wrote in the preface to the first edition. The start of the third century of the Britannica carries on that commendable purpose.

Hagerstown Soldier Dies in Vietnam Search Mission

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. LONG of Maryland. Mr. Speaker, Sgt. Harry L. Watkins, Jr., a soldier from Hagerstown, Md., was recently killed in Vietnam. I wish to commend the courage of this young man and to honor his memory by including the following article in the RECORD:

HAGERSTOWN SOLDIER DIES IN VIETNAM SEARCH MISSION

HAGERSTOWN, January 22.—Sgt. Harry L. Watkins, Jr., a 22-year-old United States Army squad leader from Hagerstown, died

this month in the vicinity of Chu Lai, South Vietnam, the Defense Department announced today.

Sergeant Watkins had enlisted in the Army in September, 1965 and had been in Vietnam since October, 1967, his father said here today.

According to Harry L. Watkins, Sr., the officer's father, Sergeant Watkins was reported missing January 9 after a search-and-destroy mission. The family was notified January 12 that he had died of multiple wounds, Mr. Watkins said.

Besides his father, Sergeant Watkins is survived by his mother and two sisters, Mrs. Mary Constance Shingleton, of Holland Springs, Va., and Mrs. Sandra Lee Cullison, of Waynesboro, Pa.

The Indebtedness of France to the United States

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. WOLFF. Mr. Speaker, my concern over France's World War I indebtedness to the United States is well known. Among those people who can most appreciate the incongruity of French policy are American veterans of World Wars I and II.

I have received a letter from a constituent, Harry J. Stewart, in which Mr. Stewart, himself a veteran, expresses a feeling shared deeply by many Americans. Mr. Stewart also sent me an article on this matter from the January issue of the Veterans of Foreign Wars publication.

Under leave to extend my remarks, and for the interest of my colleagues, I include Mr. Stewart's letter and the article in the RECORD at this point:

JERICHO, LONG ISLAND, N.Y.,
January 16, 1968.

Hon. LESTER WOLFF,
Washington, D.C.

DEAR SIR: Excuse me for not answering your letter of December 25, 1967, in regards to De Gaulle. I am sending you a page from our VFW magazine, that I think will let you know how us World War I vets feel about De Gaulle. Can't something be done about these peace marchers and the draft objecters?

Why do we let this Clayton Powell in San Francisco and talk up riots at our colleges? Maybe I am of the old school, but these things bother me and I know a lot more of us Americans. Maybe I am one of them people who shed a tear or two when I hear taps, or see a parade. When the American flag passes, I get a lump in my throat. Are there any more of us left? I want to thank you for your text of statements on the House floor on De Gaulle. I am glad we have a man like you to bring these things out. Also, I read in the papers about you not running for Congress after this term. Forget it, you are doing a good job and we need you there, and a few more like you.

Thank you.

Respectfully,

HARRY J. STEWART.

CALLING DE GAULLE TO ACCOUNT

(By Joseph A. Scerra, commander in chief, VFW)

Apparently our government won't do anything about de Gaulle. To anyone who believes the Veterans of Foreign Wars has no business involving itself in the delicate machinery of international diplomacy, I point out that diplomacy is little more than backyard gossip unless combat troops back it up.

We speak as those who have in the past, and are now in the present, backing up America's policies. Does anyone else have a better right?

We Americans are often told ours is the most powerful nation on earth and we take the statement at face value although most of us have never actually seen a hydrogen bomb or a battleship. I don't have the information to challenge this contention; in fact, I believe it to be true. But I wonder what all this massive strength is good for.

An elephant is stronger than a mouse but if the mouse can dominate the elephant whenever it chooses to do so, what's so good about being strong?

America's mouse is an old fellow who lives in France named Charles de Gaulle. You may remember him. He was a French refugee stranded in England during World War II and, after you and I and several other hundreds of thousands of American soldiers cleared his country of Germans, he returned to France.

You may recall the flowers strewn at our feet as we marched into Paris and other cities of France. There were also bottles of wine thrust in our hands and kisses pressed against our cheeks. The signs of our having passed that way are now marked with row upon row of white crosses that stretch out as far as the eye can see in the American military cemeteries of France.

This old man does not let such recent history disturb him. He has declared a tacit war on America, allied himself with other enemies of our country and is now bent on undermining the integrity of the dollar. The mouse has roared and mighty America will do nothing.

The old Frenchman began his attacks on the American economy by converting as many dollars as he could get his hands on into gold bullion. This was desinged to diminish the confidence of other nations in America's ability to stand behind its currency. He withdrew France from the international gold pool to further weaken the position of the dollar. By keeping Britain out of the European Common Market, de Gaulle forced devaluation of the pound which put additional strains on the dollar since these two currencies are used in world trade.

But de Gaulle's anti-American crusade goes beyond economic warfare. By ordering NATO bases out of France, he has exposed the southern flank of our European defense line to Soviet Communism. Russia is already moving into the Mediterranean in force.

He has even had the brass to offer liberation from Canada to one of her provinces, ignoring the fact that there were many gallant Canadian units among the allied forces that liberated his own country from Germany in 1944. No wonder a French newspaper disgustedly observed that the new motto of France should be "Liberty, Equality and Senility."

But Canada, at least, didn't cower in the corner when it was attacked by the old mouse. That country's Prime Minister had the courage to lift his voice on behalf of his country and its people. In no uncertain terms he replied, "The affairs of Canada will be determined by Canadians."

I believe the time has come for us to lift our voices—and do even more. We know we cannot reclaim the lives of our half-million comrades who lost their lives liberating France twice but we can reclaim the $7 billion she owes us in World War I debts. That would help restore to the U.S. Treasury some of the gold de Gaulle is hoarding. Since we have given France nearly $10 billion in foreign aid since the end of World War II that shouldn't be asking too much.

We can also reclaim some dollars from the 27 military installations built by U.S. funds on French soil and turned over to France several years ago. They are being used by its armed forces and other French government agencies. Some have even been sold by France to private buyers. America has yet to receive one cent on this deal although France signed a contract providing for payment. Our State Department says it sent the French a note about it back in 1964 but has heard nothing. Wouldn't you like to have creditors like that?

Even if our government won't act there is something we can do as individuals. A restaurant owner in Chicago named Gene Sage has shown us the way. He took French wines off his menu and has written other restaurants across the nation urging them to impose a similar boycott.

We can do the same. Many of the dollars the old Frenchman uses to buy gold come from our purchase of French exports like wines, perfumes and automobiles as well as from American tourist travel. We can refuse to buy French products and we can leave France out of our vacation plans.

We're long past expecting de Gaulle to feel any gratitude for the vast sacrifices of American lives and treasure that have been made in behalf of France. But it's a safe bet that his anti-American policies will change when the flow of dollars to France slows down and a demand for payment of debts is made. I say it is time to stop talking—it is time to act.

Postal Rate Increase a Financial Necessity

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DINGELL. Mr. Speaker, the Battle Creek Enquirer and News has taken a hard look at Post Office finances and concluded that the postal rate increase was an economic necessity. The paper also concludes that even with the higher rates the mails still are a bargain—a judgment with which I wholeheartedly agree. I include the Enquirer and News editorial in the RECORD:

[From the Enquirer and News, Battle Creek, Mich., Jan. 7, 1968]

POSTAL RATE INCREASE A FINANCIAL NECESSITY

"Mail moves the country and zip codes move the mail," the Post Office Department's latest promotional slogan tells us. The slogan is wrong. Money moves the mail.

The postal rate increase that takes effect today is the fourth since World War II, although White House requests for Congress to raise the rates have become virtually an annual ritual. The reason is simple: moving Americans' mail remains a losing proposition.

U.S. post offices now handle more than half of the world's mail, and the volume is rising steadily. Mail volume is running more than 10 per cent heavier than just two years ago. In the present fiscal year workers expect to handle the equivalent of 417 pieces of mail for every American.

Not all mail pays its own way. First class mail returned 103 per cent of its handling costs before the rate increase and now is expected to pay 110 per cent. Air mail returned 105 per cent and now will pay 119 per cent. But revenues from bulk mail covered only 61 per cent of the costs. The new rates are supposed to help it meet 72 to 75 per cent of costs.

Americans have come to accept postal

deficits. The annual deficits recently have ranged upwards from $500 million. A deficit of $1 billion seems to stir Congress into one of its periodic postal rate increases.

We may grumble a little about having to pay an extra penny to mail a first class letter (from five to six cents) or having to pay two cents more to send an air mail letter (from eight to 10 cents). But most of us will concede that the mails, hard-pressed as they are, still are a bargain.

A Happy 80th Birthday to John M. Cummings

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. SCHWEIKER. Mr. Speaker, last Tuesday marked the 80th birthday of one of the deans of Pennsylvania's political journalism, my friend John M. Cummings of the Philadelphia Inquirer.

John Cummings has for several years made his newspaper "home" in the last column of the Inquirer's editorial page. He makes his actual home in my congressional district, in the Blue Bell area of Montgomery County in a house he has named "Horsefeathers," which he frequently mentions in his columns of political and other observations.

When his birthday came this week, the editorial page director, Harold J. Wiegand, evicted John from his regular column space and wrote a charming tribute to John. I include Mr. Wiegand's piece in the RECORD, and in doing so wish John Cummings a very happy birthday with many happy returns, as follows:

HAPPY BIRTHDAY: HE IS EIGHTY

(By Harold J. Wiegand)

People don't get to be eighty every day in the week, not even John M. Cummings' Uncle Dominick. But on this particular day of the week, John Cummings has reached that rather remarkable point in his lifetime, and we have taken the liberty of nudging him out of his corner of the editorial page to say a few words on the subject. That is more than anyone could possibly get from Cummings—a few words.

Some friends of the columnist will gather at dinner to salute him at three-score and twenty, to pump his hand, to tell him a few lies about how young he looks, to drink a toast or two, and so on. There will be newspaper people and politicians and judges and assorted characters who knew him "way back." There will be some of his favorite women (including our own favorite among them, first name Margaret). There will be singing friends from the Kelly Street Chorus and talkative friends from the Clover Club and drinking friends from all over. You can bet this: no one will have a better time than the guest of honor.

He has been having a good time, and helping others to have a good time, for years beyond memory. All that time he has been piling up a unique record as one of the most widely read political writers in the State. His pungent comments on the political scene and its participants, his gently biting observations, his use of a sledgehammer when appropriate, have made his column prescribed reading for several generations.

Because John Cummings has been around for such a long period, some persons have the impression that he covered the Johnstown Flood, had to shovel his way out of the Blizzard of '88 and held Nick Hayes on his lap as an infant. None of this is true, although other legends have foundations in fact. It is true, for example, that he fought in the First World War, returned home as a first lieutenant and was promptly given a field commission as captain by George Brennan, then the venerated political editor of this newspaper. Hence the nickname "Cap" attached to the Cummings name ever since.

Cummings is a transplanted coalcracker. His home town of Olyphant is not precisely a coal patch; but it is not a metropolis, either. Give heed to Cummings nostalgic prose, however, and you'll think it is the Athens of America, with a philosopher behind every bar and cracker-barrel.

The columnist has covered every National Convention since 1920, when he secured a news beat on the impending Republican nomination of Warren G. Harding—getting it from Ed Vare on the train carrying the Pennsylvania delegation to Chicago.

He has been on a first-name basis with every Governor of Pennsylvania since Martin Brumbaugh, every Mayor of Philadelphia since Rudolph Blankenburg, and, we might add, with every manager of the Bellevue Stratford since Claude Bennett.

He has been a long-time president of the Clover Club, an ancient assembly of bonvivants whose hearty slogan is "When we die we die all over; when we live we live in clover". He is president of the Kelly Street Chorus, which had its prehistoric origin in the bar room of Pete Dooner's Hotel, where reporters and politicians of another generation used to gather after hours to hoist a few beers and songs. As the closest Cummings has come to having a singing voice is his membership in the Welsh Society, it is evident that he was not chosen president because of his vocal talents.

He is also the oldest member of the Pen and Pencil Club, itself the oldest newspaper club in America, and he is dean of the Pennsylvania Legislative Correspondents Association, a Harrisburg organization that antedates Harvey Taylor—but barely.

His baronial residence near Blue Bell, tastefully captioned "Horsefeathers," has become a historic place of interest in upper Montgomery county, a tourist attraction, and a refuge for cats, guinea hens, courthouse politicos and other strays.

Readers of the Cummings column have at times seen something leprechaunish in his humor, going back, perhaps, to County Mayo by way of the Delaware & Lackawanna. We wouldn't know about that, but this is for sure: he has lightened and brightened the beginning day for uncounted thousands who will wish for him, on his 80th birthday, many more!

Putting Wings on the Mail

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. VANIK. Mr. Speaker, the Cleveland Plain Dealer has paid a well-deserved editorial tribute to Postmaster General O'Brien. The editorial points out that the airlift of first-class mail announced recently by the Postmaster General is only the latest in a series of bold and imaginative steps he has taken to update our postal system. I insert the Plain Dealer editorial in the RECORD:

PUTTING WINGS ON THE MAIL

The taxpaying, letter-writing American public should accord a deep bow to Postmaster General Lawrence F. O'Brien.

He is trying, as no one has tried before, to update the United States postal system. In less than three years as boss of the mails, he has made more moves toward efficiency than any number of predecessors did in even longer terms of office.

O'Brien is a strong advocate of change for the better in the way his Post Office Department operates itself and does its job. He introduces new methods of handling, processing and distributing mail—and he keeps coming up with more fresh ideas.

The latest of these is to make first class mail and airmail officially one and the same thing next year. This plan for a single priority class of service recognizes a reality of today's postal situation: The heaviest part of the load of first class mail already is borne by air because air transport has proved to be more available and speedier than other forms of movement.

In the last year, O'Brien's Post Office Department added more than 500 cities to its nationwide postal airlift system. This was done both to speed the mail and to meet the problem of unavailability of rail mail service.

Because of savings resulting from other modernizations and improvements in mail handling and distribution, O'Brien believes the premium 10-cent airmail rate can be eliminated and all of the new one-class priority mail can be carried at no increase in the present 6-cent postage rate.

So—a bow to O'Brien. And a hope that Congress, which must approve mail rates and classifications, will be receptive to his proposal.

A Time of Testing

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. PUCINSKI. Mr. Speaker, in the fall of 1967 the Association of the United States Army met here in Washington.

This meeting produced the association's preamble and resolutions for the year. I think that the preamble is an eloquent document which succinctly puts forth America's involvement in Southeast Asia as well as the reasoning and necessity of our presence there.

The preamble follows:

PREAMBLE: A TIME OF TESTING

These are times that try American minds, test American patience and measure the devotion of Americans to their heritage.

In Vietnam, the United States and its allies are helping a tortured people in their struggle against tyranny while seeking their own national identity and the freedom to develop their own institutions.

In the United States, the struggle is for the minds of a generation of Americans who have been endowed by preceding generations with a way of life that is the envy of much of the rest of the world. The struggle is a test of the maturity of the American people, of their patience in adversity, restraint under provocation, and determination to continue what was begun in 1776.

Fate has entangled the two struggles. It has decreed that what happens in the United States will determine the outcome in Vietnam.

Surely, the people of the United States will be true to their heritage and will stay the course, thereby attaining the objectives of the United States, its allies and the South Vietnamese.

If we should be false to our heritage and abandon the struggle, a free and independent Republic of Vietnam may never mate-

rialize. We Americans would thereby unwittingly induce the loss of that decent respect of mankind that our forefathers won for us. We would degrade our own self-respect.

The goals we seek in Vietnam are within our capabilities. The demands on our resources can and must be borne. We owe and will continue to owe more to the men we send to the battlefields than we can ever repay.

But what must be given is that which some show signs of failing to give—the full commitment of mind and heart.

For ourselves and for generations of Americans yet unborn; in the interest of South Vietnam and of all small struggling nations of the world; and, indeed, in the interest of all mankind, whether friend or foe or neutral, the American people in 1967 have these duties:

(1) To endure the perplexities and frustrations of the conflict with patience;

(2) To exercise appropriate restraint in the prosecution of the war; and

(3) To hold firm to the determination to attain the goals we have set.

We can do no less.

The Association of the U.S. Army pledges its support of our nation's objectives in Southeast Asia.

Treasury Reports on Bills To Curb Industrial Development and Arbitrage Bond Abuse

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. BYRNES of Wisconsin. Mr. Speaker, there has been considerable interest expressed by Members in the texts of the Treasury Department's recent reports on legislation I have introduced to curb the tax avoidance abuses involved in industrial development and arbitrage bonds issued by municipalities. For that reason, Mr. Speaker, under leave to extend my remarks in the RECORD, I include the texts of those reports and supplemental material which accompanied them:

TREASURY DEPARTMENT,
Washington, D.C., Jan. 23, 1968.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is to inform you of the views of the Treasury Department on H.R. 11645, H.R. 14242 and H.R. 14372 each of which is entitled "A BILL To amend the Internal Revenue Code of 1954 to provide that industrial development bonds are not to be considered obligations of States and local governments, the interest on which is exempt from Federal income tax." These bills are the latest in a series of bills on the same subject and the present report is intended to encompass, in addition to the instant bills, H.R. 876, H.R. 3623, H.R. 5484, H.R. 5485, H.R. 5519, H.R. 5520, H.R. 7979, H.R. 7984, H.R. 9052, H.R. 9161, H.R. 9162, H.R. 9172, H.R. 9173, H.R. 9203, H.R. 9204, H.R. 9470, H.R. 9471, H.R. 9557, H.R. 9854, H.R. 9855, H.R. 9915, H.R. 9916, H.R. 10149 and H.R. 10296.

H.R. 11645, H.R. 14242 and H.R. 14372 would amend section 103 of the Internal Revenue Code of 1954 to exclude from the general tax exemption accorded interest paid on State and local bonds the interest paid on industrial development bonds. The bills define an industrial development bond as any obligation the payment of principal and interest on which is either—(1) secured by an interest in property of a character subject to an allowance for depreciation or, (2) secured by (or to be derived primarily from) payments to be made with respect to money or property of a character subject to an allowance for depreciation—which is or will be used, under a lease, sale or loan arrangement, for industrial or commercial purposes. Thus the bills would exclude from the interest exemption extended by section 103 any State or local obligation secured in a manner which demonstrates that the obligation is issued on behalf of a private industrial or commercial enterprise. By limiting the property involved to cash loans and leases or sales of depreciable property the bills except transactions, such as industrial parks, which involve unimproved land exclusively. In addition, specific exceptions exclude from the definition of an industrial development bond obligations issued to finance transportation facilities, recreation facilities and certain other utility properties leased or sold for industrial or commercial purposes. The bills also make it clear that obligations issued to finance any property used in an active business owned and operated by a State or local government is not an industrial development bond. A detailed technical explanation of H.R. 11645 was reproduced in the Congressional Record (vol. 113, pt. 15, pp. 19878–19879) on July 24, 1967, the date the bill was introduced. That bill, H.R. 11645, is virtually identical to H.R. 14242 and H.R. 14372. The only difference is that H.R. 11645 would include in income the interest paid after enactment on bonds issued after December 31, 1967, whereas H.R. 14242 and H.R. 14372 would only include in income the interest on bonds issued after enactment.

The Treasury Department strongly supports H.R. 11645, H.R. 14242 and H.R. 14372 as well as the objective of each of the other bills which are encompassed by this report. Each of these bills seeks to curb the future use of industrial development bonds. However, because certain technical problems common to many of the bills do not exist in the case of H.R. 11645, H.R. 14242 and H.R. 14372, the Treasury Department urges the adoption of the approach taken by these bills.

Thus, one group of bills[1] defines industrial or commercial facilities in terms which primarily relate to manufacturing enterprises and enterprises selling manufactured products and it is unclear whether that definition would encompass facilities used by service-type industries such as banks and insurance companies. Also, in their present form, this group of bills might permit the avoidance of their provisions through the medium of secured or unsecured cash loans to private enterprises. A second group of bills[2] would seek to curb the use of industrial development bonds by denying any deduction on account of rent or interest paid by a private corporation on a facility financed with industrial development bonds. In general this approach to the problem would impose a penalty that bears no relation to the interest saving (attributable to the tax exemption) which is passed on to the private corporation as a result of the transaction. Moreover, the application of this approach poses difficult problems in determining the amount of interest to be disallowed in any case in which a sale contract does not call for interest payments (or calls for extremely low interest payments). In addition, this group of bills presents the same definitional questions discussed above. Similar technical problems are posed by a third group of bills.[3]

[1] H.R. 5484, 5520, 9161, 9173, 9204, 9470, 9855 and 9916.

[2] H.R. 876, 5485, 5519, 9162, 9172, 9203, 9471, 9854, 9915, 10149 and 10296.

[3] H.R. 3623, 7979, 7984 and 9052.

As between H.R. 11645, H.R. 14242 and H.R. 14372 the Treasury Department recommends the adoption of H.R. 11645. As we noted above the three bills are substantially identical and all are prospective in that they would only affect interest paid in the taxable years following enactment. However, H.R. 11645 has a fixed cut-off date under which the bill would apply to future interest payments on all bonds issued after a specified date. In this connection experience has indicated that the very consideration of legislation to end this abuse prompts a significant growth in new bond issues as corporations rush to take advantage of the present situation before Congress can act. Since most of these bond issues will be outstanding for 15 or 20 years after they are issued, the growth of new issues that will be caused by Congressional consideration of this matter will create serious financial consequences for all state and local governments and will also significantly affect Federal income tax revenues. For this reason we believe the announcement of a fixed cut-off date is a desirable prelude to Congressional consideration to forestall a rush of new issues while the matter is under consideration. The selection of a fixed cut-off date in H.R. 11645 adequately meets this situation.

Finally, it should be noted that the question has been raised whether rulings of the Internal Revenue Service which hold that the interest on industrial development bonds are exempt from Federal income tax are correct interpretations of section 103 of existing law. It is pointed out that the exemption provided by section 103 is limited to interest on "obligations" of a state or local government and a careful analysis of the type of industrial development bonds that are currently being issued tends to suggest that the only true obligor on the bond is the private corporation that is benefited by the bond issue. In most cases the state or local government does not even guarantee the bond and generally assumes no obligation for payment of either interest or principal in the event that the corporate beneficiary defaults on its payments to the governmental unit involved. (See, e.g., statement of Senator Ribicoff, Congressional Record, vol. 113, pt. 23, pp. 31611–31612.) Although this question is under study by the Treasury Department, clearly a legislative solution to this problem would avoid any future misunderstandings and render the question moot.

For these reasons the Treasury Department urges the consideration and enactment of H.R. 11645. A memorandum discussing, in relevant detail, the nature of industrial development bonds and elaborating upon the reasons we believe such bonds should be excluded from the general tax exemption accorded interest on State and local bonds is attached.

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

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

TREASURY DEPARTMENT,
Washington, D.C., January 23, 1968.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is to inform you of the views of the Treasury Department on H.R. 11757, entitled "A Bill To amend the Internal Revenue Code of 1954 to provide that arbitrage bonds are not to be considered obligations of States and local governments the interest on which is exempt from Federal income tax."

H.R. 11757 would amend section 103 of the Internal Revenue Code of 1954 to exclude

from the general tax exemption accorded interest paid on State and local bonds the interest paid on arbitrage bonds. The bill defines an arbitrage bond as any obligation (1) under the terms of the issue of which the State or local government may invest the proceeds of the issue in taxable obligations yielding a higher rate of interest than the issue in question, and (2) the portion of the proceeds so invested is required to be held as security for the payment of the issue in question or any other bond issue the interest payments on which are exempt from Federal income tax.

Specific exceptions exclude from this definition certain common situations which entail only a limited or temporary investment of the proceeds of an issue in taxable securities yielding a higher rate of interest. For example, the general exception for bonds which limit the reinvestment to a period of two years or less would allow the temporary investment of the proceeds of a new issue intended to replace an outstanding issue that is approaching maturity. Similarly, if the purpose of a new issue is to raise funds for the construction of a facility, the temporary investment of the proceeds for up to five years (for example, during the period before they are needed to meet construction costs) will not cause the bonds to be classified as arbitrage bonds. In addition, bond issues would be excluded from the definition even if a portion of the proceeds are required to be invested in taxable securities as a debt service reserve so long as this amount does not exceed the amount needed to meet interest and principal payments during successive two-year periods after the date of issue. Finally, if abnormal situations prompt the issuance of bonds requiring a reinvestment of the proceeds for periods exceeding the specified limitations, the bill would authorize the Secretary of the Treasury to provide for the issuance of special Federal obligations at yields which would prevent an arbitrage profit from arising if the municipality was unable to purchase Federal obligations yielding the same or lower interest rates than the issue in question on the open market. A detailed technical explanation of H.R. 11757 was included in the Congressional Record (vol. 113 pt. 15, p. 20033) on July 25, 1967, the date the bill was introduced.

The Treasury Department strongly supports H.R. 11757.

The tax exemption afforded interest paid on State and local bonds permits the State and local governments to market obligations bearing a lower rate of interest than would be the case if, like the bonds of the United States, the interest on State and local obligations were subject to Federal income tax. As a consequence it is possible for a State or local government to realize a profit by reinvesting the proceeds of an exempt issue in taxable securities such as Federal bonds. This profit is, of course, at the expense of the Federal government since it is exclusively attributable to the tax exemption of the State and local bond interest.

The operational aspects of such a transaction are relatively simple. A State or local government could issue bonds and agree to invest the proceeds in Federal bonds which would be held in escrow for the payment of interest and principal on the State and local bonds. The investor in such obligations would have a certificate representing an interest in Federal Bonds, but because the interest payments made by the Federal government would pass through the hands of the State or local government, it may be argued that the interest is exempt. A local government engaging in such transaction would seek to make a profit from the interest differential existing between the taxable Federal securities and the non-taxable securities which it purports to issue. It could then use this profit for any purpose it deemed desirable.

A similar but more complicated form of arbitrage transaction arises in the context of so-called advance refunding transactions. In this situation a State or local government with bonds outstanding that are not presently callable could issue a new series of bonds to "refund" the old bonds by using the proceeds of the new issue to purchase Federal government securities which are then placed in escrow for payment of either the outstanding bonds or the new issue until such time as the outstanding bonds are callable. In such cases the State or local government could seek and use the profit from the differential between the interest on its new issue and the return on the Federal securities to reduce its debt service costs.

From the standpoint of the Federal government arbitrage transactions undertaken to earn a profit on the interest differential between taxable and non-taxable securities represent a clear distortion of the basic purpose of the interest exemption. That exemption is accorded State and local governments to permit them to finance their governmental functions at a reduced interest cost. The Treasury Department is unable to perceive of any conceivable justification for extending the tax exemption to bonds that are issued primarily to realize a profit from the interest differential between taxable securities and exempt securities. Even viewed as a subsidy to State and local governments such cases represent an intolerable waste of Federal funds. The Federal government loses many times more in tax revenues than the profit the municipality is able to realize from such transactions.

It should also be noted that if the characterization of arbitrage bonds as exempt obligations of the issuing State and local government were accepted, the resulting proliferation of such bonds would have disastrous consequences on the ability of State and local governments to finance their normal government functions. This would occur because the capacity of the tax-exempt market to absorb a large volume of new issues secured by Federal obligations without a sizable increase in the interest rate demanded of bonds that are not so secured is limited. In this connection, every advance refunding transaction engaged in by a government unit tends to double the number of outstanding bonds of that unit during the period in which the old bonds are not callable. Moreover, since from the investor's standpoint arbitrage bonds are as secure as Federal bonds, any municipality in the country, no matter how small, could issue "pure" arbitrage bonds (i.e., unconnected with an advance refunding) without limit. In theory the only limit on the amount of arbitrage bonds that could be added to the normal volume of tax-exempt bonds would be determined by the amount of Federal obligations that are outstanding. It is therefore evident that the existence of arbitrage bonds on any sizable scale would drastically increase the cost of State and local government borrowing to finance traditional governmental functions.

In 1966, the Treasury Department and Internal Revenue Service, after a preliminary study of this matter, announced in Technical Information Release—840 that no rulings would be issued as to the exempt status of interest on certain arbitrage bonds. Although this Department is convinced that existing law is adequate to deal with these arbitrage transactions, it appears appropriate to amend section 103 of the law to codify this result so that misunderstandings may be avoided.

For these reasons it is recommended that H.R. 11757 be enacted.

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

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

THE TAX EXEMPTION OF INTEREST ON INDUSTRIAL DEVELOPMENT BONDS

An industrial development bond is a debt obligation issued under the name of a State or local government for the benefit of a private industrial corporation. The typical case involves a municipality which issues bonds to finance the building of a factory for a private corporation which in turn pays "rent" for the factory set at the precise amount needed to pay the interest and amortize the principal of the bonds.[1] Characteristically the bonds are revenue bonds payable only out of the rent and the municipality assumes no obligation, direct or indirect, for their payment. Thus, such bonds really represent bonds of a private corporation, but because the municipality places its name on the bonds, it claims and passes on to the private corporation the full benefit of the lower interest rate attributable to the Federal tax exemption of interest on state and municipal bonds.

In most instances the industrial development bonds are secured only by the earnings of the private corporation and bond buyers generally look only to the credit rating of the lessee corporation in assessing the merits of the bonds as an investment. In frank recognition of the economic reality of the transaction state courts generally agree that industrial development revenue bonds are not debts of the issuing government unit for purposes of applying the debt ceiling or similar state law restrictions on municipal financing. In some less prevalent situations general obligation bonds secured by the lease revenues are used, so that the municipality assumes a subordinate role as guarantor of the corporate obligation. However, the lease revenues are regarded as the principal security behind the bonds and the use of general obligation bonds does not materially alter the abuses that flow from the transaction.

In all cases the exemption of interest on industrial development bonds from Federal income tax is simply a Federal subsidy to private corporations. The lower interest rates—which are passed on to the private corportations in the form of lower rental charges—are only possible because of the tax exempt status of the interest in the hands of the bondholders. Therefore, the full benefit derived by private industry is achieved only at the expense of a loss of Federal tax revenues. Moreover, it is a forced Federal subsidy. The amount of the subsidy, the beneficiary of the subsidy, or the use to which the borrowed funds are put are not considered in any way by the Federal Government. The sole decision as to whether or not to benefit a private corporation rests with the various State and local governments and, since industrial revenue financing imposes no direct costs on the issuing governmental units, there is no agency that has any effective interest in assessing the merits of extending Federal tax benefits to any particular private corporate beneficiary.

In addition industrial development financing represents a most inefficient and uneconomic means of subsidizing private industry. The cost to the Federal Government in lost tax revenues substantially exceeds the financial benefits that corporations realize through their ability to borrow funds at lower interest rates. As the attached table illustrates it would not be unusual for a transaction involving a highly rated corporation to annually cost the Federal Government almost three times as much in lost tax revenues as the benefit the corporation gets from the transaction. Moreover, the cost to the Federal Government will constantly increase as the volume of tax exempt bonds grows larger

[1] In some situations the transaction takes the form of a deferred payment sale of the property to the industrial user. The payments made on the note and mortgage securing the sale proceeds are used to make the payments on the bonds.

and interest rates for all tax exempt obligations rise in order to elicit more demand, particularly from relatively lower bracket taxpayers.

From the standpoint of the State and local governments, the industrial development financing technique was originally developed as a means of attracting industry to low income and labor surplus communities. Before 1961 these bonds were primarily used to finance small manufacturing firms locating in rural areas. Recently, however, multimillion dollar revenue bond issues have financed a number of industrial projects for some of our major industrial concerns. Moreover, as the attached table indicates, the growth of this financing device has tended to parallel the shift in the use of such bonds. Thus, in 1960 when only 13 States authorized industrial development bonds, the total of new issues sold to the public in that year amounted to only $70 million. By the end of 1966 the number of States authorizing such bonds had increased to 35 and publicly issued new bonds in that year involved over $500 million. Indicative of the trend towards use of such bonds by our largest corporations is the fact that the eight largest issues in 1966 accounted for $344 million, over 60 percent of the estimated $500 million in new public issues for that year. Finally, it should be noted that this geometric growth rate is continuing. Over 40 states authorize industrial development bonds today and although final data is not available for 1967, preliminary tabulations indicate that well over $1 billion industrial development bonds were publicly marketed last year.

Figures are generally available only for bonds marketed to the public. In many cases the issues are privately placed with banks, other lenders or the company itself. No reliable data are available as to the amount of privately placed issues but they may involve more than twice the amount of publicly sold issues.

Although this practice is defended as a means of attracting new industry, many have questioned whether the availability of industrial development financing was ever a significant incentive to locate in a particular area. They point out that a commitment to move a substantial enterprise into a totally new locality for a long period of time is such a serious decision that the benefit of low cost financing is a rather minor factor when compared to such economic considerations as the corporation's access to raw materials or to its existing and potential markets. However, to whatever extent the use of industrial development bonds has been a significant factor leading to the dispersion of industry in the past, it seems clear that in present circumstances, with an ever increasing number of states authorizing such bonds, the utility of industrial development financing as an incentive to attract industry is rapidly disappearing. Since the issuance of industrial development revenue bonds involves neither risk nor direct cost to the issuing locality, there is little reason for any locality to deny a corporate request. Thus, even assuming that such funds are an important factor influencing the selection of a relocation or expansion site, a private corporation embarking on an expansion program today has over 40 states to choose from. This total is actually larger because even in states which do not authorize such issues, political subdivisions may be engaged in this practice. Once all fifty states are forced by competitive considerations to authorize industrial development financing the ability to attract industry through the use of such bonds will be totally nonexistent. Thus, the continued proliferation of such bonds will merely increase the Federal revenue loss without any appreciable economic benefit to the Nation or the State and local governments.

Moreover, not only is the basic objective of industrial development financing to attract industry essentially self-defeating, but the rapid growth in the dollar volume of such bonds works to the positive detriment of all State and local governments. The benefits State and local governments receive because of the Federal tax exemption of the interest on their bonds is dependent on the fact that tax-exempt bonds are a unique exception and that most bonds—both corporate and Federal—are fully subject to Federal income tax. As more industrial development bonds are issued the interest rate on all tax-exempt bonds must increase in order to make the total supply of exempt bonds attractive to lower bracket taxpayers.[2] Moreover, in recent years some of the largest industrial corporations in the Nation have used industrial development bonds and many of our smaller State and local governments find themselves severely handicapped when they are forced to compete for funds in the same limited market against these corporations. (See, e.g., statement of Senator Ribicoff, Congressional Record, vol. 113, pt. 23, pp. 31611–31612.) See also the attached table of large (over $10 million) industrial development bond issues in 1967.

It has been estimated that in recent years the increase in normal State and local government bonds outstanding has been growing at the rate of $6.5 billion annually. In 1967 over $1 billion of industrial development bonds were added to the demand for new funds with the obvious result that the interest rates that State and local governments had to pay on bonds issued to finance governmental functions were higher than they need be. For example, the Finance Administrator of New York City in testimony before the Joint Economic Committee on December 5, 1967, estimated that the existence of industrial development bonds increased New York City's borrowing rate by ⅜ of one percent and increased the city's debt service cost by almost $2 million last year. This type of market effect was not confined to one city, it affected all State and local governments that borrowed funds last year. This, of course, means increased property taxes, sales taxes and state income taxes. Thus, it is clear that industrial development bonds, while imposing no direct costs on the issuing governmental unit, are not cost free to State and local governments. In fact they are very expensive and their cost is mounting dramatically each year—a cost which must be borne by all State and local governments, not just those that issue the bonds.

In sum it seems evident that the use of industrial development bonds is ceasing to have any meaning as a device to attract industry to a given State or locality. Instead, these bonds are rapidly becoming a self-defeating device that will inevitably work against the long range best interests of all States. However, even when all States authorize industrial financing and it thereby becomes a completely meaningless attraction for industry—completely meaningless because any corporation knows that wherever it decides to locate it can ask for and receive the benefit of tax exempt borrowing—it is unlikely that we will see a decline in industrial development issues. The reason is simply that since such financing imposes no direct cost on a municipality, no single municipality can afford to withhold its approval of any issue even though the participation of all municipalities works to the very real detriment of municipalities generally. The question will not be one of attracting industry but rather one of losing an industry for failure to issue the bond—an industrial corporation will simply say it will not even consider a particular locality unless the local government assures the use of industrial development bond financing. Therefore, it seems clear that if this abuse is to be curtailed the impetus will have to come from the Federal Government. Moreover, in view of the recent growth of such financing and the significant cost of the Federal subsidy involved, it would seem appropriate to correct the situation as soon as possible.

[2] If there were only a few tax-exempt bonds in existence they would be purchased by the few high rate taxpayers who would benefit most by the tax exemption. There are an appreciable number of individual taxpayers facing a marginal rate of 70 percent. Thus, if we had only a few tax-exempt bonds, the competition between buyers would drive interest rates on these bonds down sharply, probably to a level close to 70 percent below rates on comparable quality taxable issues. But in fact, there are over $100 billion of tax-exempt bonds in the market, and the issuers have therefore had to turn to buyers with much lower marginal tax rates than 70 percent. The marginal buyer in a lower tax bracket thus determines the market differential between comparable quality taxable and tax-exempt bonds. Tax-exempt bonds carry, therefore, a much lower discount compared to taxable bonds than would occur if there were only a few exempt bonds. Recent estimates of this discount or differential indicate that it is approximately 30 percent. Thus, the addition of a significant volume of industrial development bonds in this limited market necessarily decreases the discount which all tax exempts carry and thus increases borrowing costs for traditional State and local functions. As indicated later in the text, the effect on the discount becomes even clearer when the flow of industrial development bonds is compared to the amount of traditional state and local bonds annually issued.

FEDERAL REVENUE LOSS AND CORPORATE REVENUE ADVANTAGE RESULTING FROM A TYPICAL INDUSTRIAL DEVELOPMENT BOND TRANSACTION

A corporation that is able to borrow for its own purposes at a 6 percent rate of interest may be able to borrow the same amount at only 4½ percent interest through the use of industrial development bonds. If we assume a purchaser of the bond is in a 50 percent tax bracket the corporation's benefit from the lower interest rate will amount to only $.78 on each $100 of borowed capital. The Federal government, however, will lose $2.28 in tax revenue for each $100 borrowed capital.

This result is demonstrated by the following comparison which in each case assumes that the corporation earns the same amount ($10) on each $100 of borrowed capital:

	Taxable bonds		Industrial development bonds	
	Corporate profit	Federal tax revenue	Corporate profit	Federal tax revenue
Gross earnings	$10.00	-------	$10.00	-------
Less interest	6.00	[1] $3.00	4.50	[1] 0
Net before taxes	4.00	-------	5.50	-------
Less corporate income tax	1.92	1.92	2.64	$2.64
Total	2.08	4.92	2.86	2.64

[1] Income tax on bond buyer.

Note.—Corporate gain from tax exempt borrowing: $2.86 less $2.08=$.78. Federal revenue loss from tax exempt borrowing: $4.92 less $2.64=$2.28.

TRENDS IN INDUSTRIAL DEVELOPMENT BOND FINANCING

Generally, each industrial development bond issued by a governmental unit serves to finance a single project for a specific corporation. It is therefore possible to discern a trend in the size of firms acquiring facilities

financed by these tax-exempt bonds for examining the changes in the average value of industrial development bond issues.

Prior to 1960, the estimated total value of industrial development bond debt outstanding was just above $100 million. In the seven years 1960–66, the dollar value of new industrial development bonds increased by an estimated $1.2 billion.[3] This absolute growth in the volume of individual development bonds issued since 1960 is partly explained by the increase in the numbers of states permitting local units to borrow for this purpose. However, the increase in the number of states authorizing industrial development bonds has coincided with a marked rise in the size of projects financed.

Table I shows the estimated value of publicly issued industrial development bonds for the years 1956–66, the number of issues and the average amounts borrowed to finance projects in each year. The number of projects in each year is approximately equivalent to the number of issues shown in Column 2. Between 1956–60, 217 projects were financed and the average issue size ranged between $267,541–$742,797. Since 1961, the average amounts borrowed to finance industrial projects has ranged between $1.0–$3.0 million.

The growth in average value of projects financed since 1961, is due to the sharp increase in the number of large-scale projects financed, that is, projects in excess of $1 million. In Table 2, the number of issues exceeding $1 million since 1956 is shown. Prior to 1961, the largest industrial development bond issue was $9.5 million; however, between 1961–66, 19 single issues in excess of $20.0 million were floated. In 1966 alone the 8 largest issues accounted for $334 million, more than 60 percent of the estimated $500 million in new public issues for that year. Finally, the preliminary 1967 data involving large issues reveals that new public issues last year can be expected to substantially exceed $1 billion.

TABLE I.—ESTIMATED VALUE OF PUBLICLY ISSUED INDUSTRIAL DEVELOPMENT BONDS [1] BY LOCAL UNITS NUMBER OF ISSUES REPORTED AND AVERAGE ISSUE SIZE 1956-66

Year	Total amount of bonds issued (thousands)	Number of issues	Average size of issue
1956	$6,421	24	267,541
1957	7,328	22	346,000
1958	12,746	47	271,000
1959	22,096	50	458,920
1960	56,383	74	742,797
1961	57,201	42	1,361,900
1962	77,877	64	1,216,800
1963	135,225	67	2,018,300
1964	201,571	82	2,458,200
1965	191,717	78	2,457,900
1966	504,460	133	3,792,932

[1] See e.g. Bridges "State and Local Inducements for Industry" 18 National Tax Journal 7, 8 (1965).

TABLE II.—NUMBER OF INDUSTRIAL DEVELOPMENT BONDS ISSUED IN EXCESS OF $1,000,000, 1956-66

Year	Number
1956	1
1957	1
1958	2
1959	1
1960	9
1961	5
1962	14
1963	16
1964	25
1965	28
1966	46

[3] The material discussed in this memorandum is drawn primarily from data involving publicly offered industrial development bonds. In addition, there is a large volume of privately placed industrial development bonds which are not reflected in the above estimates. Commentators have estimated that the actual amount of industrial development bonds outstanding may be two to three times larger than estimates based on public offerings would indicate. See, *e.g.*, Bridges, *State & Local Inducements for Industry*, 18 National Tax Journal, 7, 8 (1965).

TABLE III.—INDUSTRIAL DEVELOPMENT BONDS ISSUED IN 1967 (LARGE ISSUES ONLY) [1]

Date	Amount (millions)	Corporation	Municipality
1967			
January	$15.0	Arkansas-Louisiana Gas Co	Helena, Ark.
February	82.5	Armco Steel Corp	Middletown, Ohio.
March	14.0	Cooper Tire & Rubber Co	Texarkana, Ark.
April	12.0	Firestone Tire & Rubber Co	Cecil County, Md.
Do	12.5	Beech-Nut Life Savers, Inc	Holland, Mich.
May	13.5	Bibb Manufacturing Co	Monroe County, Ga.
Do	60.0	Sinclair Petro-Chemicals (a subsidiary of Sinclair Oil Co.)	Fort Madison, Iowa.
June	10.0	Crawe Co	Washington, Iowa.
Do	30.0	Firestone Tire & Rubber Co	Warren County, Ky.
Do	33.0	Allied Stores	Livonia, Mich.
Do	12.5	Control Data Corp	Douglas County, Nebr.
July	80.0	West Virginia Pulp & Paper Co	Wickliffe, Ky.
August	15.0	Swift Manufacturing Co	Phenix City, Ala.
September	75.0	Georgia-Pacific	Crosset, Ark.
October	12.5	Carrier Corp	Warren County, Tenn.
Do	20.0	Wycon Chemical Corp	Cheyenne, Wyo.
November	85.0	U.S. Plywood-Champion Paper	Courtland, Ala.
Do	53.0	Firestone Tire & Rubber Co	Albany, Ga.
Do	10.5	Pittsburgh Activated Carbon Co	Ashland, Ky.
Do	25.0	Hercules, Inc	Iberville Parish, La.
Do	130.0	Litton Industries (Ingalls Shipbuilding)	Mississippi.
Do	13.5	Olin Mathieson Chemical Corp	Bradley County, Tenn.
December	18.0	Automatic Electric Co	Huntsville, Ala.
Do	97.0	Revere Copper & Brass	Scottsboro, Ala.
Do	35.0	Hystran Fibers Inc. (Hercules and Farberwenke Hoschst A.G.)	Spartanburg, S.C.
Do	46.0	Goodyear Tire & Rubber	Union City, Tenn.
Total	1,010.5		

[1] Final data concerning publicly issued industrial development bonds in 1967 are not presently available. On Nov. 8, 1967, Senator Ribicoff introduced in the Congressional Record information concerning certain large issues either pending or completed in 1967. (See Congressional Record, vol. 113, pt. 23, pps. 31612-31613.) The instant table is primarily drawn from the information introduced by Senator Ribicoff but has been revised and limited to reflect those large issues actually sold in 1967.

Proposed Restrictions on Travel

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. RYAN. Mr. Speaker, radio station WCBS in New York has broadcast an editorial on the proposed restrictions on travel. The tax would be regressive, and would not reach the central causes of our balance-of-payments difficulties. I commend the editorial, which was broadcast on January 17, 1968, to the attention of my colleagues, as follows:

There are no signs that President Johnson's call for a voluntary reduction in American tourist travel abroad has had any appreciable effect. Passenger bookings for the major airlines are reported normal. That portion of the dollar drain caused by overseas tourism shows no evidence of abating. It seems certain, therefore, that Congress will be asked to enact some form of restrictive travel legislation. What is not known is the form this legislation will take.

The Administration has floated a number of trial balloons on the subject. These should be quickly shot down. We've heard suggestions for a passport tax, a head tax on each departing traveler, or a tax based on the number of days a tourist remains outside the United States. All these proposals are punitive, and grossly unfair. The countless Americans who save and scrimp for that single trip abroad would bear the major burden of a travel tax. It would hardly discourage the expense-account traveler, or the wealthy. If the Administration's goal is to keep dollars at home and not to raise revenue, it makes no sense to impose a tax on travelers. Only by limiting the amount of money tourists may carry with them can the Administration effectively stem the travel dollar-drain.

Direct currency restrictions have never been imposed in the United States. They would be unpopular. But they would apply democratically to all travelers, not simply to those on tight budgets.

Fino Seeks Social Security Coverage for Workers Displaced by Automation or Job Relocation

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. FINO. Mr. Speaker, today I am reintroducing my bill to provide social security benefits for workers over 50 displaced by automation or job relocation.

Many of the forces in our economy, such as the impetus toward automation and the changing economic geography of job location, are impersonal forces of a regional or national scope. They strike—and force economic change—with total disregard for the career stakes of individuals affected. Taking up the slack here is a national responsibility—in the case of large scale job relocation, for example, the burden obviously should not be placed upon those states or communities who have borne the economic and human burden of jobs lost. The obligation should be a national one.

I urge that the assistance of the Federal Government be brought to bear through the social security system. Under the rules that would be promulgated by the Secretary of Labor as to those workers who would qualify, persons who could be legitimately placed in appropriate job retraining programs would not be included. In my opinion, this would be a meaningful and necessary step to as-

suage the effects of national economic forces on elderly workers powerless in the path of those impersonal forces.

Indiana VISTA Volunteer Helps Providence Poor

HON. BIRCH E. BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Thursday, January 25, 1968

Mr. BAYH. Mr. President, many important tasks have been performed by members of VISTA, the volunteers in service program sponsored by the Office of Economic Opportunity. Recently there came to my attention a notable achievement made by a VISTA volunteer from Indiana, Mr. David Heckerman. He is one of those who have been assisting low-income residents in Providence, R.I., to improve their housing, educational, and job situations.

A resident of Cynthiana, Ind., and a graduate of North Posey High School, Mr. Heckerman has been serving for 9 months with Progress for Providence, a community action agency active in a poverty section of that city. One of the ways in which he has helped local residents has been by preparing, having printed, and distributing a readable, simplified version of the Providence housing code to assist poor families in understanding building regulations and how they might improve their living conditions.

The Evansville Press has published an interesting account of the valuable services which have been rendered in Providence by Mr. Heckerman. Because this tribute so well typifies the type of unselfish aid so many Americans have contributed to their fellows in need, I ask unanimous consent that the entire article be printed in the Extensions of Remarks.

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

POSEY MAN HELPS SLUM DWELLERS IN RHODE ISLAND GET DECENT HOUSING

A young Cynthiana man has caught the eye of Office of Economic Opportunity officials for his efforts in helping the poor in a blighted area of Providence, R.I.

He is David Heckerman who for the past nine months, has been a VISTA worker, helping poor families obtain housing code enforcement.

Heckerman, the son of Mr. and Mrs. George Heckerman of Cynthiana, is one of 11 VISTA volunteers working with Progress for Providence, a community action agency. He has been assigned to a neighborhood containing one-third of the Negro population of Providence.

"The core of poverty in the area is more than the absence of money," said one OEO official. "The residents are undereducated, unskilled and unemployed. Of the people David works with, 50 per cent are parents without partners."

Heckerman, a 1962 graduate of North Posey High School, decided to try to help the residents learn the advantages of working together toward eliminating a community problem.

Eleven years ago Providence adopted a strict code for minimum housing standards.

"Written in technical language, it is extremely hard for the undereducated layman to understand," the OEO official said. "Taking advantage of this, many slum landlords have let their rented properties fall far below the required upkeep specifications."

Heckerman felt a great number of the residents didn't know the code existed, couldn't understand it, or didn't know how to request enforcement. He rewrote the Providence code in simple language.

His adapted form was printed in small booklets and distributed to each home in the neighborhood.

At each residence he would sit down with the owner and explain what could be done to improve his living conditions.

Said Heckerman: "I explained to each tenant the strength-in-numbers theory. If a pressure group of six or seven households bands together to seek improvements, it carries a lot more negotiating weight than single, weak voices."

Through Heckerman's efforts, neighbors have begun to band together to attack their problems.

"They realize help won't come overnight," said the Posey County man. "But despite frustrations they are beginning to show progress."

"Organizing a community is difficult," said VISTA director Bill Crook. "The volunteer is there to help set up and counsel the neighborhood group. The long-range aim is to phase out the volunteer and let local people carry on themselves. Heckerman is off to a grand start."

"I came here to work with the people to help solve one of the country's worst problems," said Heckerman, a 1966 graduate of DePauw University. "I thought I knew what poverty was all about. I was wrong. There's so much to do and there's no quick solution to any of it."

Vietnam Bishops Do Not Support Peace at Any Price

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DERWINSKI. Mr. Speaker, an editorial in the January 19, New World, the Chicago Catholic archdiocese newspaper, by its editor, Very Reverend Monsignor John M. Kelly, contained a very timely and objective interpretation of the recent statement by the Catholic Bishops of Vietnam on the subject of the possible end of the war. In view of the many superficial and misleading interpretations of the views of the statement of the bishops I feel that the New World commentary deserves thoughtful review.

The editorial referred to follows:

VIETNAM BISHOPS DO NOT SUPPORT PEACE AT ANY PRICE

It was to be expected that some elements in the press and all elements among the foes of the Johnson administration would hail the statement on peace of the Vietnam Bishops' conference as a slap at U.S. policy. No doubt even the Viet Cong and the Hanoi government found joy in interpreting it to suit their own purposes. We are indeed grateful to veteran NC News Service correspondent, Columban Father Patrick O'Connor, for supplying this week's story of an interview with Archbishop Paul Nguyen Van Bin of Saigon, president of the Bishops' conference. The dean of Vietnam correspondents, Father O'Connor sets the record straight for us and takes the wind out of many anti-U.S. sails. In summing up the Vietnamese hierachy's statement, the Archbishop said: "The bishops have always called upon Catholics to fulfill their duties as citizens. They do not hesitate to sacrifice even life itself to defend the rights of their country."

"At the same time, the Bishops have upheld the thesis that efforts must be made to end the war and establish peace. But the Bishops' conference does not support the thesis of peace at any price.

"If necessary, some sacrifices should be made in exchange for peace. But we cannot sacrifice freedom and justice in exchange for an artificial peace, one that could not last, a peace based on fraud, the result of which would be to lead us inevitably into slavery."

Is not this the very purpose of the present conflict—to preserve freedom and protect the freedom of a nation? Is not this the purpose of our involvement?—this, and ultimately our own protection and that of the whole of the free world?

While the Bishops' call for a stop to the bombing of North Vietnam was quite clear, the Archbishop was careful to add the much less publicized companion appeal: "We mean that, at the same time, the infiltration, the invasion from the North should stop. In that, we are echoing what the Holy Father said."

It should not be necessary to remind anyone that the South has done no infiltrating, no invading, has sought no territorial acquisition. It seeks only to be left in peace. Many South Vietnamese have been systematically murdered, many kidnapped. There are no refugees going North; there has long been a constant flow to the South. The editor of Xay Dung, the Catholic-edited daily in Saigon, said some persons were spreading a report that according to the Second Vatican Council Catholic soldiers ought to drop their weapons and in rear areas ought to link up with communists. To this the Archbishop said in the interview:

"The Vatican Council never said that Catholics are to fold their arms and open their door to the aggressors who suppress all rights."

This is obviously what Hanoi and the Viet Cong are insisting upon, but they call it a peace offer. Can anyone gainsay that?

Social Security Review

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. VANIK. Mr. Speaker, the Washington Post in a recent editorial supports President Johnson's statement:

The welfare system in America is outmoded and in need of a major change.

The editorial welcomes the President's appointment of a commission to study all aspects of our social welfare programs and emphasizes how little we know about the economic impact of the social security system.

I am pleased that the President appointed Ben W. Heineman, the distinguished board chairman of the Chicago & North Western Railway, to head the commission.

As the Post observes:

Mr. Heineman will be working with a highly talented commission, and they should produce a report that is at once imaginative and provocative.

Mr. Speaker, I include the editorial in the RECORD.

[From the Washington (D.C.) Post, Jan. 4, 1968]

SOCIAL SECURITY REVIEW

In signing the amendments to the Social Security Act President Johnson wisely established a commission under the chairmanship of Ben W. Heineman, the distinguished board chairman of the Chicago and Northwestern Railroads, to survey all aspects of social welfare programs and social welfare legislation.

The President could hardly have been more candid and correct when he remarked that "the welfare system in America is outmoded and in need of a major change." He was, of course, distressed by the unwise restrictions on aid to families with dependent children that were written into the new bill by the House Ways and Means Committee. But the trouble runs far deeper than recent sins of commission.

An excellent compendium on *Old Age Income Assurance*, recently published by the Joint Economic Committee indicates that there are enormous gaps in our knowledge of the economic impacts of the Social Security System. Is the process by which young workers shoulder the burden of transferring income to retired workers really equitable? What effect does the rapidly rising Social Security tax, a tax on labor, have on employment? Unfortunately, none of the tax-exempt research organizations appears willing to undertake a major, empirical study of the Social Security System. Much also must be learned about the proposals for a "negative income tax" that might well replace our very inefficient programs for assisting the poor.

Mr. Heineman will be working with a highly talented commission, and they should produce a report that is at once imaginative and provocative.

Report to Constituents

HON. MARK ANDREWS

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. ANDREWS of North Dakota. Mr. Speaker, like many of my colleagues, I have prepared a report to my constituents on my views and activities in the first session of the 90th Congress, along with what might be expected in the months ahead.

Under unanimous consent I place this report in the RECORD at this time:

As your Representative in Washington, a part of my job I consider to be essential is keeping you informed of my activities on your behalf, my views on the various issues facing our nation, as well as information on legislative matters especially important to our area. To this end, I have issued many statements to all news media, including regular radio and television commentaries, plus periodic newsletters and reports such as this to all constituents. In turn, I have asked you for your opinions in my annual questionnaire polls, and I am grateful to all of you who participated.

Much of the work a Congressman does involves helping people. Hundreds of individual cases and inquiries are received by my office each year. Generally, they involve problems with various branches of the government, sometimes problems of grave hardship. From this direct dealing with individuals, many legislative proposals and administrative suggestions for Federal agencies have been evolved. This power to act on behalf of people in trouble is one of the greatest satisfactions of being a Congressman. It is also one of the best features of representative government.

In all of my work, I consider myself the voice of North Dakota's East District in Washington—not Washington's voice in the East District. I am deeply indebted to all of you who have responded to my efforts by offering me your criticisms and suggestions.

A REPORT ON THE PAST, AND A LOOK AHEAD

Since the First Session of the 90th Congress adjourned, I have had an opportunity to reflect on what transpired in 1967 and what we might expect in 1968.

It was a long and hard Session of Congress, marked by a number of accomplishments, but also by some notable omissions and failures. We worked against a grim background of rising casualties in Vietnam, inflated costs, depressed farm prices, rising crime rates, civil rioting and, regrettably, a growing public doubt about the credibility of our national government.

MEANS AND GOALS

Peace, full employment, equal opportunity, ending poverty, better education, a fair and workable farm program, pure air and water, opposition to Communist aggression, fairer taxes, conservation, etc.—agreement is virtually unanimous on these as our national goals. Our differences concern mostly how such objectives can best be attained and whether, during a time of war, large deficits, and growing inflation, we can afford to initiate and expand many domestic programs.

Government, as well as individuals, must establish priorities and exercise restraint in allocating available resources to needs.

THE PROBLEM

The imprudent fiscal policies of the past few years have created the awful situation we now face. Why the President's economic and financial experts would not anticipate this crisis is hard to understand. President Johnson made the decision that we could have both "guns and butter".

Everyone realizes the excessive Democratic margins in the 89th Congress of 1965–66 "rubber-stamped" an overwhelming number of new and untried "Great Society" programs, contributing much to our nation's current fiscal difficulties.

Most of these programs were begun with modest appropriations, but with huge, built-in increases. Last January President Johnson again proposed 16 new programs in the middle of a war-time economy. In the past 7 years 70 new programs have been launched, 46 of these in 1965.

The gross miscalculation of costs for the Vietnam war is unbelievable and unpardonable. Gimmicks have been used by the Administration to make past deficits look smaller than they actually are.

These one-shot fiscal manipulations are now used up. The high finance levels of the new programs are unavoidably with us.

THE RESPONSIBILITY

In Congress, the responsibility for establishing priorities and recommending spending levels rests with the Appropriations Committee on which I serve. The House of Representatives overwhelmingly supported cuts made by our Committee this year, reducing appropriations below Johnson Administration requests by approximately six billion dollars.

But this is only part of the story. Running our government is a lot like running your own household budget. If you go to the store and charge a lot of purchases in one month, your budget still looks fine for that month; but when the bills come in later, your budget goes completely out of shape.

We're seeing the bills come in now for spending authorized and appropriated in past years. Congress has begun to take the right steps in cutting back appropriations; but it is up to the Administration to join in this effort by holding up disbursing of funds already committed by earlier Congresses, but still unspent.

THE OUTLOOK

Politics, as this Administration practices it, seems to be the art of postponing problems until someone else will have to deal with them. Or, if that isn't possible, at least until after the next election.

Wilbur Mills, Chairman of the House Ways and Means Committee, along with a great number of House Members from both sides of the political aisle refused to accept the Administration's offer of temporary remedies for long-term problems in the First Session of the 90th Congress.

Most Members, like myself, have been home over the holidays and have spent time talking with the people we are privileged to represent. Hopefully, a majority of the Congressmen will return to Washington impressed with their constituents' genuine concern for responsible solutions to our nation's fiscal problems and this concern will be reflected in legislative action throughout the 2nd Session of the 90th Congress . . . and, perhaps, be felt as far away as the White House.

NORTH DAKOTAN COMANDS THE "FORRESTAL"

Captain Bob Baldwin, a Cass County native, took command of the carrier, The Forrestal, just a few days after it was struck by the tragic fire you all read about. It is now in Norfolk being refitted to rejoin the fleet in July.

One of our nation's largest aircraft carriers, this ship and accompanying equipment my former high school classmate commands represents an investment of more than $500,000,000! We all can feel proud and confident that it has a capable North Dakotan's hand at the helm.

NEW CONSTITUENTS

Mary and I welcomed two "new constituents" last fall when we had Holly Sugar Company Board Chairman, Dennis O'Rourke and his wife as our guests for lunch. I have known the Holly officials for some time. As a matter of fact, they were guests at our Mapleton farm in August while looking over sites for their new beet plant. All North Dakotans were proud and happy to have them choose our state for this new agricultural facility which will mean so much to everyone.

Unfortunately, however, the highest interest rates on bonds since the Civil War have caused Holly officials to postpone building the plant for at least one year. This delay in plant construction will cost our area millions of dollars and points up vividly the tragic consequences the high interest rate policies of the present Administration have on all of us. This is one more reason to strive to put Federal fiscal affairs in order.

Distinguished Utahan

HON. SHERMAN P. LLOYD

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. LLOYD. Mr. Speaker, a former distinguished Member of the U.S. House of Representatives, Mrs. Reva Beck Bosone, who represented Utah's Second Congressional District for two terms from 1948 through 1952, recently retired

from public service after 40 years of outstanding service. At the time of her retirement she was chief judicial officer of the U.S. Post Office Department.

Former Congresswoman Bosone was the first woman Member of Utah's congressional delegation. Previous to that she was a city judge in Salt Lake City where she made important contributions in many fields, including the rehabilitation of alcoholics. She also practiced law in Salt Lake City and served in the Utah State Legislature. Among the press notices throughout the country on the occasion of Mrs. Bosone's retirement was the following editorial from the Salt Lake Tribune:

DISTINGUISHED UTAHAN

Retirement is a difficult step to take when the person involved is nagged by apprehensions of things being left uncompleted. Fortunately for Utah's Reva Beck Bosone, who leaves public office Saturday after 40 years service, there need be no such anxiety.

During a long and distinguished career, Mrs. Bosone has contributed lasting accomplishments to the fields of law, government and public affairs in general. She has helped expand the scope of human understanding and women's role in a democratic society.

Throughout her adult life, Mrs. Bosone, a Utah native, has successfully demonstrated the leadership capacity a woman can bring to matters of public concern. She practiced law, served in Utah's state legislature and became a Salt Lake City municipal judge at a time when such functions were still generally considered "for men only."

Further, she was the first woman member of Utah's congressional delegation, serving two terms from 1948 to 1952. Her precedent-setting achievements continued as she rose to chief judicial officer in the U.S. Post Office Department, highest position ever held in the department by a woman.

As City judge, Mrs. Bosone worked for rehabilitation of alcoholics during a period when drunkenness was classified as more of a crime than an illness. Her vision in this regard helped change public attitudes and official policy here and nationally.

Retirement is not the end of Mrs. Bosone's public involvement. She intends to volunteer her energies to "benefit my fellow man." It does afford an opportunity to formally sum up her unique past record, allowing Utahans and other friends across the country to express their sincere respect for 40 years of top quality service.

Another former distinguished Member of this body, also representing Utah's Second District, is former Congressman and now Ambassador to Malagasy, the Honorable David S. King.

The Salt Lake City Deseret News, in its issue of January 1, published an article written by Drew Pearson and Jack Anderson, part of which referred to Ambassador King's service. Previous to serving as Ambassador to Malagasy, Ambassador King served three terms in this body. The statement written by Drew Pearson and Jack Anderson, and published in the Deseret News, is as follows:

Ambassador David King—At his port in faraway Madagascar, this Utahan has had the good judgment to be ambassador not only to the Malagasy government but to the Malgache people. His quiet, people-to-people diplomacy has helped to make Madagascar one of the few places in the world where the natives line the roads to wave when they hear the American ambassador may be driving by.

A Lot To See in Hoboken

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DANIELS. Mr. Speaker, it was a great source of pleasure to receive the February 1968 edition of the Ford Times, a publication put out by the Ford Motor Co., which this month featured a special article on the city of Hoboken, N.J.

Hoboken is just one of several municipalities within the confines of the 14th Congressional District of New Jersey. To me, though, it has so many memories that it cannot ever be just another city. My mother was a native of what we in northern New Jersey call the "Mile Square City" and some of the most pleasant experiences of my childhood were spent in this fine old city.

Much has changed in the city of Hoboken but much remains the same and I would like to extend a warm welcome from the city of Hoboken to all of my colleagues in the Congress and to all who read this RECORD.

Today under the leadership of its mayor, the Honorable Louis DePascale, the city of Hoboken is making vast strides in clearing out the debris that comes with antiquity and still maintaining the special something that makes this particular square mile different from any other square mile in America.

In order that all of my colleagues might read for themselves about this unique city, I ask unanimous consent that the article, "A Lot To See in Hoboken," be inserted following my remarks in the RECORD.

The article follows:

A LOT TO SEE IN HOBOKEN

(By Eli Waldron)

To those who may be wondering what has happened to Hoboken in a world of change, it is a pleasure to report that nothing much has happened to it at all. The Old Clam Broth House on Newark Street still serves free clam broth to all comers, the view of the Manhattan skyline at night from Castle Point is more spectacular than ever, the Victorian architecture of the little city remains more or less untouched.

The only real change that has occurred in the past dozen years is in the method of getting there—the breezy ferry trip across the Hudson is, regrettably, a thing of the past. The traveler now boards an air-conditioned PATH (Port Authority Trans-Hudson) train at 33rd Street (Gimbels' basement), 14th Street, 9th Street, or Christopher Street and slips under the river in comfort in no time at all. As an extra added extraction, the shining new trains have large picture windows, excellent for viewing the inside of the tunnel.

Once in Hoboken, however, the visitor is free to wander as of old, sampling the atmosphere, the architecture, the steamed clams and beer. Close to the old ferry terminal and the new PATH railroad station, a statute of Sam Sloan, President of the Delaware, Lackawanna and Western Railroad Co. 1867–99, guards the entrance to the city; at a little distance the huge white finger of the Clam Broth House points downward with unmistakable authority to the stained glass vestibule leading to the *sanctum sanctorum* where the once lively clams are served up with melted butter and clam broth.

First the clams are dipped in broth to rinse off the remaining grains of sands, then they are dipped in butter to lend them flavor and finally they are inserted between tooth and tongue and sped on their merry way by a gentle pressure applied to the sheath that protects the neck of the clam. An expert at this can put away up to 300 clams an hour. Amateurs usually settle for the Clam Broth House Large Bowl for $1.25 and find that it is more than enough for two. Beer or ice tea work equally well as a washer downer.

The Clam Broth House still maintains a Men Only policy in its fine old barroom but has otherwise expanded its facilities to accommodate the Sunday afternoon family outing. The dining rooms then are crowded with happy clamophiles from Weehawken, Union City, Jersey City and points east and west, and the waiting queue sometimes overflows the vestibule to the sidewalk outside. Service, however, is efficient and nobody waits for long, and if an emergency exists, men (only) can desert their families on the sidewalk and pop into the bar for a quick clambroth laced with catsup, salt and pepper, a perfect tonic for those Sunday afternoon blues.

TRY HUDSON STREET

Most people visiting Hoboken get no farther than the Clam Broth House—a pity. A block west of this establishment lies Hudson Street, a thoroughfare well worth exploring on a sunny afternoon. Once a happy hunting ground for the turn-of-the-century German, Irish and Italian boulevardiers, Hudson Street is now a playground for Puerto Rican families, the neat Victorian row houses gay with petunia-filled flower boxes and front yard flower gardens. The old families are crowded into an enclave west of Castle Point; the new families—Puerto Rican and Negro—are fanning out everywhere else.

One of the last holdouts on Hudson Street is Wallaces, an ancient Irish grog-shop where for decades the Irish dock-worker has rested his weary back after the hard day's work. Elsewhere the Irish signs have come down and the Latin signs have gone up—Umbriago's, El Jim, The Gypsy Clubhouse Bar.

North of the Wallace-Umbriago complex, at 3rd and Hudson, stands Meyer's Hotel, a world-famous hostelry in the early 1900s when the North German Lloyd and the Hamburg-American Lines maintained six busy piers in Hoboken. It was the fashion then to spend the night at Meyer's, taking a horse cab, via the ferry, into the city the next morning. There were 60,000 people in Hoboken then and most of them were happy if not affluent. Today the population stands at 48,441 except on Sundays when, owing to the lure of the Clam Broth House, it swells close to the 49,000 mark.

Meyer's is closed now, but its old-time grandeur was evident to the last. An elegant brass-dialed regulator clock kept time in the bar, and a desk clerk snoozed behind his cage in the rear. He woke up once in answer to a question about an odd-shaped piece of bric-a-brac standing in the lobby and said, "That? That's an old steamship folder rack. Been here forever. A man stopped in here the other day and said, 'By God! That's the same rack that stood there by the door 50 years ago.' It's an antique."

THE HOME OF BASEBALL

Fully awake now, the desk clerk began to reminisce about the good old days—the trolley cars, the baseball teams, high-diving into the Hudson from the embankment at the foot of 15th Street. "We had a lot of semi-pro teams in those days—the Simrocks, the Floradoras, the Oxfords. The Oxfords were an Italian team. The *real* team was the Hoboken Baseball Club. Did you know that base-

ball was invented in Hoboken? That's what a fellow from the Chamber of Commerce was telling me the other day. It didn't start in Cooperstown at all, it started in Hoboken in 1846. The Knickerbockers was the name of the team then—they played against the New York Baseball Club on the Elysian Fields. The Hoboken Baseball Club—this is 50 years later—played their games on the old cricket grounds where Columbus Park is now. Hoboken is a fine town," he said. "There's a Hoboken in Georgia and a Hoboken in Belgium but the best Hoboken of all is Hoboken, New Jersey." And so saying, he closed his eyes and fell asleep again.

There are plenty of sleepers in Hoboken. On warm, sunny days they doze beneath the Civil War statue in Stevens Park, not far from Meyer's Hotel, waking with a start now and then to behold the glittering ramparts of Manhattan across the Hudson. Muttering and shaking their heads in disbelief, they nod and doze once more.

MAGNIFICENT CAMPUS

On the promontory of Castle Point, the Stevens Institute of Technology stands dreaming glassily of the technological future. Its campus, windswept and magnificent, looks straight down upon the Hudson and out across the river toward the spires of the Imperial City. One of the features of the campus is a heroic statue, "The Torchbearer," the work of Anna Hyatt Huntington, whose Joan of Arc stands over on Riverside Drive. Now in the planning stages is a $20-million industrial-research complex which will adorn the waterfront, greatly enhancing the view from Manhattan.

Stevens' pride and joy of the moment is its 14-story, $4½-million, steel, glass and white Norwegian granite student and administration center rising from the highest point of the promontory. From the upper stories of the new building the view is awesome—stretching north, south and west lie the industrial jungles of New Jersey, to the east, Manhattan. Clustered around the base of the bluff are the industries that have made Hoboken world-famous—the Keuffel and Esser Co., manufacturers of drafting equipment, the Maxwell House Division of General Foods, the Bethlehem Steel Co. Shipbuilding Division, the new piers of the American Export Isbrandtsen Lines, the Tootsie Roll factory. To the southwest are the last straggling cliffs of the Palisades.

In the shadow of these renowned cliffs, Hoboken boys for a century have conducted rock fights with the boys from Union City occupying the strategic heights, forever losing, forever returning to the fray. Frank Sinatra and his mouse pack of the '20s fought here. William Cullen Bryant and Stephen Collins Foster listened to the same sounds of battle 75 years earlier.

With the passing of the ferry, romantic interest in the town has declined. The happy custom of closing the bars in New York at four a.m. and sailing across the river to await the opening of the Hoboken bars at six is a thing of the past. Other than that, Hoboken is still Hoboken.

The Travel Tax and the Balance-of-Payments Deficits

HON. LESTER L. WOLFF
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. WOLFF. Mr. Speaker, one of the suggestions offered for controlling our balance-of-payments deficit is a travel tax. I have opposed this idea from the outset. Recently an article in Life magazine and an editorial broadcast by WCBS radio in New York have clearly stated the reasons why such a travel tax is unwise. Under leave to extend my remarks I include this material in the RECORD at this point:

TRAVEL TAX

There are no signs that President Johnson's call for a voluntary reduction in American tourist travel abroad has had any appreciable effect. Passenger bookings for the major airlines are reported normal. That portion of the dollar drain caused by overseas tourism shows no evidence of abating. It seems certain, therefore, that Congress will be asked to enact some form of restrictive travel legislation. What is not known is the form this legislation will take.

The Administration has floated a number of trial balloons on the subject. These should be quickly shot down. We've heard suggestions for a passport tax, a head tax on each departing traveler, or a tax based on the number of days a tourist remains outside the United States. All these proposals are punitive, and grossly unfair. The countless Americans who save and scrimp for that single trip abroad would bear the major burden of a travel tax. It would hardly discourage the expense-account traveler, or the wealthy. If the Administration's goal is to keep dollars at home and not to raise revenue, it makes no sense to impose a tax on travelers. Only by limiting the amount of money tourists may carry with them can the Administration effectively stem the travel dollar-drain.

Direct currency restrictions have never been imposed in the United States. They would be unpopular. But they would apply democratically to all travelers, not simply to those on tight budgets.

[From Life magazine]

THE REAL TOURIST TRAP

(By Shana Alexander)

The American tourist is in trouble. All kinds of people in high places are worried about him, beginning with Lyndon Johnson, who is worrying about what the tourist is doing to our balance-of-payments problem. The President seems to see the tourist as some kind of termite nibbling away at the economic foundations of the wealthiest nation on earth.

Accordingly, he has proposed a two-year ban on "nonessential" travel, a move which in turn threw the booming U.S. travel industry into its own $4 billion dither. The State Department appears to be awfully worried about tourists, too. But whereas its chief concern used to be the protection of the U.S. citizen while he is under foreign flags, the emphasis now seems to have shifted to the protection of its own foreign policy from attacks by free-swinging tourists like Stokely Carmichael.

I have become rather worried about tourists myself, but mine is the conservationist's approach. Instead of harrying, chivying, threatening with travel taxes and otherwise cramping the tourist's style, I think we ought to coddle, cosset, encourage, advise, underwrite and indemnify him in every possible way. Huge herds of vigorous, curious, open-eyed Americans freely roaming the world are, it seems to me, quite possibly a vital national resource today as at no other time in our history.

There are several reasons for this. First, we are, relatively speaking, still a new country. Compared to well-traveled Europeans, we have a lot of catching up to do. Second, we are isolated geographically.

Most important, as the world's most powerful nation, it is important that we be also its least provincial. If the citizens of Andorra or Lapland don't get around much, it makes little difference to the rest of us. But a huge and powerful nation walled off behind barriers of its own, or of others', devising may become dangerous today not only to itself, but to mankind. That is the situation with Red China.

Americans ought to be the best-traveled, most cosmopolitan people on earth, not only because experience of the world is desirable in its own right, but because as a people acquires a great concentration of power, worldliness becomes a moral imperative. Against the fiscal problem of the balance of payments, Johnson ought to consider the balance of the American mind.

I have a much-traveled friend, urbane and liberal in other matters but in discussions of U.S. foreign policy distinctly a yellow-peril man. "The Chinese hate us," I have often heard him say, "and in view of the history of the white man in Asia, I think they have every right to hate us. But if we don't contain China now, one day they're—just—going—to—start—walking."

The answer to this argument, I think, is not to build higher walls, set stricter controls, tighten the rules on travel. The answer, to continue my friend's metaphor, is for us to start walking, first. Ideally there should be unlimited travel permitted to all nations on earth and among all nations of the earth. I am for tourists of any and all kinds: sneakered and sport-shirted and funny-hatted; pantssuited and pajamaed and jet-setted; knapsacked and bearded; festooned with Instamatics and phrase books and goofy sunglasses; traveling scientists and schoolteachers and schoolchildren and trade missions; Peace Corpsmen, ballet corps, opera companies and symphony players, tennis players, footballers, junketeering congressmen and highballers—all of them to be set wandering and peering and snooping and migrating and exploring and studying and just mooching all over the face of the globe.

I also want the permission of my government to travel to China, Cuba, Syria, North Vietnam and all the other forbidden spots on our shrinking planet. I think especially in the jet age that the right to travel is a civil right and a human right which, except for health reasons, ought not be restricted in any way.

Why does the State Department have a right to issue passports? We are citizens. Not subjects.

About a year ago, the Supreme Court said that the government could not punish persons criminally for going to areas declared off-limits by the State Department, inasmuch as Congress had never passed any legislation to this effect.

Accordingly, all new passports carry this wording: "Travel to, in or through the listed areas or countries, or any other area or country subsequently designated by the Secretary of State, without a passport specifically validated for such travel, is grounds for revocation or cancellation of the passport, or denial of passport facilities. (Section 5174, Title 22, Code of Federal Regulations.)"

Title 22 of the Federal Code embraces all passport rules. Recently the U.S. Court of Appeals in the Staughton Lynd case said that an individual can go where he likes, but his passport cannot. In effect, the court ruled that the Secretary of State cannot control a citizen's travel, but can decide where he may or may not take his passport. In short, responsibility has been shifted from the man to the document, and to my ears Title 22 begins to sound disturbingly like Catch-22.

Down-shifting now from high policy considerations to the prosaic terms of the President's proposed tourism ban, we are told that the Administration is considering "some form of penalty tax on travel." Whether the new tax is to be apportioned by the day, by the head or by the plane or steamship ticket is still unclear. It is not even certain yet whether the government wishes really to restrict travel or just to limit the flow of U.S. dollars abroad. If the latter is the case, why not just put a ceiling on the amount of money an American tourist can spend, the way England has restricted traveling Britishers for years?

This scheme would conserve more than dollars. Not shopping for all those souvenirs for Aunt Minnie would mean an enormous saving in the two commodities most precious to every tourist—his time and his energy. As a friend of mine remarked when she tottered home, laden with gifts, at the end of her first trip abroad, "the whole world is Bloomingdale's!" This being so, why not let Bloomingdale's and the White House work out the balance of payments and leave the rest of us free to enjoy ourselves?

Or, if penalties *must* be imposed, why not a scheme to insure that tourists really do get their money's worth, really do see something on their travels: a $10 fine for insisting on a Hilton hotel: a $5 fine for demanding catsup: a $3 rebate for every phrase a tourist bothers to learn in the native language.

Everyone's first trip abroad should be tax-free.

With the White House, the State Department, the Congress and the Treasury each having its own ax to grind, it is difficult to predict which form the new travel restrictions may take. For the time being I think U.S. passport holders—at this moment there are so many millions of us—are best advised to keep their travel documents up to date and their eyes open. Otherwise the real tourist trap of our era may become the tourist's own backyard.

A New American Flag Stamp

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DULSKI. Mr. Speaker, easily the most popular postage stamp issue—and rightly so—is one which features our American flag.

The Post Office Department this week issued a beautiful new 6-cent stamp featuring the American flag.

The design by Stevan Dohanos also shows a view of the White House from the Pennsylvania Avenue side, with both the Washington Monument and the Jefferson Memorial looming in the background.

I had the honor to take part in the ceremony at the Post Office Department marking the first day of issue of the new American flag stamp.

I took the occasion to commend Postmaster General O'Brien and the Post Office Department for the speed and dedication with which it has moved to meet, on short order, the massive need for new stamp denominations as a result of the recent adjustment of postal rates.

Of course, there have been rough spots and shortages, and I have received my share of complaints. But all said and done, I believe the Department in most cases has met the immediate need, and already it is beginning to build reserve supplies in the thousands of post offices across the Nation.

Postmaster General O'Brien spoke with real feeling at the first day ceremony for the new American flag stamp, Washington, D.C., January 24, 1968. With permission, I include the text of his remarks:

I am very pleased that my good friends Senator Monroney and Congressman Dulski could join with us for this ceremony on the first day of our colorful new six-cent flag stamp.

I certainly wish to thank another strong advocate of better mail service, Chairman Roy Hallbeck of the Government Employes' Council for co-sponsoring this dedication ceremony. This is but one more of many public service efforts on the part of the Council which represents more than a million Federal employees in 34 AFL–CIO organizations. Many of the leaders of those organizations and independent postal organizations are here with us today, and I wish them to know how welcome they are at this important ceremony.

And this ceremony is important. It is important because we are issuing a new 6-cent postage stamp, designed to augment the Franklin D. Roosevelt issue. The stamp itself goes on sale throughout the nation tomorrow, and will stay on sale indefinitely as a regular issue. It is also important to me, personally, because the subject matter of the stamp itself permits me to discuss a matter I have been concerned about for some months.

We all learned the story of the decline of ancient Greece and of the Roman Empire. Many books have been written and millions of words uttered on the subject, and there have been almost as many reasons presented as there have been books and authors.

I certainly do not claim to have the true answer, nor can I contribute new proof or new theories.

But I do know what the symptoms of a declining nation would be.

One of the main symptoms would be a growing indifference to vital national symbols, a gradual lack of concern about those physical manifestations, unimportant in themselves, but which gain a broad acceptance by their history and their relationship with the national purpose and the national character.

Perhaps the most important symbol is a nation's flag. As President Johnson has said, "The American flag may be only a piece of bunting, sewn by human hands, but it symbolizes the very meaning of this great Nation—our determination to go on developing a free society with abundant opportunities for every citizen and to keep extended the hand of friendship to all peoples everywhere."

Our flag is both impressive and unique.

It is a unique flag because it conveys, in a meaningful way, the story of our Nation's growth.

We begin with the stripes. Thirteen of them . . . not a number chosen at random, but thirteen because we began as thirteen divided, squabbling, subject colonies.

Fifty stars—stars because we have always felt this nation was concerned with certain high principles and ideals, stars which gradually grew from thirteen to fifty. This growth reminds us all that we are still a nation of infinite possibility.

Thus our flag is a lesson in philosophy, in political science, in history.

In addition, there are countless individual acts, each of which has added to the meaning of the flag.

Again and again throughout our history, American fighting men have sacrificed their lives to protect the flag of our country. Our young men—our country's finest—are giving that ultimate measure of devotion this instant in Vietnam, as they have always done at the outposts of freedom.

I wish every American would read through the list of citations accompanying the Congressional Medal of Honor, to see the great tradition of heroic concern about our flag.

In 1871, our Navy was invoved in an expedition in Korea, resulting from an unprovoked attack by the Koreans. The last phase of that early involvement in the Far East included an attack by American marines and sailors on a key Korean fort. In that brief but bloody engagement a young man named Cyrus Hayden distinguished himself for extraordinary valor by climbing to the ramparts of the fortress and planting our flag. As the citation reads, he then ". . . protected it under a heavy fire from the enemy."

Cyrus Hayden was an ordinary carpenter. He did not have to attend a university to know the meaning of a national symbol. America has been rich in its Cyrus Haydens, and their valor has been molded into the glory of our flag.

For our flag is no less than a badge of American courage and purpose.

During our 192 years of national existence, war has claimed almost two and one half million American casualties.

When we honor our flag we honor what our country stands for and the men who have given every measure of devotion to maintain our nation against its enemies.

I remember as a boy my father removing his hat when the flag passed by. My father was not born here. He came to America as an immigrant, and though he encountered much prejudice, he always understood clearly that the American flag represented high aspiration and the goal of freedom from prejudice.

We hear much about flag burners and defilers today—but they are a handful on the far edge of our society. The real enemy is indifference and apathy, for indifference and apathy sap the fibre of nations and ultimately destroy them from within.

And this is why we are so proud of this new stamp. Flag stamps, such as this one by designer Steven Dohanos, have always been among the most popular. The millions of Americans who use this stamp will quite literally be showing the flag, the flag that so often in history has signalled the rescue of nations, the defeat of tyrannies, the breaking of light where no sun would shine.

Virgil Grissom, Edward White, Jr., Roger Chaffee

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. TEAGUE of Texas. Mr. Speaker, 1 year ago—at 6:31 p.m. on Friday, January 27, death made a sudden move and in 1 brief second snuffed out the lives of three of the finest young Americans Almighty God has seen fit to create: Lt. Col. Virgil I. Grissom, USAF; Lt. Col. Edward H. White, USAF; and Lt. Comdr. Roger B. Chaffee, USN.

Few tragedies in recent times have so shocked the Nation, and, indeed, the free world, as that which took the lives of these three heroes on launch pad 34 at Cape Kennedy. The magnificent American effort in space had captured and vastly extended the imagination of our people. The astronauts participating in that effort had become personal heroes in almost every household in the land. To many Americans the loss of these three heroes was felt almost like a death in the family.

Virgil Grissom was, perhaps, the best known of the three. He had twice braved the hostile element of space—on Mercury-Redstone 4 and on Gemini 3—and had twice been victorious in the conflict. He was the second American to enter space and had commanded the first two-man Gemini. He was scheduled to fly as command pilot on the first three-man Apollo mission when tragedy struck him down.

Also in that category of being a genuine American folk hero was Edward

White, who had captivated America and the free world with his almost lighthearted bravery when he became the first human being ever to walk in space. Who will ever forget his splendid mixture of extreme professional competence and his witty good humor as he made history "high in sunlit silence where never lark, or even eagle flew"?

Roger Chaffee was on the threshold of fame when death took him. He was the youngest of the three—just 31 years of age—and was one of the most enthusiastic and most promising of all our astronauts. It is especially tragic that he did not live to have the ultimate experience of existence as we know it today.

As I have said the loss of these men who were legends in their time was deeply and personally felt by the people of America. But we in Congress, and particularly those of us who serve on the Committee on Science and Astronautics, felt the tragedy even more deeply, even more personally. We knew these men, personally and well. We worked with them. We had been able to evaluate their greatness close up. The Nation had lost three heroes; we had lost three heroic friends.

It is fitting therefore that we pause a moment today to pay tribute on this sad anniversary, and to breathe a prayer—of regret and sadness for our own and the Nation's loss—and of thanksgiving that the United States of America has the vitality and the national idealism to produce such young men as these.

It is also important to remember that all three of these astronauts understood full well the hazards of their duty. They did not expect death, but they were prepared to meet it if such a confrontation became necessary. All three were deeply concerned that if an accident did happen there should be no pause or slackening in our effort to reach the moon and beyond. As Virgil Grissom said, sortly before he died:

The conquest of space is worth the risk of life.

And so it is, Mr. Speaker. So it is. Every forward step the human race has made has been taken at the risk, and usually at the cost, of life. Whenever we expand our horizons we do so at our peril; the discovery of America, the conquest of the West, the opening of the polar regions to human endeavor, all took their toll in lives and suffering, but all mankind moved forward because of the sacrifice of a few.

If mankind over history had forgone its greatest enterprises because they endangered life, we would still be barbarians—earthbound, ignorant, and weak.

Thank God, Mr. Speaker, that while we mourned these three heroes of space, we did not hesitate to push forward our program to reach the moon with even greater vigor. To have done anything less would have been to dishonor the memory of those who had given their lives, and it would have been a betrayal of the great traditions of our race.

We have at the moment approximately 55 astronauts working in the program. Some are veterans of space, like Shepard, Schirra, McDivitt, and Cooper. Others have yet to experience the glory of the great adventure. All of them are of the same caliber as those whom we remember today, all are equally trained to excellence. Some of them, and perhaps all of them, will one day set their feet upon another planet to explore where men have never before penetrated.

But, since our space effort is a human effort, and therefore subject to human faults, there is a possibility, Mr. Speaker, that despite all the care and all the precautions, another accident could conceivably take place. We must steel ourselves against such an eventuality. Every astronaut is well aware of this possibility and accepts it as a necessary part of his vital task. There has been no thought, on the part of any of them, of hesitating or drawing back because of the danger.

We can best honor the memory of those who have been taken from us by exhibiting the same courage, the same faith, and the same determination as those who are so eager and willing to risk their lives in the greatest challenge mankind has ever known.

What Is "Texas Partners of the Alliance"?

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. PICKLE. Mr. Speaker, the Partners of the Alliance for Progress is one of the most commendable examples of our day of a means for private citizens to lend a helping hand to our friends to the south.

With a relatively small assist from the Agency for International Development, the Partners carry out programs of technical advice and assistance with sister countries in South America.

In Texas, the Partners are associated with Peru, and the record of accomplishments is a good one. The Texas Partners are fortunate to have in their group Edward Marcus, the president of the National Association of the Partners of the Alliance.

Later this year, the Third Inter-American Conference of the Partners will meet in Lima, Peru, March 31 through April 3 and over 300 Partners from North and South America are expected.

Mr. Speaker, in order that we all may become more familiar with the operations of the Partners, I insert at this point in the RECORD an article from the Pan-Am Times, the official publication of the Pan-American Student Forum of Texas, Good Neighbor Commission:

WHAT IS "TEXAS PARTNERS OF THE ALLIANCE"

Many of you have heard of the Texas Partners of the Alliance. Some of you may know a great deal about our work, while others may only recognize the name and know very little about what we are trying to do.

Without question, P.A.S.F. has been one of the main supporters of Texas Partner work in Peru. Over the past three years P.A.S.F. Chapters have donated over $16,000.00 in money to various projects to help the Peruvian people. No other state organization has come close to this amount of money for our work.

The Texas Partners of the Alliance is a non-profit, tax deductible private sector organization formed in 1963. We receive no money from either the federal or state government and are completely supported by contributions from individuals, firms, organizations and clubs in the State of Texas. Actually, we are the private arm of the Alliance for Progress.

It is the purpose of the Texas Partners to assist in all segments of life of the Peruvian people in building a better country. Thus, we are involved in many areas of work. It is also our purpose to help create a climate for better understanding between the people of Texas and the people of Peru.

Our main committees, which indicate the work in which we are involved, are: Medical, Agricultural, Educational, Private Investment, Cultural and Community Development Self-Help Projects (known as Impact Projects). It is this last committee in which the P.A.S.F. Chapters have been most active.

The chairman of our organization in Texas is Mr. Edward Marcus, Executive Vice President of Nieman-Marcus in Dallas. Our two vice-chairmen are: Mr. Jim Egan, Texas Electric Co-op and Mr. Rex Baker, Jr., Chairman of the Board, Southwestern Savings Association, Houston. There are 50 members of the Board of Directors, including Mr. Glenn Garrett, Executive Director of the Good Neighbor Commission, and Mr. Jimmy Weaver, President of P.A.S.F.

We have a counter-organization in Peru composed of the private sector of Peruvian citizens. These are doctors, attorneys, businessmen, educators and other leaders in Peru. Mr. Miguel Balbuena is the Executive Secretary of the Peru Partners of the Alliance and has an office in Lima.

P.A.S.F. Chapters around Texas have been most active in funding the "Impact" Projects, which in reality are usually community development self-help projects. Here is an example of how these projects work:

A Peace Corps worker assigned to a vocational training school in Arequipa, Peru, sees the need for tools to teach carpentry and shoemaking. Because this school is very poor, they do not have the money to purchase this equipment.

The Peace Corps worker gets in touch with Mr. Balbuena of the Peru Partners in Lima and explains the problem to him. Mr. Balbuena then sends a written request to the Texas Partners office in Austin to fund this project for the purchase of tools for carpentry and shoemaking equipment. In this case, it is $108.00.

The Partners office in Austin then puts this on their list of projects which is circulated among not only P.A.S.F. Chapters, but civic groups, women's clubs and other organizations.

When a group decides to select a project for the Partners, they should notify Mr. Banks L. Miller, Jr., P.O. Box 772, Austin, Texas 78767, who is Executive Director of the Partners.

When Mr. Miller receives the request for this project, he will send complete information about the project to the group that has requested it. When the money is raised, a check should be made payable to the Texas Partners of the Alliance and sent to Mr. Miller in Austin.

Upon receipt of the money, Mr. Miller transmits this money to the Peru Partners in Lima, where they in turn will buy the tools for the carpentry and shoemaking equipment and will notify the Peace Corps worker in Arequipa. Then the Peace Corps worker will come to Lima and get this equipment and take it to the vocational training school and see that it is properly installed.

This is an example of how the projects work. No projects are accepted by the Texas Partners that have not been very carefully checked out in Peru. There must be a follow-up on all projects or else the Texas Partners will not agree to help fund it.

There are other ways in which P.A.S.F. Chapters can work with the Texas Partners—

such as high school student exchange between Texas and Peru, pen pals and the establishment of better communications between high school students in Texas and those in Peru.

Texas is one of the thirty-three states involved in partnership arrangements with countries or sections of countries in Latin America. The U.S. State Department has assigned Texas and Peru; therefore under the Texas Partner Program it is not currently possible to work with other countries in Latin America as far as these particular projects are concerned.

Again, it is with a great deal of pride that the Texas Partners salute P.A.S.F. for their magnificent work with our projects in Peru. The Partners have available speakers who will be happy to come to P.A.S.F. meetings and discuss the Texas Partners and Peru. There are also a number of university students from Peru attending school in Texas under the Partners' sponsorship that would be happy to talk to P.A.S.F. Chapters.

It is suggested that if you want to have someone talk to your club, or if you need additional information about the Partners and their work in Peru, you contact Mr. Banks L. Miller, Jr., Executive Director, Texas Partners of the Alliance, P.O. Box 772, Austin, Texas 78767. New project lists are now available from Mr. Miller's office, so write for one today.

Report From Legislative Reference Service on the Constitutionality and Appropriateness of Federal Legislation on Garnishment as Contained in H.R. 11601, the Consumer Credit Protection Act—Truth in Lending

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mrs. SULLIVAN. Mr. Speaker, many of the Members of the House have been receiving mail in recent weeks from bill-collecting firms in their districts, and from some credit-granting firms, attacking the title of the Consumer Credit Protection Act, H.R. 11601, which relates to the restriction of garnishment.

H.R. 11601 is often referred to as the truth-in-lending bill because it contains, in its title I, the main features of truth-in-lending legislation introduced originally by former Senator Paul H. Douglas, of Illinois 8 years ago. But H.R. 11601 also contains numerous other provisions not in the original Douglas bill and not in the truth-in-lending bill passed by the Senate last July 11, S. 5. One of those provisions added in my bill is title II restricting the use of garnishment.

As originally introduced, H.R. 11601 prohibited garnishment entirely—the seizing of a worker's pay to satisfy debts which he may or may not actually owe. Three States—Pennsylvania, Texas, and Florida—prohibit this practice entirely, and most States restrict it in some fashion. The hearings of the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency on H.R. 11601 contain hundreds of pages of testimony and impressive documentation on the cruel effects of harsh State garnishment laws on the poor and uneducated, who are the customary victims of unscrupulous and predatory elements in the credit field who mainly use the garnishment weapon. Beyond that, garnishment represents a heavy tax—literally—on all taxpayers through the almost unbelievable increase in personal bankruptcy cases growing out of garnishment practices. These facts are clearly established in the hearings on H.R. 11601.

IMPRESSIVE TESTIMONY RECEIVED BY SUBCOMMITTEE

Four of the most highly regarded Federal Court bankruptcy referees in the Nation testified before my subcommittee last August and called for Federal outlawing of garnishment. Their statements appeared in the CONGRESSIONAL RECORD on August 14. Representatives of three of the largest steel corporations in the country wrote to us calling for an end to garnishment. Labor is united against it also, of course.

In completing action in committee action on H.R. 11601, we decided not to outlaw garnishment entirely, but to restrict the extent to which a worker's paycheck can be garnished. The language we adopted was submitted by the Republican cosponsor of H.R. 11601, the gentleman from New York [Mr. HALPERN]. It is modeled along the general lines of the New York State law on this subject and is considered a fair, reasonable, and practical approach to the issue.

In our statement of congressional finding on this issue, H.R. 11601 says that "garnishment is frequently an essential element in predatory extensions of credit and that the resulting disruption of employment, production, and consumption constitutes a substantial burden upon interstate commerce."

BILL-COLLECTING AGENCIES OBJECT TO ANY FEDERAL RESTRICTION

The letters coming in to Members of Congress objecting to title II of H.R. 11601 in many instances reflect the opposition of bill-collection agencies to any restriction at all at the Federal level. Numerous such letters question the constitutionality of title II, or at the very least raise questions about the appropriateness of such Federal legislation.

REPORT FROM AMERICAN LAW SECTION, LEGISLATIVE REFERENCE SERVICE, LIBRARY OF CONGRESS

Mr. Speaker, a full and candid review of this issue is contained in a report to our committee from the American Law Section, Legislative Reference Service, Library of Congress.

If any of the Members have had doubts raised in their minds by spokesmen for bill-collecting agencies or by other constituents about the constitutionality or appropriateness of Federal legislation on this subject, I strongly urge that they read the report which follows, and to do so before H.R. 11601 comes before the House, probably next week.

Then, if in doubt as to the need for, or the advisability of such a title in a bill dealing with consumer credit, I urge that they read the hundreds of pages of documentation in the hearings of the Subcommittee on Consumer Affairs on H.R. 11601, and particularly the statements of the four bankruptcy referees who testified. Their testimony was objective, scholarly—and hair-raising.

Their experience showed that garnishment is usually the precipitating factor in personal bankruptcy filings, because garnishment frequently makes wage earners unemployable once they get into a debt situation—however innocently—which leads to garnishment of their pay. They lose their jobs and cannot get new employment. Naturally, they cannot then pay whatever bills they justly owe.

The report from the Library of Congress is as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., January 9, 1968.

To: House Committee on Banking and Currency Attention: Mr. Gellman.
From: American Law Division.
Subject: Appraisal of Constitutionality of Garnishment Provisions in Proposed Consumer Credit Protection Act (H.R. 11601, 90th Congress).

It is submitted that the constitutionality of Title II (§§ 201–204) of the proposed Consumer Credit Protection Act (H.R. 11601; 90th Cong.) may be sustained either as a permissible exercise by the Congress of its power to regulate interstate commerce (Art. I § 8, cl. 3) or as a means necessary and appropriate (Art. I, § 8, cl. 18) for effectuating an equally tenable invocation by the Congress of its fiscal and monetary authority (Art. I, § 8, cl. 1, 2, 5, *Veazie Bank* v. *Fenno*, 8 Wall. 533, 549 (1869); *Head Money Cases*, 112 U.S. 580, 595, 596 (1884); *United States* v. *Butler*, 297 U.S. 1, 60, 61, 69 (1936)). As a regulation protective of interstate commerce, the aforementioned provisions manifestly do not purport to circumscribe only those institutions, activities, or individuals that contribute directly to the movement of goods and services across state lines or indirectly thereto by virtue of being engaged in the production of goods and services destined to be transported in the channels of interstate commerce. On the contrary the validity of the proposed restrictions upon the garnishment of wages is predicated upon the now well established interpretation of the federal commerce power whereunder the National Government is deemed competent, for purposes of protecting and promoting that which is indubitably interstate commerce, to subject to federal control activities conceded to be local and intrastate, which adversely interfere with or frustrate attainment of the former objective (*Houston & Texas Rv.* v. *United States* (Shreveport case), 234, U.S. 342 (1914); *United States* v. *Darby*, 312 U.S. 100, 118, 119–123 (1941); *Wickard* v. *Filburn*, 317 U.S. 111, 123–125, 128–129 (1942)).

In the contemplated measure, specifically in §§ 201–204 thereof, Congress has not reserved for ultimate determination by an administrative agency or by the courts whether garnishment of a debtor's wage, as presently sanctioned by state laws, effects a dislocation of interstate commerce but has incorporated therein its own conclusion that the withholding of compensation from gainfully employed persons attendant decrees of garnishment "burdens interstate commerce" by reason of the "disruption of employment, production, and consumption" occasioned by the enforcement of such decrees. Admittedly, when viewed in isolation, the adverse effect upon interstate commerce occasioned by each case of garnishment will be nebulous in the extreme. Of the gainfully employed workers subjected to the harassment attributable to judicially decreed suspensions of their remuneration, many obviously will be found to be engaged neither in enterprises devoted to the production of goods destined for shipment in the channels of interstate commerce nor even in mercantile establishments specializing in the distribution of merchandise hitherto transported in such channels.

However, all employees, together with the families dependent upon them for support, undeniably are consumers, and since, in this day and age, a substantial part of our productive economy is geared to the manufacture and distribution of goods and services

for an interstate, as distinguished from an wholly intrastate, or local, market, the aggregate effect upon said interstate market, in terms of the volume of goods moving therein and ultimately withdrawn therefrom for consumption, produced by the garnishment of wages cannot be dismissed as other than substantially adverse. As consumers, workers impoverished by judicial confiscation of their remuneration forfeit their capacity to absorb their normal share of the tangible goods embraced in such interstate movement; and the consequences of their withdrawal from the market is unlikely to have a buoyant effect on the national economy. Moreover, to the extent that workers who are the victims of such proceedings are engaged directly in interstate commerce or in activities affecting interstate commerce; that is, in the production or distribution of goods moving in the channels of such commerce, the effect upon the latter may be expected to be no less unfavorable. An employe who has been stripped of the incentive afforded by compensation and who has been reduced to penury is unlikely to remain a diligent, conscientious, or creative worker.

Were Congress, with a view to protecting interstate commerce for such unfavorable consequences, to opt for a legislative remedy limited in scope to those employees engaged either directly in interstate commerce and/or in the production and distribution of goods transported in interstate commerce, such a legislative determination would be tantamount to devising a mode of relief that would be inadequate in terms of the beneficial economic effect yielded thereby but also administratively impracticable by reason of its discriminatory operation. In electing, as it has done in §§ 201–204, to adopt a definitive measure of relief, Congress, in effect, has concluded that garnishment proceedings constitute "intrastate transactions which are so commingled with or related to interstate commerce that all [of the former] must be regulated if . . . interstate commerce is to be effectively" safeguarded (*United States* v. *Darby*, op. cit., p. 121). Authoritative support for this determination also is contained in the other precedents heretofore cited. "The commerce power is not confined in its excerise to the regulation of commerce among the states. It extends to those activities intrastate which so affect interstate commerce, or the exertion of the power of Congress over it, as to make regulation of them appropriate means to the attainment of a legitimate end, the effective execution of the granted power to regulate interstate commerce. It follows that no form of state activity can constitutionally thwart the regulatory power granted in the commerce clause to Congress. Hence the reach of that power extends to those intrastate activities which in a substantial way interfere with or obstruct the exercise of the granted power" (*U.S.* v. *Wrightwood Dairy*, 315 U.S. 110, 119 (1942), also cited with approval in *Wickard* v. *Filburn*, op. cit., pp. 125–129).

In the alternative the provisions (§§ 201–204) restricting garnishment of wages may be sustained as a constitutionally permissible employment by the Congress of a necessary and appropriate means (Art. I, § 8, cl. 18; *Annotated Constitution*, S. Doc. No. 39; 88th Cong., p. 358 (1964)) to effectuate nationally imposed fiscal and monetary controls over the domestic economy. Under established rulings such as *Veazie Bank* v. *Fenno*, op. cit., p. 549; *Head Money Cases*, op. cit., pp. 595, 596; and *United States* v. *Butler*, op. cit., pp. 60, 61, 69, there is ample warrant for invoking a granted constitutional power, in this instance, the commerce power, to foster an ulterior objective; namely, to employ it as a means, not of regulating commerce *per se*, but rather to implement and attain another constitutional objective, to wit, fiscal and monetary controls, that are sanctioned by implication by the necessary and proper clause (Art. I, § 8, cl. 18) when construed in conjunction with powers expressly granted in Art. I, § 8, cl. 1, 2, 5 (*Annotated Constitution*, op cit., p. 358).

To the extent that existing state legislation sanctions unconscionable garnishment remedies to creditors, the latter are encouraged to make profligate advances of credit to wage earners. Such practices unavoidably culminate in defaults on the part of such debtors; and the adverse social consequences thereof are magnified by the impoverishment of debt ridden workers following in the wake of the invocation of garnishment on the part of creditors. Unless curbed by the remedial proposals embodied in the cited provisions under appraisal, the cumulative effect of the protraction of such social ills can be expected in part to nullify existing federal policies entailing exercise of the taxing and spending power (Art. I, § 8, cl. 1) which are dedicated to the elimination or attenuation of poverty, and to frustrate current efforts on the part of federally supervised banking institutions to stabilize credit and the purchasing power of the dollar.

Meriting enumeration as anticipated subsidary challenges to the validity of §§ 201–204 are the following: (1) that § 202 would effect so substantial a contraction of the garnishment remedy presently available to creditors under existing state laws as to deny them due process of law; (2) that notwithstanding the concluding provision of § 202(a), state courts cannot be compelled to enforce the provisions of federal law which are in conflict with local state policy as expressed in state garnishment laws; and, finally, (3) that § 203(a) would effect an arbitrary curtailment, contrary to due process of law (Am. 5), of the employer's freedom to discharge his employees. None of these contentions are deemed to be meritorious. In refutation of the first, it may be noted that § 202(a) effects no extinction of the remedies available to creditors but merely exacts a reasonable protraction of the period of time available to the garnishor for the collection of his claim (*Louisville Bank* v. *Radford*, 295 U.S. 555, 589–602 (1935); *Home Bldg. & L. Assn.* v. *Blaisdell*, 290 U.S. 398 (1934)). As to the second it has been conclusively established that consistently with the principle of National Supremacy (Art. VI, cl. 2), state courts are obligated to enforce valid federal laws (*Testa* v. *Katt*, 330 U.S. 386 (1947)). Finally, it may be emphasized that § 203(a) imposes no unreasonable restraint on the employer's right to fire. To the extent that he is harassed by an employee's periodic involvement in garnishment proceedings, the employer's liberty to discharge such employee is not substantially impaired. However, to permit an employer to discharge an employee upon the occasion of a single, initial garnishment of the latter's wages might render abortive the measure of relief sought to be conferred by enactment of the cited provisions. Accordingly, the sacrifice exacted of the employer through minimum curtailment of his right to fire would seem to be not an unreasonable price to impose for effectuation of an otherwise valid regulation. Precedents sustaining collective bargaining legislation and the restrictions therein imposed upon the employer's discharge of his employees have demonstrated that the right to fire is not absolute and that reasonable legislative curtailments thereof will not be deemed to effect a denial of due process (*Phelps Dodge Corp.* v. *Labor Board*, 313 U.S. 177, 187 (1941)).

II

Jurisdictional Entitlement of House Committee on Banking and Currency to Process H.R. 11601 (90th Cong.)

In favor of the Committee's assertion of jurisdiction the following precedent merits quotation in full:

A public bill having been reported by a committee and being under consideration in Committee of the Whole, . . . the question of jurisdiction may not then be considered.

It has been uniformly held that a bill cannot be divided up among two or more committees, although it contains subject matter which legitimately belongs under Rule XI to several committees; but must be referred to one committee as an entirety (4 *Hinds' Precedents of the House of Representatives*, §4372 (1907)).

Apart from the fact that the present status of H.R. 11601; namely, that it has been reported out by the Committee and is under consideration by the Committee of the Whole House on the State of the Union, would seem to foreclose as untimely any challenge to the Banking Committee's jurisdiction, it is submitted that on the basis of its assigned jurisdiction (Rule XI, pt. 4), H.R. 11601 was correctly referred to the House Committee on Banking and Currency. According to Rule XI, pt. 4(b), legislation purporting to control the price of *commodities* or *services* is to be referred to the Committee; and inasmuch as the pending measure would regulate finance charges, H.R. 11601 may be viewed as a governmental limitation on the amount charged for the supply of credit, a form of service. Tallying with this conclusion is the claim of jurisdiction set forth by the Committee on the prefatory pages of its legislative calendar for recent sessions of the Congress. Thus under the subtitle, *"Economic stabilization and defense production measures"*, subsidiary titles enumerated include: *"wage controls,"* and *"credit controls—consumer and instalment credit terms"*. Legislation hitherto processed by the Committee which included provisions related to wage and credit controls included the following: *Defense Production Act Amendments of 1952*, 66 Stat. 296, 298–299, 304–305, 82d Cong., 2d Sess., S. 2594.

NORMAN J. SMALL,
Legislative Attorney.

President Johnson Provides Blueprint for Major Advance in Full Employment

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HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. VANIK. Mr. Speaker, 83 months of the mightiest economic upsurge of all time has pushed wages and employment to record peaks in America. Most citizens enjoy an unprecedented level of prosperity.

But, tragically, hundreds of thousands of fellow Americans have been untouched by this period of general economic well-being. They are victims of one form of disadvantage or another.

President Johnson has made an eloquent plea for us to reach and help those who are last in line—the hard-core unemployed. And he has asked for $2.1 billion for our manpower programs for fiscal 1969.

As we seek to help this once-forgotten battalion of disadvantaged citizens, it is most important that we focus our efforts on big-city target areas with high rates of unemployment and underemployment.

Activities such as the concentrated employment program—now operating in 20 cities and two rural areas across the country—offer great promise in turning "tax eaters" into "taxpayers." And I am delighted that the President recommends expansion of this vital program.

In his message to the Congress on manpower, President Johnson outlines a well-conceived new program to see that every American has an opportunity to enjoy a productive life.

I join with him in urging support for a strengthened manpower administration and a new program called Job Opportunities in Business that will create a partnership between business and government to train and hire hard-core unemployed.

I urge every Member of this Congress to give his wholehearted support to enactment of this program, which calls for a vital new partnership between Government and private industry.

The American people need and want prompt congressional enactment.

New Mediterranean Tide

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. PUCINSKI. Mr. Speaker, the following article traces in an excellent manner the rising tide of Communist influence in the Mediterranean. It was distributed by the Copley News Service and follows:

NEW MEDITERRANEAN TIDE

(By Gen. James D. Hittle)

WASHINGTON.—There is a new tide running in the Mediterranean.

It's a Red tide and it's flooding out from the Black Sea. It is pushing relentlessly westward along the African shores of the Mediterranean toward Gibraltar.

It's the rising tide of Russian sea power.

In an historical sense Russian interest in the Mediterranean is nothing new. One of the dominant features of Russian history has been the recurring thrusts toward Constantinople and the Dardanelles, the narrow water corridor between the Black Sea and the Mediterranean. The breakout of Russian sea power into the Mediterranean and its bordering nations has been the goal of czars and Communists alike.

What the imperial strategists yesterday dreamed of, the Kremlin strategists are today doing.

With our attention focused largely on the Russian-backed aggression in Vietnam, American haven't yet realized the full and ominous significance of the Russian sea power that is flooding into the Mediterranean.

Any doubts as to what the Kremlin fleet is doing in those waters should have been dispelled by the recent speech by the U.S. ambassador to the North Atlantic Treaty Organization, Harlan Cleveland. Appearing before the National Press Club in Washington, he gave the most specific official data to date on the Kremlin's Mediterranean fleet.

The Soviets, Cleveland said, had used the recent Mideast crisis "to build up their military presence in the Mediterranean area."

Tracing the rise of Russian naval activity in the Mediterranean, he pointed out that although Russian fleet units were infrequently sighted in these waters prior to 1963 a major buildup of Kremlin naval forces took place between then and 1966.

But, apparently, the establishment of a Russian Mediterranean fleet by the end of 1966 was merely a prelude to what the Moscow strategists planned for furthering Kremlin influence in that vital and increasingly volatile sector of the world.

Using the Israeli-Arab crisis, as both a cover and pretext, more Russian sea power flooded into the Mediterranean.

Our NATO ambassador didn't deal in generalities. He gave facts and figures on the Russian fleet buildup. By last July, he reported, the Kremlin had 46 warships operating in the Mediterranean. This impressive total includes the "latest guided-missile cruisers, about 10 submarines and numerous support ships."

This massive escalation of Russian sea power in the Mediterranean has resulted in a huge new dimension in Soviet naval operations in these waters. According to Cleveland, "The U.S. Navy estimates Soviet operating days in the first six months of 1967 were 400 per cent greater than the comparable period in 1963."

Soviet submarine operations, he added, "have increased by something like 2,000 per cent since 1963."

All this naval buildup requires Mediterranean ports. Recent information from Mideast sources indicates that the Kremlin is getting what it needs. Russian fleet units are basing in Port Said, Egypt. Also, the Kremlin is putting warships into the Syrian port of Lataika, these sources say.

From the operational bases in the eastern Mediterranean, the tide of Russian sea power is pushing westward along the African coast.

We should not be surprised to see the Russian fleet moving into the Algerian naval base of Mers-el-Kabir which the French are expected to vacate prematurely.

All of this moves Russian sea power another long step closer to the historic sea gate of Gibraltar, controlling the western approach to NATO's Mediterranean, or southern flank.

Selections Review

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. HALPERN. Mr. Speaker, I feel that I should bring to the attention of the House a new, and extremely valuable tool for the study of the legislative process. I refer to the periodical Selections From the Congressional Record and Review.

Approved for use by many school boards across the country, including the board in my own city of New York, Selections Review contains excerpts from the congressional debates on many of the most important issues of today. The Review is designed to aid both teacher and student in gaining new insights into the Government and its operation. A recent survey showed that 57 percent of the American people were unable to identify their Congressman, and 81 percent did not know how their Representative voted on any major bill presented to the first session of the 89th Congress.

This fact is, of course, very saddening to me, and I am sure, to all my colleagues. Publications such as Sclections Review, however, should go a long way toward eliminating this lack of knowledge at all levels. Most importantly, though, it will bring insights and experience to the students of this country, to insure that our Nation will continue to have a steady flow of informed leaders, and citizens.

I commend this fine publication to the attention of the House, and offer my unqualified praise to the editors of Selections Review for their fine contribution to the advancement of the American democratic process.

Dr. Samuel Rosen Comments on the Hazards of Noise Pollution

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. RYAN. Mr. Speaker, not only leading scientists, but many other alert citizens have become aware of the growing hazard of environmental pollution and its serious consequences. Environmental pollution takes many forms, the most familiar being the pollution of our air and water supplies. Radiation hazards, although also not adequately evaluated and controlled, have been commented upon at some length. Less discussed are the potential long-range effects of the increasing presence of chemicals in our environment such as those used for weed and insect eradication, the increasing reliance on drugs and tranquilizers to cope with daily life, the estimated 3.5 pound per capita per annum intake of food supplements which substitute for sugar, lengthen the shelf life of foods by retarding decay, artificial coloring, and so forth. But this is by no means the total picture.

Noise in our society has been viewed largely as an irritant, and as such has had a small but inherent political and economic interest. This is because an angry voter may ask his Representative to protest jet noise or the construction of a new airport. Or a prospective home buyer may consider proximity to high-noise-level areas as a matter of comfort which affects the desirability of property. We have not, however, considered adequately the effects of noise level on the actual health of our citizens and regarded it as another serious environmental pollutant.

This question becomes even more pressing at this time with the imminence of such projects as the commercial supersonic transport airplane. Supporters of the SST argue that people, in spite of their objections, can learn to live with the sonic boom. The question has not been sufficiently raised as to whether people should learn to live with the sonic boom without anticipating some deterioration in their physical and mental health. Certainly this question should be seriously studied, and the answers should not be emotionally based or assumed in advance.

Dr. Samuel Rosen has performed a great service by bringing this issue to the attention of the medical profession. In an editorial entitled "Noise Pollution: A Need for Action" Medical Tribune, January 4, 1968, Dr. Rosen points to medical evidence of physical deterioration of the ear under excessive noise conditions. He states further—

Legally as well as medically, intense and steady noise is recognized as an occupational

"disease" that can inflict irreversible damage in the form of neural deafness.

Dr. Rosen discusses the stress effect of noise on persons ill with heart disease, high blood pressure, and emotional illness. He says—

Loud noise can increase body tension which can then affect the blood pressure, the functions of the heart, and nervous system.

He also cites the psychic effect of noise on ordinary persons as capable of making them "nervous, irritable, and anxious."

Certainly we are all aware of the debilitating effects of anxiety and its potential role in reducing the individual's resistance to disease and in reducing the ability to work efficiently. The importance of this aspect cannot be overstressed.

Dr. Rosen goes on to mention advances in noise-reduction technology which are in military use and says—

Surely some of the same techniques applied to civilian use would do much to alleviate the health hazards of excessive noise.

This is a vitally important issue about which Congress has the responsibility to study, report, and take action. I commend this important editorial to the attention of my colleagues, as follows:

[From the Medical Tribune, Jan. 4, 1968]

NOISE POLLUTION: A NEED FOR ACTION

(By Samuel Rosen, M.D.)

Noise levels in the world's urban centers have been rising steadily since the Industrial Revolution. In the United States today, jet and helicopter transport have raised noise pollution to a new peak, and tomorrow the supersonic plane will lift it further. Are noise intensity and chronicity nearing a point where they are becoming a serious hazard to public health?

Legally as well as medically, intense and steady noise is recognized as an occupational "disease" that can inflict irreversible damage in the form of neural deafness. Nineteen years ago, a United States court awarded compensation to a drop-forge worker who developed occupational presbycusis. Many industries now protect their employees against chronic noise levels in the dangerous range, exceeding 85 to 90 db. The number of workers exposed to excessive factory noise is relatively small, but what of the average city or suburban resident exposed to noise levels which equal or exceed the damage-risk criteria suggested for factories? Many city noises do approach or exceed this limit, producing a crescendo of unwanted noise against which we are helpless and to which we think we are accustomed.

We do not know how much exposure to these intense city noises will cause hearing loss, but the danger is there. At the Central Institute for the Deaf in St. Louis, chinchillas and guinea pigs were exposed to brief, intermittent periods of above-normal—but supposedly tolerable—noise levels. They developed swollen cochlear membranes and obliteration of inner-ear hair cells. Stanford Research Institute studies show that electroencephalographic patterns of sleeping subjects are radically altered by sound levels that do not awaken them. It is known that loud noises cause effects which the recipient cannot control. The blood vessels constrict, the skin pales, the muscles tense, and adrenal hormone is suddenly injected into the blood stream, which increases tension and nervousness.

Levels of presbycusis can be correlated with the environmental sound levels of various populations, and blood nutrition to the ear seems involved in the process. In 1960 I began a series of studies, with a team of investigators, among the Mabaans, a tribe living in a relatively noise-free environment in southeast Sudan. These tribesmen were surrounded by a village background noise level of below 40 db, and only on rare festival occasions did the noise level reach 110 db for brief periods. At age 75 their hearing was still acute. Plethysmographic measurements of capillary blood flow changes showed rapid constriction of the blood vessels at loud, unexpected noise, with the flow quickly re-established. The same rapid capillary constriction occurs in the New York businessman, but recovery is much slower. This would suggest generally impaired nutrition, including that to the ear, during the reflex action. It would seem that loud noise can increase body tensions, which can then affect the blood pressure, the functions of the heart, and nervous system.

The psychic effect of noise is very important. Noise can cause enough emotional response and frustration to make a person feel nervous, irritable, and anxious. Rest, relaxation, and peaceful sleep are interrupted and often denied to those suffering from illness. We now have millions with heart disease, high blood pressure, and emotional illnesses who need protection from the additional stress of noise. We make a great point of keeping our hospitals quiet, but the sudden and repetitive noises of street traffic, construction work, roaring jets, etc., penetrate the hospital walls.

We now recognize the hazards of air pollution and are slowly beginning, at this late date, to attempt some solutions. Physicians and acoustic experts warn against the dangers of noise pollution, and some solutions must be sought before the acceleration of noise becomes too great for effective control. Effective controls are possible. Granting the cost may be high and governmental regulation difficult to achieve, buses, trucks, construction equipment, sanitation trucks, planes, helicopters, street traffic, subways, elevated trains, air conditioners, office machines—all these and many more sources of high-level noise can be made quieter through proper engineering techniques. Acoustical science and technology have provided the Army with an inaudible motor for front-line use, the Navy with silently operating submarines, and the Air Force with an almost silent plane. Surely some of the same techniques applied to civilian use would do much to alleviate the health hazards of excessive noise.

Public pressure could help bring about legislation and its enforcement. All community organizations and others, such as Citizens for a Quieter City, Inc., in New York, should support and aid the cause of reducing noise levels in our environment. As physicians aware of the dangers to the health and well-being of our patients, we should be involved in the campaign against noise pollution.

CRC Chemicals, of Dresher, Pa., Wins E Award

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. SCHWEIKER. Mr. Speaker, it is with considerable pride that I report that a Presidential E Award for excellence in export sales has been awarded to a firm in my district, CRC Chemicals, of Dresher, Montgomery County, Pa.

CRC is a division of C. J. Webb, Inc. and manufactures chemical products for the automotive, industrial, electrical, and marine industries. CRC set up an international sales division in 1960 with two outlets abroad. Today more than 59 foreign countries have distributors of CRC products. Among the major overseas markets are Canada, Finland, Germany, Great Britain, Belgium, Australia, and Japan.

The Commerce Department presented the E Award to CRC Chemicals president Charles J. Webb II, at a flag-raising ceremony at the plant Tuesday.

Mr. Speaker, CRC may not be a large company, since it employs only 35 persons. But CRC makes up in international sales initiative for what it may lack in size. As this Nation battles with an increasing deficit in our balance of payments, all private business firms—large and small—must do their part to compete for and win oversea markets for American-made goods.

I am impressed by the example of this firm in Montgomery County, CRC Chemicals, and hope that more and more business firms will be building their export sales as CRC has done.

Department of Agriculture Watching Foot-and-Mouth Disease Overseas

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. BOLLING. Mr. Speaker, England and Wales are now in the throes of the most serious outbreak of foot-and-mouth disease in their history. The U.S. Department of Agriculture is most concerned.

The Department, mindful of the last outbreak in 1929, is taking preventative steps against any outbreak of this disease should it be carried to this country. An inspection force is on duty at air, ocean, and land ports of entry to enforce agriculture quarantine measures designed to prevent the introduction of pests and diseases capable of causing severe economic damage to agricultural production in the United States. Cooperating agencies, such as the Public Health Service, the Immigration and Naturalization Service, and the Customs Bureau, are joined in the effort to keep out unwanted pests and diseases through such devices as inspections of carriers, cargo, ships' stores, and passengers' baggage.

State livestock officials and other animal disease regulatory officials are cooperating closely with the U.S. Agriculture Department. They, too, have formulated their plans should the dreaded disease appear within their States.

I think these efforts deserve our commendation.

In this connection, I place in the Extension of Remarks of the RECORD an illuminating article by Roderick Turnbull, agricultural editor of the Kansas City, Mo., Star that was published December 10, 1967:

UNITED STATES READY TO BATTLE FOOT-AND-MOUTH DISEASE

(By Roderick Turnbull)

At Beltsville, Md., just outside Washington, is the government's No. 1 agricultural experiment station. At the station, in what was formerly a dairy barn, the hayloft has been converted into a large office, which today stands empty.

But this office has lines for 11 telephones and two teletype machines. It is equipped with large supplies of maps and other paraphernalia. In fact, the office is ready to be activated at a moment's notice to fight one thing—an outbreak of foot and mouth disease in the United States.

In charge of this "ready room" is Dr. R. E. Omohundro, who is with the animal health division of the U.S. Department of Agriculture. Others who would be actively engaged in any campaign on foot and mouth disease include Dr. W. W. Michael and Dr. Norvan Meyer. There are many more. Incidentally, the dairy barn at the Beltsville station should not be compared to the old red barn on the family farm.

The "ready room" has space for about 30 persons. If there were an outbreak any place in the United States, they immediately would get in touch with state and federal officials of the district. The area of the outbreak would be quarantined and a program of slaughter of all cloven-footed animals, cattle, swine, sheep and goats, would get under way.

Funds are available for waging such a campaign at the federal level. Most states are prepared to indemnify farmers for animals condemned to slaughter. So is the federal government. In cases where the states have such authorizations, usually the state and the federal government each pays half the cost.

The point is we're ready in this country to do everything that now is known to contain an outbreak of this disease. But even being fully prepared would not guarantee a quick victory at small cost, as the situation now in England demonstrates.

England was prepared, too, maybe even more so than in the United States, because it is more vulnerable to foot and mouth disease than the United States. England must import meat.

Yet England, in this most recent outbreak, has had to slaughter more than a quarter of a million head of cattle and by the middle of last week had counted 1,446 instances of the disease. Once the disease gets a start, it spreads like wildfire in ways that are not all known or understood.

The only sure way to stop it is to slaughter all animals both affected and exposed.

The veterinarians in the Department of Agriculture in Washington refer to foot and mouth disease as "the scourge of the world."

Most people in the United States know little about this livestock ailment because the last incidence here was in 1929. Most veterinarians, except those who had experience with the big outbreak in Mexico from 1946 to 1954, have had no direct contact with the disease. However, at least 70 veterinarians in the department of agriculture, have had training in the diagnosis of foreign animal diseases, of which foot and mouth is one.

The U.S. Department of Agriculture in recent days has sent 12 veterinarians to England to help in the campaign there. Canada, Australia and New Zealand also have sent veterinarians to England.

Foot and mouth disease is known the world over. It is prevalent, in degrees, in South America, Africa, all of Asia but Japan, and in Europe. Countries free of the disease include the United States, Australia, which hasn't had an outbreak since 1872, Canada, Mexico and all Central America as far south as Panama, New Zealand, Norway and Ireland.

The disease hits almost exclusively cloven-footed animals, either domestic or wild, but a few other species have shown susceptibility when artifically infected. Horses never get the disease. It is very rare that man, even though they are repeatedly exposed to the disease in many countries, becomes infected.

The 1956 Yearbook of Agriculture by the Department of Agriculture, has a complete section on foot and mouth disease.

The disease manifests itself, it is explained, by the formation of vesicles, or blisters, on the mucous membrane covering the various parts of the mouth of the animal, including the tongue, lips, gums, dental pad and the palate. Also, often the blisters are found on the skin between and above the claws of the feet. Other complications follow.

Usually, the disease is not fatal. However, animals lose weight, in dairy cows the milk flow stops, abortion becomes prevalent and sterility may occur. Also, because walking and eating are difficult, many animals actually starve to death, rather than dying from the disease itself.

The disease is caused by one of the smallest viruses known in animal ailments. Also, at least six types of the virus have been found. This makes vaccination difficult, because the vaccination with one type virus does not guarantees protection against another. Last year a severe outbreak in Russia occurred among cattle that had been vaccinated. It was discovered that a new type virus was the cause.

Scientists all over the world, including many in the United States, have sought to develop a vaccine that would control foot and mouth. Research has produced some that are fairly effective, but not absolutely so. Countries that "try to live with the disease" rely on the vaccines. The United States, which follows a policy of stamping it out thoroughly through the slaughter method, does not recommend the vaccine.

The vaccine gives immunity for about six months. The United States has more than 100 million head of cattle. A vaccination costs about $1. If all the cattle were vaccinated just once, the cost would be more than 100 million dollars. This wouldn't protect all the hogs, sheep and goats.

Many of the countries which use the vaccine do not have the facilities or the money to carry out a slaughter campaign. They couldn't indemnify their farmers; in fact, the farmers would find it difficult to replace their animals even if their governments gave them the money.

In 1946, foot and mouth infection was discovered in Mexico, and the disease had a foothold before control methods could be put into play. The United States joined with the government of Mexico in what turned out to be a long and bitter war against the ailment. The borders of the U.S., of course, were closed to the importation of animals from Mexico. It was agreed to carry on both a slaughter and a vaccination program.

Many of the Mexican farmers did not understand what was being done. They actually got out their guns to ward off the "vets" who came to test and then slaughter their cattle. Resentment was particularly severe when the animal destined for slaughter was the family ox used as the beast of burden on the Mexican's small acreage.

Together, the two countries formed the Joint Mexican-American commission for the control of foot and mouth disease. This commission still is in effect, although the name has been changed to the "commission for the prevention."

More than 1 million animals were slaughtered in Mexico and 60 million vaccinations applied. Several people were killed and Mexico had to employ troops to enforce the orders. But eventually, the battle was won. Restrictions against the importation of cattle, swine and sheep into the United States finally were lifted in 1954.

The first outbreak recorded in the United States was in 1870 and there have been eight since, the last in 1929.

The disease is not native to the United States; when an infection is discovered, it is assumed it was brought into this country some way, usually on something aboard a ship, such as meat supplies, bone scraps or perhaps straw in which animals have been stabled.

Prior to 1902, the infections were blamed on imports of live animals themselves. Outbreaks in 1902, 1908, 1924 and 1925 in Texas involved only a few thousand head each time. In an extensive epizootic in 1914–1916, the disease was discovered in 22 states and the District of Columbia. In this period, 77,240 head of cattle, 85,092 swine, 9,767 sheep and 123 goats were destroyed.

In 1924–1925 in California, 58,791 head of cattle and thousands of swine and sheep were destroyed. The 1929 outbreak also was in California but was relatively small and well contained.

Prior to the experience in Mexico, the United States had not permitted any research projects which involved the use of foot and mouth virus in this country. Our scientists had to work in other countries. But after the Mexican outbreak, it was decided to establish a research project into foreign animal diseases at some isolated U.S. spot. The place chosen was Plum island. off New York. A laboratory there is devoted primarily to foot and mouth disease.

In 1930, Congress enacted a law which prohibits the importation of any live animals or fresh meat from countries which are not 100 percent clean of foot and mouth disease and also rinderpest. Rinderpest, which is not the same as foot and mouth disease, is perhaps as severe a world scourge as the latter. However, the USDA veterinarians said, the disease never has been known in the United States.

Incidentally, the ban on importations does not include cooked meat. Argentina, which cannot send either cattle or fresh meat to the U.S., ships us around 7 million pounds a month of cooked meats, mostly boned beef which is cooked and packed in boxes. It is used mostly in soups, stews and other prepared products including TV dinners.

What would an outbreak of foot and mouth disease cost in the United States? The USDA veterinarians say the cost could be fantastic, so big they would not want to make an estimate. With our systems of big herds and big feedlots, the spread could be terrific. This is why they would want to stamp it out at once if possible.

Dr. Meyer said one guess is that if this country "tried to live with the disease," it would take 25 percent more cattle than we now have, or about another 25 million head. Or, putting it another way, the cost of production on meat animals would increase by 25 percent.

Milwaukee Attorney Spearheads U.S. Human Rights Year

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. ZABLOCKI. Mr. Speaker, 1968 has been designated by the United Nations as Human Rights Year.

This international observance, which has so much importance for the peoples of the world, might well have gone ignored in our country had it not been for the energetic work of a Milwaukee attorney, Bruno V. Bitker.

Attorney Bitker was principally responsible for convincing the U.S. Commission for UNESCO to coordinate the

Human Rights Year activities in the United States.

This became necessary because of congressional inaction on bills providing for the creation of a special national commission to commemorate the year.

As the result of Attorney Bitker's activities, he has been made chairman of a subcommittee of the U.S. Commission on UNESCO which is charged with the promotion and coordination of Human Rights Year observances by educational institutions and interested groups.

Recently the Milwaukee Journal devoted a story to Attorney Bitker's activities on behalf of the U.N.-designated year. It is my privilege to be able to bring it to the attention of my colleagues, some of whom may already have received inquiries on plans for the Human Rights Year celebration.

[From the Milwaukee Journal, Jan. 23, 1968]

LOCAL ATTORNEY PUTS DRIVE INTO UN YEAR

For more than a year, Milwaukee Atty. Bruno V. Bitker has quietly but persistently tried to get the entire United States involved in the 1968 observance of International Human Rights Year.

His enemy was apathy and he worked without a budget or a staff. Yet he has managed to stimulate interest in the observance all over the country.

International Human Rights Year marks the 20th anniversary of the Universal Declaration of Human Rights, adopted by the United Nations in 1948.

Bitker, who lives at 2330 E. Back Bay, became involved in December, 1965, when he participated in a White House conference on international co-operation.

Earlier, in 1963 and 1965, the UN general assembly had adopted resolutions designating 1968 as International Human Rights Year and had urged member nations to join in observing it.

HEADED RIGHTS PANEL

At the White House conference, Bitker was chairman of a panel on human rights.

Later, bills were introduced in the senate and house of representatives to create a special commission to plan United States activities during the human rights year. One bill, reported favorably by the house foreign affairs committee, would have appropriated $300,000 for such a commission.

But the bills all died in an economy minded congress.

"I realized if something was not done," Bitker said, "the United States would not be doing anything in relation to this year . . . Somebody, some organization, had to encourage and inspire organizations to do something."

Bitker long has had an interest in the UN. He is chairman of the Wisconsin governor's committee on the UN and a member of the United States commission for UNESCO, the UN educational, scientific and cultural organization.

He went before the commission and proposed that it coordinate the nation's activities during human rights year. The commission set up a special committee and named Bitker chairman.

Since then, by his own estimate, Bitker has spent at least one day a week working to promote programs and other observances.

He has received commitments from more than 50 educational institutions around the country to sponsor institutes, conferences or seminars on human rights. Among them are Marquette university and Ripon college.

HEADED GUIDEBOOK GROUP

Bitker also was chairman of the editorial committee for a guidebook on community action in relation to the 1968 observance. Titled "You in Human Rights," the guidebook had a first printing of 20,000 and is being distributed nationally.

Bitker also has asked 325 organizations with national memberships—educational, cultural, scientific, labor, business and others—to adopt resolutions relating to the observance and to publicize it among their members. More than 100 have agreed.

But the proposal for which Bitker has the highest hope is a program for schools to teach about the Universal Declaration of Human Rights.

As a result of his efforts, the Council for Social Studies, an affiliate of the National Education association, formed a special committee to develop a teacher's guidebook on the universal declaration.

The Wisconsin governor's committee on the UN, which will share in the observance, will have its annual meeting at 1:30 p.m. Thursday in the governor's reception room at the capitol in Madison.

Bitker said he planned to announce at the meeting that he would no longer serve as the committee's chairman, although he will remain a member. He said he had too much work and wanted to concentrate on national activities in the field of human rights.

Nixon Cheered by Texas Support

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, recently, my good friend, Richard Nixon completed several successful speaking engagements in the State of Texas. On two of these occasions he was introduced with generous remarks by the distinguished Senator from Texas, JOHN TOWER. The summary of that trip which appeared in the New York Times January 20, 1968, shows the wide support which Mr. Nixon receives.

Mr. Speaker, I insert this article in the RECORD, as follows:

NIXON IS CHEERED BY TEXAS CROWDS—PRAISE BY TOWER HIGHLIGHTS DALLAS AND HOUSTON STOPS

(By Robert B. Semple, Jr.)

HOUSTON, January 20.—Richard M. Nixon leap-frogged from one major Texas city to another today, assessing his political strength in this key Southern state. He could not have been displeased by what he saw and heard.

Before his campaign day ended here late this afternoon, the former Vice President had received a rousing ovation from 3,000 Dallas Republicans, repeated bursts of applause from a slightly smaller but no less exuberant group of Houston Republicans, and a warm embrace in both places from the state's most powerful Republican, Senator John G. Tower.

"This is a very great American, for whom I have a very, very high regard," Mr. Tower told Republicans who packed the Conquistador Room at the Marriott Motel in Dallas for a post-breakfast rally this morning.

"I know of no one in our party," Mr. Tower went on, "who has better articulated the type of proposals that are circulated not only to make America the strongest nation in the free world but also the leader of the free world."

THE PRAISE MOUNTS

Three hours later, at a luncheon in the Shamrock Hotel in Houston sponsored by the Harris County Republican Committee, Mr. Tower's description was, if anything, even more effusive.

"There is a man who has all the right instinct," Mr. Tower told 2,400 largely conservative Texans. "Here is a man whose political philosophy is one that Texans can appreciate. I know of no Republican we owe a greater debt to than Dick Nixon."

Mr. Tower, who was once asked to run the Nixon campaign and declined in order to head the Texas delegation as a favorite son candidate, told newsmen later that his remarks should not be construed as an "endorsement" of Mr. Nixon over other Republican hopefuls.

But he did nothing to discourage frequent reports that Mr. Nixon is his choice.

Mr. Tower's support could be crucial to Mr. Nixon at the Republican Convention in Miami next August.

According to sources here, Texas Republicans are split more or less evenly between Gov. Ronald Reagan of California and Mr. Nixon, but Mr. Tower could easily tip the scale—not only in the Texas delegation, but also, in view of Texas's pivotal role below the Mason-Dixon Line, in other Southern delegations.

HE "MIGHT BE INVOLVED"

Mr. Nixon has not yet formally declared his candidacy, although a decision is expected by the end of this month. However, in Dallas this morning, he acknowledged "speculation" that he "might be involved" in the coming primary.

The teaser produced the desired results—a burst of applause that made it clear he had many friends in the audience.

Moreover, Mr. Nixon has sounded very much like a campaigner on his Texas tour despite his "noncandidate" pose.

He has shortened the formal statesmanlike speech on world problems that he has been delivering in other states and substituted sharp thrusts at the Johnson Administration.

Last night, for example, before an audience of Bexar County Republicans at Trinity College in San Antonio, he declared that America's prestige in the world had deteriorated sharply under the present Administration.

"Never in the history of the country," he said, "have we been in more trouble in more countries than we are today."

In Houston and in Dallas, Mr. Nixon excoriated the Administration's foreign policy but also criticized Mr. Johnson on domestic issues. He accused the Administration, for example, of putting the blame for the balance of payments problem on everyone but itself.

Moreover, he urged Congress to avoid increasing taxes, as Mr. Johnson has recommended, until the Administration had reduced its budget expenditure.

LIMIT ON TAX RISE

Even if Congress should find a tax rise necessary, he went on, it should be limited to "one year—because there's nothing wrong with the American economy that a Republican President isn't going to cure."

Mr. Nixon combined these thrusts with a strong reaffirmation of his respect for the Presidency itself and some generous comments about Mr. Johnson, enabling him to put his specific criticism's of the Administration into sharper relief.

He said repeatedly—and drew applause each time—that he found "unwarranted" the "vicious personal attacks on the president"—who, he emphasized, "deserves respect whether he travels at home or abroad."

He said at San Antonio that Mr. Johnson deserved praise "as one of our hardest-working Presidents" and as "a very skillful politician."

"The problem is not the personality of the President but the policies of the President," he said. "The United States simply can't afford four more years of Johnson politics."

U.S. National Student Association Backs Travel Incentive Stamp Legislation

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. REUSS. Mr. Speaker, along with 20 cosponsors, I have introduced legislation to give first-time European visitors to the U.S. travel incentive stamps whose value would amount to a substantial proportion of the average European tourist's expenditure in the United States.

These stamps, which would be the product of cooperation between travel-oriented industries and the Government, could induce an additional 500,000 Europeans to come to the United States this year, obviating the need for restrictions on overseas travel by Americans.

The proposal for travel incentive stamps has been well received by those most aware of the substantial disadvantages of curbing Americans' traditional freedom of travel. In a letter of January 23, 1968, the U.S. National Student Association Educational Travel, Inc., "strongly supports efforts to redress the balance-of-payments gap by an increase in westbound tourist traffic rather than a decrease in eastbound tourist traffic."

The U.S. National Student Association is a nonprofit organization associated with the American Council on Education, the International Student Travel Conference, the U.S. Commission for UNESCO, the National Scholarship Service, and Fund for Negro Students, and related organizations.

I include the texts of association's letter and of an accompanying press release:

U.S. NATIONAL STUDENT ASSOCIATION EDUCATIONAL TRAVEL, INC.,
New York, N.Y., January 23, 1968.

Mr. EVERARD MUNSEY,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. MUNSEY: I greatly appreciate your letter containing Rep. Reuss' proposal for reducing our balance of payments costs on tourist expenditures. Rep. Reuss' proposal is not only imaginative in economic terms, but is also exceptionally appealing in that it reverses the trend set by all other proposals to date, namely, that of a slow downward spiral of restrictions and counter restrictions on travel within the area of the Atlantic community. As an organization dedicated to the facilitation of travel by young people as being an integral part of the educational process, and as an organization serving not only Americans traveling abroad but also large numbers of foreign students visiting this country, would strongly support Rep. Reuss' efforts to redress the balance of payments gap by an increase in west bound tourist traffic rather than a decrease in east bound tourist traffic.

I enclose a copy of a press release issued by our organization upon the occasion of the announcement of proposed restrictions on travel to Europe.

Yours sincerely,

NIELS DE TERRA,
Executive Director.

[From Student Travel News, Jan. 3, 1968]

STUDENT TRAVEL ORGANIZATION WARNS OF EFFECTS OF TRAVEL RESTRICTIONS

Mr. Niels de Terra, Executive Director of the United States National Student Association/Educational Travel, Inc., said today that the prospect of mandatory restrictions on travel to Europe would seriously and permanently impair the educational opportunities of American students. He said that "our organization not only serves American students going to Europe, but also offers programs for foreign students, which in 1967 served only 4000 foreign students coming to the United States. We are especially worried lest restrictive measures prevent American students from going abroad, since travel is an extremely important part of the educational process and the college years offer innumerable chances for extensive travel."

Mr. de Terra pointed out that students are undoubtedly the most enthusiastic and responsive, as well as the least solvent, travelers. They go abroad for a multitude of reasons: to study at foreign institutions, to work in any capacity from fruit picking to stenography, and to see for themselves the other cultures that they have been studying about since grade school.

Students today are deeply concerned with transcending their textbook-oriented environment, with involving themselves in the problems of the "real world". Travel is imperative to them in this effort to bring the world into the classroom, or vice-versa. To place restrictions on travel out of the Western Hemisphere would, therefore, thwart the students in their attempts to gain an education through a better understanding of what goes on outside the borders of the United States. And, ironically, it would harm the future interests of the United States since our future lies in the hands of our students.

The proposed restrictions will supposedly apply primarily to "nonessential travel." Mr. de Terra observed that, in view of his previous statements, there is no such thing as "nonessential travel" where students are concerned.

He feels that all the restrictions thus far proposed are discriminatory against those with limited amounts of money at their disposal. The per diem tax of $5 or $6 would be a "death blow to student travel", while not affecting in the slightest way the jet setters who would feel no compunction about paying a few hundred dollars more for a quick dash to St. Moritz or Cannes. Students hardly spend as much as $5 or $6 per day for all their living expenses while traveling on their own in Europe.

If restrictive measures are unavoidable then they should at least not discriminate in favor of the rich. The U.S. Government should achieve its cutback by encouraging economy on the part of Americans through measures limiting the total amount of money tourists are permitted to take out of the country with them, as the British Government has been doing for years.

Performance of F–111A

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DORN. Mr. Speaker, the following very excellent article, by Claude Witze, appeared in the December 1967 issue of Air Force and Space Digest. I commend this splendid article to the attention of my colleagues and to the people of the country:

F–111A—THE MEN WHO FLY IT LIKE IT

(By Claude Witze, senior editor, Air Force/Space Digest)

Born and bred in an atmosphere of unprecedented controversy, the Air Force's General Dynamics F–111A now has combat veterans in the cockpit, and they are enthusiastic about the potential of their new airplane.

These Air Force pilots consider the F–111A weapon system the greatest single technological jump designed for their mission since the wedding of the jet engine and modern avionics. The F–111A, they predict, will let them hit tactical targets harder, with greater accuracy, and at longer ranges than any other airplane in the USAF inventory or likely to join it in the foreseeable future.

It must be made clear at the outset of this report that the subject is the USAF F–111A, and that airplane alone. The first production models, configured for operational use, are now being delivered to Nellis Air Force Base, near Las Vegas, Nev. The Tactical Air Command is using them to equip the 4480th Tactical Fighter Wing. The pioneering unit is Detachment 1, 4481st Tactical Fighter Squadron, commanded by Col. H. Dethman.

Equally important, from the standpoint of operational capability, is the test work under way at the Air Proving Ground Center at Eglin AFB in Florida. Here, USAF has come to realize that the F–111A is a vehicle incorporating advances in the state of the art that have outpaced the technology incorporated in the available weaponry it can carry.

Maj. Gen. Andrew J. Kinney, APGC Commander, speculates that improved bombs, equipped with terminal-guidance systems, may turn out to be the most important addition to airpower capability since World War II. As this issue goes to press, Defense Secretary Robert McNamara has made the first public disclosure of the fact that Walleye, a bomb that carries a TV camera to seek out its target, is being used in Vietnam. Earlier this year, veterans back from Southeast Asia were complaining loudly that they had seen no improvement in the technique of delivering iron bombs. Walleye, developed by the Navy, is now also being used by USAF. It is made by the Martin Marietta Corp.

Walleye, of course, has limitations imposed by night, bad weather, and other hindrances to visibility because of its TV "eye." So APGC is working hard on other more advanced projects, all of them highly classified. The urgency of these projects clearly has been compounded by the F–111A. Back at Nellis AFB, where the users are aiming for operational capability by early 1968, you can talk to pilots who say, first, that the new airplane is more accurate than the bombs it drops. Even before production airplanes started to arrive, they found the F–111A delivery of plain old-fashioned iron bombs to be twice as accurate as that of its predecessors, the F–105 and F–4.

Even this is not good enough, says General Kinney, nor as good as we can do. Further accuracy must be achieved and made operational as fast as possible. The point, of course, is that the avionics subsystems in the F–111A—both navigation and attack systems—can work together to position the plane in the air with unprecedented accuracy. The pilot knows exactly where he is when the bomb is released. He still does not know exactly where the bomb will hit. Basically, that is why we have lost up to sixteen aircraft, flying 160 sorties to demolish one bridge in Vietnam. The cost/effectiveness of the improved F–111A system, with an aircraft that can position itself automatically in any kind of weather or visibility, if it can drop a bomb that can be steered to the target, is obvious.

The pilots at Nellis display no doubt that the F–111A will achieve this capability. At Nellis, as well as Eglin, Edwards AFB, the Aeronautical Systems Division at Wright-Patterson AFB in Dayton, and Air Force Systems Command Headquarters, Andrews AFB, Md., there is one common observation. It is put most succinctly by Brig. Gen. Ralph G. Taylor, Jr., Commander of the Tactical Fighter Weapons Center at Nellis:

"Nobody is qualified to pass judgment on the F–111A until he has flown it. I wish the critics who have not flown it would come out here and talk to our pilots."

One of his pilots, interviewed on the flight line, agreed with the boss in the kind of language you hear around a hangar:

"The guys who bad-mouth this airplane," he said, "are the guys who never got in the cockpit."

Nellis is where USAF makes Ph. D.'s out of fighter pilots. The current F–111A program called Harvest Reaper, is manned by veterans of the Korean and Vietnam Wars, men who have faced flak and Soviet MIGs in F–105s, F–4s, F–86s, F–104s, and F–84s. Harvest Reaper is the Accelerated Testing and Training Program for the F–111A, launched last July when the first of five aircraft, built for research, development, test, and evaluation (RDT&E), was shifted to the Nevada base from Edwards AFB in California.

By September, the new wing had set an unprecedented record. During that month, the five planes flew a total of 304.1 hours, an average utilization rate of 60.8 hours per aircraft. In October, the month in which the first production model was delivered and added to the Harvest Reaper stable, the rate hardly wavered. It was 59.7 hours per aircraft. The stated requirement for the F–111A is thirty hours per aircraft. The best previous records set at Nellis on other aircraft have been in the area of thirty-eight hours a month per aircraft. This has been with systems far less complex than those of the F–111A.

Colonel Dethman emphasizes that the five airplanes are all different, that they are not production models, and that they offer a type of disparity, both as to maintenance and the flight envelope, that his wing will not face when it has production aircraft. Airplane No. 31, flown into Nellis on October 16 by Colonel Dethman, was the first F–111A to be delivered fully configured for operational use.

The thirty-first F–111A and following aircraft now being delivered to Nellis incorporate two improved Pratt & Whitney TF30–P3 engines, modified engine air inlets, an attack radar, and other changes not included on all of the test aircraft.

These are changes that both air and ground crews await with a new kind of impatience. Of the features already aboard, in the preproduction models flown by Harvest Reaper pilots, the men are most enthusiastic about the avionics. The radar and navigation systems, all agree, are the best they have ever seen.

It is not difficult to find pilots at Nellis who entered the F–111A program with a high degree of skepticism. And it is not entirely gone. A typical major, an F–105 veteran of Vietnam who has shot down a MIG, says that so far he has been learning what he can do with a new and different kind of weapon system.

"It is not possible," he says, "to compare the F–111A with other planes I have flown—the F–105, RF–101, F–86, or F–84. This thing is entirely new and different, and I know there is no single answer to all our problems. The F–111A is easy to fly, but there have been some deficiencies in the RDT&E planes we have been using. But I expect they will be licked, for the most part, when we all have production models."

This man is struggling to get used to the side-by-side seating arrangement. The avionics systems are monitored, for the most part, by the man on the right. The pilot simply can't see out that side of the cockpit from his seat on the left. The veteran, of course, has been able to look right or left and over his shoulder on each side and past the tail. He does have a detector in the tail that can tell him when he is being followed, but it does not identify what it is that is coming up behind. This can be disquieting to a combat veteran who is used to single or tandem seating. The F–111A provides four eyes to look straight ahead, which has its advantages, and the electronic systems provide new low-level capability for day or night missions.

A recent illustration was provided by Colonel Dethman when he flew F–111A No. 31 from the General Dynamics plant at Fort Worth, Tex., to Nellis. It was an automatic flight, less than 1,000 feet above the ground for 1,047 miles. Colonel Dethman used the controls only on takeoff and landing.

The terrain-following radar (TFR) makes the F–111A capable of day or night low-altitude penetration at subsonic or supersonic speeds. It does not have to be automatic, but can be set for manual operation, which might be necessary to evade enemy defenses, particularly where they are as heavy and diverse as they are in North Vietnam. A safety feature is that the system continuously checks its own operation. If there is a malfunction, the aircraft goes to a higher altitude. The radar is the AN/APQ–110 made by Texas Instruments and is used in partnership with the flight control system made by General Electric.

One pilot, interviewed at Nellis, had drawn up his own list of what he considered good, fair, and poor about the F–111A. His opinion is based on close to 100 hours in the preproduction (RDT&E) models.

Under *good*, this veteran lists range, endurance, bomb load, stability, flight control, navigation, radar, bombing systems, and landing characteristics.

The maneuverability and takeoff distance he rated as *fair*. Under *poor*, he was critical of the thrust and subsonic acceleration provided by the early model engine, the air-to-air radar capability, and the manual operation of the scope camera.

This brings up the whole subject of the Pratt & Whitney engines, their role in the development problems, and the various versions of the engine. The first five aircraft at Nellis, RDT&E models, are powered by the TF30–P1. The production airplanes have the TF30–P3, with modified air inlets.

Maj. Gen. John L. Zoeckler, Deputy Chief of Staff for Systems at AFSC and former director of the F–111 program, is first to admit that the most serious deficiency at the outset was the matching of the airplane and the engine. There were compressor stalls, especially at high speeds and altitudes. He is confident this has been corrected and that the TF30's combination of turbofan and afterburner will guarantee low fuel consumption for long-range subsonic flight. The feature was demonstrated when an early F–111A was flown nonstop to the Paris Air Show last June.

The unusual thing about the F–111A afterburner is that the pilot is not restricted to using it for a "kick-in-the-pants" approach to higher speed levels. For the first time, he can use more than "power-on" and "power-off" settings for the afterburner. He can take advantage of a smooth range of thrust augmentation, going through five zones of afterburner application.

The experience at Eglin AFB and Edwards AFB also shows that the graduated afterburner contributes to fuel economy, when that is important to a mission.

General Kinney, at Eglin, has his own list of major advantages he sees in the F–111A. On one of his first flights, with a contractor pilot, he was instructed to set the TFR dial for fifty feet and let the plane go to that altitude and skim the ground. At the moment he got the instruction he was at 20,000 feet. General Kinney says it was difficult to resist grabbing the stick as the aircraft started to go down fast, seeking the fifty-foot level. He managed to leave it alone, and the F–111A leveled out at fifty feet and continued the mission automatically. The General says he was convinced that the plane is safer and puts the pilot in a better position to do his job, visually or blind, than any other aircraft he has seen.

The F–111A can operate from short runways. It needs 1,500 to 3,000 feet to land. With a heavy load it can take off in less than 5,000, usually about 3,500 feet. The landing speed is in the range of 125 to 130 miles an hour, with no drag chute employed. Outside of what it contributes to safety, this feature increases the flexibility of the F–111A by permitting it to operate out of available airports in more undeveloped countries. It is attributable, of course, to the variable-sweep wing, which lets the pilot redesign the airplane in flight for a range of speeds from slow to supersonic.

The aspect ratio of the F–111A wing, a characteristic that is important in achieving long range, is on the order of 6.9 with the wing at cruise position. Aspect ratio of a 727 airliner is 7.1, and that of the military F–4 fighter is 2.82.

Those who have never flown the airplane have been free with criticism of the F–111A. For this report, the men who have flown it were asked to assess some typical fault-finding. Here is a résumé of their answers, compiled from sources at five USAF commands:

The first thirty F-111As have performed so poorly they will never be fit for active service. The first thirty never were intended for active service. They are for RDT&E. No two are entirely alike. Hundreds of changes were made before No. 31, the first production aircraft, was built, and more changes will come. The deficiency lists on the early aircraft are no longer than and no different from the same lists for other aircraft now in the fighting inventory. This is routine in the development of new weapon systems. If it were not true, it would be an indication that the aircraft would be obsolescent before it was operational.

The thirty-first F–111A still falls short of several requirements. Correct, if you substitute *specifications* for requirements. With the changes that were incorporated in the design, weaponry, and subsystems, some original performance specifications had to be revised. The substitution of iron bombs, hanging on pylons under the wings, for internally carried nuclear weaponry, is an example. This has increased the versatility of the F–111A and thus its effectiveness. The airplane also falls short in low-level dash range, but still is acceptable to the using commands and will carry out its mission. It is not unusual for the user to ask, initially, for more than he can get. But it is a good way to make progress, and the F–111A still has a supersonic dash capability superior to that of any other aircraft in the world today.

USAF specified a 40,000-foot ceiling. No. 31 will not be able to operate above 30,000 feet with a bomb load. USAF specified much more than 40,000 feet, but not with a bomb load. There was no requirement fixed for a ceiling with externally mounted iron bombs. The F–111A can carry up to forty-eight of them hanging on four pylons under each wing. Work is under way at Eglin AFB to provide bombs with guidance and better aerodynamic properties.

Because of buffeting, the size of the speed brakes was reduced until they are largely ineffective. The speed brakes are effective. The buffeting is undesirable but not uncontrollable. This is not a major problem. From a practical viewpoint, the variable-sweep wing is the best speed brake on the airplane.

Takeoff weight of the F–111A has increased from 69,000 pounds to nearly 90,000 pounds. This is true when the aircraft is fully loaded with iron bombs. The 69,000-pound figure was for a load of one nuclear bomb and two GAR–8 rockets. The aircraft can take off weighing up to 98,000 pounds. USAF now wants tires qualified to support a weight of 100,000 pounds.

The ferry range is 800 miles less than USAF required. Wrong. The F–111A can remain on

patrol hours longer than any other fighter. The flight to the Paris Air Show was 2,900 miles. On arrival, there were two hours of fuel remaining.

There are engine troubles still unfixed. The TF30–P3 will resolve afterburner problems encountered in the RDT&E aircraft, as well as thrust deficiencies. There is confidence that most basic development problems in the engine have been solved.

Anyone who seeks out the men most familiar with the F–111A will come up with scores of observations and related experiences that they use to express their high hopes for the new system. Here are some examples:

A General Dynamics pilot, at Eglin, had a malfunction in his bomb-release mechanism, after releasing one bomb. If he dumped the remainder in the Gulf of Mexico, he might lose all clues about the malfunction. He elected to land with nineteen 750-pound bombs under his wings. The plane stopped in less than 5,000 feet of runway. The bombs were loaded with cement.

The TFR equipment astounds the veterans. For the first time, pilots have had the experience, flying automatically at 200 feet, of passing *beneath* the level of a TACAN station.

Every pilot in the program knows that the F–111A was not intended to perform up to specifications, or meet requirements, until aircraft No. 31 was delivered in October. They feel that criticism before this date was premature and that the aircraft follows the pattern set for all earlier weapon systems. In many cases, the first test results were identical with those experienced on other aircraft. Specifications were much higher than requirements; that also is normal.

The airplane, in its test program, has set an extraordinary record for safety. Far fewer aircraft have been lost than USAF experienced in previous similar programs (*see accompanying table*).

The high utilization rate of the first five aircraft at Nellis is attributed almost entirely to the maintenance and reliability features of the F–111A. General Dynamics officials point out that their contract is the first one to include "specific quantitative maintainability requirements." This means that reliability and ease of maintenance had to be designed into the aircraft. Ninety-five percent of the components that need service are at eye level when the mechanics remove the fuselage plates.

Reliance on ground-support equipment (GSE) is reduced by self-testers built into the aircraft's subsystems. In contracting for these subsystems, General Dynamics has passed the basic USAF requirement along to the subcontractors. The reliability and ease of maintenance was not easily achieved. No supplier met the demand on the first design effort. As a rule, it took three exercises, back at the drawing board, to satisfy the prime contractor that the results would suit the customer.

Another factor, according to General Dynamics, was that, in this case, full funding was provided for the ground-support equipment early in the program. This is not always so and in the past has resulted in the delivery of new weapon systems that could not be properly maintained until all GSE was available.

So far as the self-test equipment is concerned, some of it can be operated directly from the cockpit, giving the aircraft commander and pilot an instant check. The remainder is available through test stations, manually operated after fuselage panels have ben removed. The built-in test circuits make it possible for a technician to locate a malfunction quickly. Then, a line replaceable unit (LRU) can be pulled and replaced. The LRUs are sent to the avionics shop for repair. All of this makes the location of trouble swift and easy and cuts ground time on the airplane.

Because the F–111A program is so young and most of the aircraft are RDT&E models, there are no sound figures available at Nellis on the maintenance man-hours per flight-hour. The design requirement is for not more than thirty-five hours of ground work for each hour in the air, and the high utilization record set at Nellis indicates it will be easily met. In one test run, the figure was down to 12.6 hours, but this was not considered definitive. The September utilization record of 60.8 hours per aircraft, set at Nellis, is at least twice as good as the requirement, which was set in the contract at thirty flight-hours per month per aircraft.

There has been no attempt in this report to examine other versions of the F–111, programmed for the US Navy, Australia, Great Britain, or the Strategic Air Command. USAF is not concerned at this point with the inferno that surrounded the selection of General Dynamics as the contractor, the virtues of the design as opposed to that offered by the Boeing Co., or the role, if any, played by politicians when the F–111 was known, in the embryo, as the TFX. Neither have we investigated the choice of materials in the aircraft, the extent of commonality, the location of engine inlets, or the degree of competence displayed in estimating costs.

All of these subjects, and others, have been involved in the brouhaha that has been raging about this aircraft for years. The men most intimate with its performance as USAF's F–111A read the newspaper and congressional comments with astonishment. A national weekly calls the airplane a "lemon." In the Senate, a Claghorn-type speech declared it "a poor strategic bomber and an even poorer tactical fighter," a statement the pilots say is at least half wrong.

So far as USAF is concerned, the pudding now is ready for eating. So far as the crew at the table is concerned, the question is out of the kitchen and away from the cook, except for seasoning. The F–111A is a weapon system in being.

HOW THE F–111'S SAFETY RECORD STACKS UP

Major accidents during first 5,000 flying hours of test program

F–111*:	
A	2
B	1
F–100 Supersabre	7
F–101 Voodoo	11
F–102 Delta Dagger	9
F–104 Starfighter	14
F–105 Thunderchief	8
F–106 Delta Dart	7
F–4 Phantom II	6

*Two of the three major accidents in the F–111's first 5,000 hours are blamed on procedures rather than on aircraft deficiencies.

Chart shows graphically that new aircraft's record for safety in its first 5,000 hours of test flying has been exceptionally good. Well over twenty percent of all F–111 flights were at supersonic speeds, many at Mach 2.0 or above.

THE F–111 INDUSTRY TEAM

Prime Contractor: General Dynamics Corp., Fort Worth Div., Fort Worth, Tex.

Associate Contractor: Hughes Aircraft Co., Culver City, Calif., Phoenix missile system.

Associate Contractor: United Aircraft Corp., Pratt & Whitney Aircraft Div., East Hartford, Conn., Engines.

Subcontractor: Principal and Associate: Grumman Aircraft Engineering Corp., Bethpage, N.Y., Aft fuselage sections and F–111B assembly.

SUBCONTRACTORS: MAJOR SUBSYSTEMS

Avco Corp., Electronics Div., Cincinnati, Ohio, Countermeasures receiving systems.

The Bendix Corp., Electrodynamics Div., North Hollywood, Calif., Servo actuator for horizontal tail, rudder, and spoilers. Navigation and Control Div., Teterboro, N.J., Air data computer.

Collins Radio Co., Cedar Rapids Div., Cedar Rapids, Iowa, Antenna coupler.

The Garrett Corp., AiResearch Manufacturing Co., Los Angeles, Calif., Air-conditioning system, engine starter (pneumatic).

General Precision, Inc., Link Group, Binghamton, N.Y., Mission simulator. GPL Div., Pleasantville, N.J., Doppler radar.

General Electric Co., Defense Electronics Div., Aerospace Electronics Dept., Utica, N.Y., Attack radar. Defense Electronics Div., Avionics Controls Dept., Johnson City, N.Y. Flight control, lead computing optical sight set, and the optical display sight set. Missile and Space Div., Armament Dept., Burlington, Vt. Ammunition handling system.

Honeywell, Inc., Aeronautical Div., Minneapolis, Minn. Low-altitude radar altimeter.

Litton Industries, Inc., Guidance and Controls Systems Div., Woodland Hills, Calif. Navigation and attack system, astrocompass.

McDonnell Douglas Corp., St. Louis, Mo. Crew module and escape system.

Motorola, Inc., Aerospace Center, Scottsdale, Ariz. X-Band transponder.

North American Aviation, Inc., Autonetics Div., Anaheim, Calif. Mark II and Mark IIB avionics.

Sanders Associates, Inc., Nashua, N.H. ECM group.

Sundstrand Corp., Sundstrand Aviation Div., Rockford, Ill. Constant speed drive engine starter (cartridge), emergency power unit.

Texas Instruments, Inc., Apparatus Div., Dallas, Tex. Terrain-following radar.

Textron, Inc., Dalmo Victor Co., Belmont, Calif. Radar homing and warning.

United Aircraft Corp., Hamilton Standard Div., Windsor Locks, Conn. Air inlet and cabin pressure equipment.

Westinghouse Electric Corp., Aerospace Electrical Div., Lima, Ohio. AC power system.

Restrictions on Italian Immigration Should Be Removed

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. RYAN. Mr. Speaker, it is hardly necessary to remind ourselves that America was built by immigrants. Many nations have contributed to her greatness. One such country is Italy.

Unfortunately, because of the national origins quota system embodied in the old immigration laws, immigration from Italy was restricted. The Immigration and Nationality Act of 1965 remedied many of the former inequities. However, Italian brothers and sisters of U.S. citizens are unable to be united with their families because of the long waiting list. An Italian eligible for fifth preference status must have filed a petition approximately 12 years ago.

This is unjust, and I have introduced legislation—H.R. 12274—to remedy this inequity.

Mr. George S. Spitz, who has long been concerned about immigration reform, has brought to my attention an article from the Saturday Evening Post of December 30, 1968, describing the success of one immigrant from Italy. The story is worth reading because it is both unique and yet typical of the stories of millions of immigrants to the United States. I am hopeful that the doors will not be closed to thousands of Italian brothers and sisters of U.S. citizens and that the law will be changed promptly.

The article, entitled "You Got To Be a Hero," by Robert Crichton, follows:

YOU GOT TO BE A HERO

(By Robert Crichton)

Last spring Mr. and Mrs. Anthony Marotta of Lattingtown, N.Y., drove to the hamlet of Piazzola in the south of Italy in their rented Alfa Romeo. Lattingtown is a fashionable section of Long Island, tucked away between Oyster Bay and Locust Valley. Piazzola is in the poor part of the region of Potenza, and Potenza is poor. Everyone in Lattingtown has money. No one in Piazzola has money. It is that simple.

"You recognize anything?" Mrs. Marotta said.

He recognized it all. There was little in Piazzola to forget, and nothing had changed since he had left. It is a small place, a drab of stone houses clinging for life to the edge of a nearly dry stream bed and an infrequently used road. Mr. Marotta didn't answer the question because he found himself upset. He had expected to be pleasantly amused by his native village, but he found himself feeling sad and even a little frightened.

They passed beneath some olive trees his father had planted and went down a steep path into the house his father had built. It was dark inside, but when their eyes grew accustomed to the light they could see the animals in the room.

"Goats," his wife said. "Goats in the living room."

"There were always goats in the living room," Mr. Marotta said. "Let's get out of here."

The people of Piazzola miss nothing; they read outsiders. They knew the Marottas were American by the cut of their clothes, and that they were rich by the leather of their shoes. That someone had sprung from Piazzola, and now was rich, didn't surprise them. Going away and getting rich is part of the Italian folk legend, and something they were prepared to understand.

What they would find hard to understand, however, is that although last year Anthony Marotta paid an income tax of $26,000, he is not, by American standards, rich. What they could never understand is that although he lives in a $75,000 house surrounded by corporation lawyers, prominent physicians and company presidents, he makes his money roughly in the same manner they do—standing on his feet all day, working with his hands.

Anthony Marotta makes and sells hero sandwiches. No matter how many ways you slice it, which is what Marotta does, he is a semiskilled manual laborer. The fact that he owns his own sandwich shop, Marotta's House of 1,000 and 1 Italian Delights, adds immeasurably to his income. But that he makes as much as he does, that he clears between $25,000 and $30,000 a year, is a distinct tribute to Tony Marotta himself. It is also a tribute to the fantastic fecundity of the American economy. Marotta is under no illusions about that. He is aware of the fact that if he, the Great Hero Maker, were to open an identical shop in Glasgow, Scotland, he would be hard pressed to earn $3,000 a year. The British economy simply isn't geared to provide enough people willing or able to pay the equivalent of 80 cents for a sandwich. In the United States there is never a day when Marotta can find the time to make as many sandwiches as he could sell.

As with most things involving money, it isn't as simple as I might be leading people to believe. Even with the affluence of America a man doesn't open a hero-sandwich shop and begin pulling in his $500 a week. An alarming number of hero shops, as it is with heroes themselves, bite the dust. An alarming number of owners find themselves at the end of a year in bankruptcy court without a pot to make minestrone in.

I spent a week this fall in what Marotta calls his "store," trying to find out how Marotta makes the kind of money he does. Marotta wasn't sure himself at first. A lot of what he does is instinctive, but as the week went along certain things began to become clear. If you want to live like Tony Marotta, and nine tenths of the world hungers and thirsts for just that, there are certain rules to be followed. Most of them are so old-fashioned that they seem curiously revolutionary.

The House of 1000 and 1 Italian Delights, in midtown Manhattan on East 47th Street, is not a prepossessing place. Flanked on one side by bars and on the other by the Ace and Flow delicatessens (which pick up a solid amount of trade from Marotta's overflow, a thought that rankles him no end), it looks exactly like what it is—a place to get a good hero sandwich cheap. I got there at eight o'clock in the morning, and Marotta was already there, working with that total absorption of men who like to work.

"Oh, yes. You," he said. He motioned to a case of imported tunafish. "You better start opening some of those." He is one of those men who can't really talk unless he is working, nor talk to someone who isn't. Although Marotta is 61, he had gotten up at five o'clock that morning because he always gets up then. He has a belief that all Italians who come from the little farms, the *contadini*, have inherited some kind of life force, some time fuse, that forces them to rise with the sun. When he could no longer find an excuse to stall around his house, he had climbed into his fire-truck-red Mustang convertible and driven into the city. He had already been at work an hour when I arrived. Evidently the Puerto Ricans are also gifted with this lifetime fuse, because Marotta's two assistants, Ralph Garcia and Julio Rodriguez, were also in the store, working as swiftly as the boss.

They work fast because they never allow themselves to forget what lies ahead, what they have come to think of as the attack, the frontal assault, the tide and then the flood tide of humanity that will push its way through the doors at noon, demanding to be fed. If for some reason Marotta decided one day not to sell his heroes, his customers would tear the place apart. Most of the people who eat in his place each day don't know who Marotta is. His isn't a private restaurant it's an institution.

The work in the early morning is all preparation and anticipation of the demand to come. While not everything in the store is hero sandwiches—there are hot plates such as veal and peppers, eggplant parmigiano, spaghetti with pepperoni sausage and the like—the backbone of the business is still the hero, what is known in various parts of the country as a grinder, submarine, torpedo, poor boy, belly buster, hoagie, you name it. To make one right, which few people do, and to make one fast, takes a preparation in advance that is taxing.

Take, for example, Marotta's Special. This is the star of the house, billed on the menu as Fit for a King! Large 80c, Giant $1.15. The special consists of three slices of capocollo (spiced smoked pork), two or three slices of imported provolone cheese, four to five slices of imported hard Genoa salami. Depending on the time of year, the capocollo can be replaced by mortadella (Italian fancy bologna) or pepperoni, a hot sausage. All of this is stretched out in shingle fashion on the bottom half of a freshly sliced loaf of Italian bread and then trimmed—smothered is more accurate—with anchovies, marinated eggplant, Italian peppers, shredded lettuce and fresh tomatoes. If the customer wants it, he can have mayonnaise, pickle, coleslaw, chopped onion, lashings of olive oil and wine vinegar, and whatever Italian antipasto Marotta may have hanging around that day, added to the hero at no extra charge. It is truly, as Marotta boasts, a meal in a sandwich. There is also a formidable challenge in making it well, so that it is somehow clean and crisp, under the pressure of time. I tried for two days and mine always came out soggy and unacceptable.

The trick is to have as many of the ingredients prepared in advance as possible. The basic part of the hero—the bread and cheese, what Marotta terms the "set"—is sliced and then spread out on individual strips of wax paper hours before noon. When a customer shouts for a mortadella-and-provolone hero, the refrigerator is opened and the proper set, four slices of cheese and six of mortadella, is pulled out and slipped between the halved loaf of bread. In three to five seconds the counterman is ready to begin firing the trimmings, all the exotic extras, into the hero. This can't be anticipated directly, but all the antipasto is opened, drained, cleaned and ready to go. Hundreds of people don't want the anchovies, hundreds of people want to go heavy on the hot peppers and easy on the eggplant. There is one customer who orders Italian meatballs in tomato sauce spread with mayonnaise. He will not live long, of course, but while he does he seems to be enjoying himself.

By 11 in the morning you can feel the tempo of the place begin to heighten as the moment of truth approaches. If anything has been forgotten or not anticipated, there will be no time to remedy it. The delicate balance will be broken, and the kitchen will disintegrate under pressure. It is not unlike waiting for the kickoff before a football game. The coach goes over and over the plays, and the players tie and retie their shoestrings to make sure they're just right. Marotta checks the food trays.

"You sure you cut enough lettuce, Ralph?"

"Plenty, Tony. Plenty."

"Remember last week, we run out of eggplant."

"I remember, I remember."

"Conditi. Hey, what about the conditi?" A shout to the cellar. A figure appears from the cellar holding a huge bowl of spiced olives in oil.

"Coming," the figure shouts. "Coming."

"Well, get it up here," Ralph calls. "They're coming too."

And at 11:30 the first wave, the shock troops for the big battalions massed behind, hits. Eleven or 12 men come through the door seemingly at once and head for the counter as if they plan to dismantle it. These are usually workingmen, construction workers, janitors, or people who serve other people during lunch hour.

"Get set," Ralph says. Julio tightens the cord of the apron around his waist. Marotta straightens up for one last breath. It will be the last time he stands truly straight and relaxed for the next two hours. "Well, here they come," he says. It is hard to tell if he is gay or sad.

"Tunafish sanch, no tomatoes," the first man, wearing a rigger's hard hat, says. "Canna beer—no, make it a quart."

If you stay around Marotta's long enough you will discover what a difficult word sandwich is. In New York, at least, the best the average inhabitant seems to have mastered is sanch. Sammige runs a tight second.

"Gimme the special," a second man orders. The countermen have developed a routine for this.

"Everything?"

"Yeah. Everything." They always say everything at first, but the countermen know this isn't so. The modifier will follow. "Except the anchovies—them little fish, you know what I mean?"

They know. All his assistants, and Tony himself, have each made at least 600,000 heroes since the doors to Marotta's first opened. They have come to know what to expect. There are no surprises left for them in a hero.

At noon the main wave, the hard core of

the attack, hits. An air-raid siren sounded, announcing noon. I counted 35 people entering the restaurant in the next 60 seconds. To give an idea of the full extent of the battle, a few vital statistics are in order. Although Marotta's seats 84 people, on a good day he serves 850. There have been many days when the total was higher. A lot of this is "to go" trade, but a lot more isn't. At any lunch, each seat will be used six or seven times—within two hours. The people who eat at Marotta's don't generally have the time, inclination or money to linger over whiskey sours. To accommodate them takes teamwork, dexterity and preparation. Marotta estimates that each man must make a hero a minute, but those 35 people I counted were all served before five minutes had passed. This averages out to be seven heros for three men each minute. Most of the 35 people were gone in 15 minutes.

It is very frustrating to stand outside Marotta's at high noon and watch the people turn away. Luckily, Marotta has not experienced it, or his heart would break. Whole groups of young men, led by some disciple who has tasted Marotta's special, will arrive, take one look at the pressing mob, and drift away.

"But I tell you," you hear, "it's a great sanch."

"Nah, too crowded. No sanch is that great."

The female trade that Marotta loses is staggering. They look inside, hungering for a hero, and pass by. They wouldn't dare enter that masculine den. The few who brave it are looked at with that baleful eye American workingmen seem to honor women with. It is my estimate that if Marotta serves 850 customers a day he loses at least that many. I asked Ralph Garcia if he could explain how they manage to serve even that number.

"Easy, man. Each man—when the heat's on, y'know—becomes two men." I would say it's true.

Before getting into money, which means Marotta's success, it's a help to know a little about Marotta and his past, because his success with the hero shops, which only began 12 years ago, comes from things he learned years before.

So: his story. Immigrant. Classic immigrant story, so classic that it is hard, looking at Tony today, to realize that he lived through it all. He came to this country when he was nine, because his father was "fed up with being hungry." His father got a job baling wastepaper into 150-pound bales, working 10 hours a day for a dollar. When he was lucky, they allowed him to work another two hours for an extra 20 cents, and that was always good news. The work should have killed the man, since he stood four feet eleven and weighed 125, but he was a bull of a man, a tiny bull, and then, as Marotta's father says, "Work can't kill a peasant, or how else would he be a peasant?" He is still alive and, at 90, can outwork most Americans.

They found an apartment on Tenth Avenue in Brooklyn, a neighborhood of the quick and the dead, and proceeded to starve there, classically. Just as in Italy, they never ate meat.

"Meat always belongs to other people," his father told them, and this probably accounts for the attention Marotta pays to the meats he buys today. He had not gone to school in Italy, because the school was across the stream, and there was no bridge over it. In Brooklyn they threw him into P.S. 157 and put him in the first grade with five- and six-year-olds and never would advance him. This was bad, but the worst was his overcoat, something that still causes him anguish. One winter morning his father walked across the Brooklyn Bridge and came home that night with a coat he had brought from a pushcart on Hester Street. It was big, of course, big to last three years. It was also a girl's coat.

There was nothing to be done about it. The investment had been made. The 50 cents was spent. For three winters Tony had to fight his way to and from school to defend his honor. Classic basic training for the immigrant boy, the kind boys growing up in Scarsdale and Beverly Hills are denied. At least Tony learned to fight.

When he was 15, the family moved to Fresno, Calif., and Tony's formal education ended in the sixth grade. He had to go to work. He worked on truck farms, in orchards, on ranches, in vineyards and then in food-processing and packing plants around Fresno. In 1930, for reasons he doesn't recall, he returned to New York, got a job in a macaroni factory, and then began driving a truck for a grocery distributor. One evening, while unloading a crate of overripe melons, Marotta experienced one of those moments that James Joyce calls "epiphanies," little flashes of insight that suddenly illuminate a whole dark corner of one's life.

"What the hell is this?" Marotta said to himself. "Why should I cart this stuff around. I'm the one who should sell it." The epiphany stemmed from the realization that he knew more about the food business than anyone he knew; he had planted it, pruned it, plucked it, processed it, packed it, crated it and carted it. With the little money he had saved he bought up the lease to a store that had just failed, and in the fall of 1931, as the nation slid deeper into the long cold night of the Great Depression, to no fanfare at all, Marotta's Italian-American Grocery opened on Bleecker street in Greenwich Village, already loaded with Italian-American groceries.

No one came through the door. There was no reason why they should. He had nothing to offer. "Sometimes," Marotta told me, "when I look on those days I'm amazed at myself. Who the h— did I think I was? One afternoon two men came across the street and looked in the window: 'I pity the poor b——d.' I wanted to say to them, 'Me, too.' But I didn't want to do one thing: drown before I even began to swim."

Clearly one way to have something to offer is lower prices. Marotta determined to find ways of selling things cheaper than the others on Bleecker Street. He reasoned that if distributors spent money to deliver to his store, and if he spared them that expense by going directly to them, they should give him a one-percent discount. A penny on the dollar, but a penny in a neighborhood where people would cross the street to save one.

Since much of his merchandise was imported, he next began bypassing the distributors and going directly to the importers. Importers as a rule don't like this, but Marotta had something extra for them. If they sold to him directly, he would pay the same price as the distributor paid, plus one half of what he would pay the distributor. A little something for everyone. Later he began inveigling importers to add his order to their list. Because of the larger order, the importer would get a discount, a few dollars, and Marotta would get wholesale prices. He was in effect his own importer.

The rules for the future were taking shape. In buying, always go to the source. In any arrangement, if it's going to really work, there's got to be something for everyone. Think in terms of the penny, the forgotten word but still the basic maneuvering unit in all small business.

Nothing remarkable about these rules—except few businessmen will follow them. They take work, and they take personal supervision. What is remarkable are two concepts about money that Marotta somehow developed.

With his lower prices, customers began coming through his door, and with them came money. Now, most of us, seeing money in the till, tend to think of it as our own. Marotta was under no such illusion.

"I knew that wasn't my money. It belonged to the food guys, the customers. Like with the meat, most of it always belongs to someone else."

He began to pay by cash and then to pay cash in advance. In those days when everyone needed an infusion of cash, Marotta was truly The Saint of Bleecker Street. Because of the cash and the lack of risk, food dealers began to fight for the privilege of selling to Marotta at discounts up to five percent. Now he was in a position to undersell anyone.

The second idea is more remarkable: Any saving from any source went back directly to the customer. It was, in Marotta's mind, their money. Some big businesses do this, but the money is usually on paper, only an abstract. It's not so easy to pass on the savings when the money is right in your hand, crisp and hot, burning to be spent.

"No, what people don't see is that a store is like a baby. You got to nurse it, baby it, feed it, you got to carry it. Too many people, they treat a store like a horse. From the first day they put a saddle on its back and expect it to carry them. They break its back."

In 1951 Tony's brother Ralph, also in the food business, invited Tony to witness an interesting sight. A food truck was pulled up in front of a hole-in-the-wall and was unloading enough crates of hams, wheels of cheese, loaves of bread to feed a large restaurant for a week. Inside the place, hulking men were eating hulking sandwiches they called belly busters.

"What the h— is this?" Marotta said. A second epiphany, a new world about to open.

"This," Ralph said, "is the way to sell salami."

The man was selling 25 cents' worth of food for 50 cents and couldn't supply all he could sell. And Marotta knew at once that he could make an even better sandwich cheaper.

It was time to leave the grocery business behind him. For one thing he was tired of getting up at three o'clock to be at the fresh-produce market at four, the meat market at five, to open the store at seven and to close it at eight at night. Soon after he had opened the store, his first wife died in childbirth, and although his daughter Norma lived, Tony welcomed those long hours at first as a place to hide his loneliness.

For another thing, he met, arguing over the price of sardines, Silvia Ambrogi, an Italian girl from Gubbio, an extraordinarily energetic, loquacious woman whose zest for life denied the hard time it had given her. When her father was killed in World War I, Silvia's mother married his brother, and they came to the tough little town of Jessup, Pa., a mining town outside Scranton. Her stepfather became a hard-coal miner, and Silvia and her mother ran a boardinghouse for bachelor coal miners. It has been suggested that these are not the ideal circumstances for a pretty young girl to grow up in, and whoever suggested that was right. Silvia fled for her very life to the comparative safety of New York, where she scrabbled out a living as a housekeeper and seamstress. It was not her idea of a very gay marriage to see her husband come home just in time to fall asleep.

In 1955, after 23 years on Bleecker St., Tony sold his grocery and with the money opened Marotta's Hero Shop on Front Street in the financial district, on a site where several restaurants had gone broke before him. Within one hour, when word flashed up and down among the clerks on Wall Street that there was a place where they could get stuffed for 50 cents, the place was a triumph.

One point here: this word "hero." The Marottas claim to have invented it. When Ralph opened his shop he put a sign in the window: You Got to Be a Hero to Eat One,

and then called it a "hero" shop. So did Tony. If they did, it's a great word. It isn't every day that one coins a word that enters the language.

The place was also too small. From the first week Tony and Silvia, who had gone to work with him then (one of the reasons she had married him was to get out of work; little did she know what lay ahead), knew that no matter how fast and hard they worked there was a limit to the money they could make. Then began a pattern that is almost devilish in conception.

Confident now that if you sell a truly good hero the world will find a way to your door, Marotta began leasing space in an unpromising location in an unpromising building (cheap), taking an option to buy the building (cheap). The instant success of his newest shop would make the location suddenly desirable. At this point Marotta would sell the business to eager buyers, and with their money make a down payment on the building, and then by leasing the space back to the new owners at five or six times what he paid, pay off the building and go on to bigger and better stores.

The system works fairly well. Tony bought the Front Street building, for example, for $65,000. Last year he sold it for $350,000, which is not a bad parlay for a sixth-grade dropout from the village of Piazzola. All built on hero sandwiches.

In 10 years Marotta opened and sold 13 shops and finally tired of it. Three years ago he opened 1,000 and 1 Italian Delights and this, he swears, is the last. He paid $125,000 for the building, and spent $165,000 renovating it. Considering the money he would have to spend for rent of his space, and the money he gets from rent for the apartments he built upstairs, he has possession of the building without putting out any money and runs his restaurant almost rent-free.

At 2:30 p.m. not long ago, when Marotta could finally come up for air, I asked him about this matter of pennies still being the basic unit of all small business. From what I had seen, no one ever asked the price of a hero or seemed to be sure what it was. If Marotta had charged 60 or 65 cents for, say, a mortadella hero, no one would have known or minded the difference, just so long as the final price, with a beer or soda thrown in, came to about a dollar.

How does he continue his policy of passing down savings to customers when they don't seem to know the price of what he sells? Marotta does it in a sort of inverse fashion. He does it by quality. Each time he saves money, he can afford to sell a better ham, a better salami at the same price as inferior ham or salami. Consider the finances of a Marotta hero. There are many kinds and grades of salami, most of them lousy. Most Americans can't tell a good one from a bad one by sight. Only, after eating a bad one, there is a sensation of having been treated to a spoonful of crankcase oil.

A whole salami weights about five pounds and costs about $5.25, wholesale. Marotta can import a delicious Genoa hard salami for six dollars. Every so often, however, for reasons no one understands, the price will drop to $5.50. Because Marotta always has cash and is a preferred customer, because he makes it a point to have large storage areas so he can buy by choice and price and not by necessity, he buys all he can at the low price. Since a five-pound salami makes about 22 heroes, a quarter of a pound per hero. Marotta is only a penny behind the third-rate salami. And with his low overhead, his volume, he can now afford to sell quality salami at prices competitive with junk.

The customers don't know this. All they know is that they feel better after eating one of Marotta's heroes. And Marotta knows that because of his attention to pennies, two cents on this order, one cent per can on that order, everything adding up, he can compete with quality which in turn results in a gross business that approaches several hundred thousand dollars a year.

The money he makes embarrasses him in a way. I wanted to know the exact cost of a Marotta Special, and he was afraid to tell me because he was afraid his customers might get angry. When I told him that I was unable to duplicate the Marotta Special in my house, with my labor, for the price he charged in his restaurant, he relented.

The bread costs five cents. Three slices of capocollo, nine cents. Two slices of provolone, eight cents. Four slices Genoa salami, 10 cents. Imported peppers, marinated eggplant, anchovies, chopped lettuce, oil and vinegar, fresh tomatoes, 13 cents—45 cents for a hero that sells at 80 cents. This does not include labor, taxes and overhead, but still, with these, Marotta averages a profit of 20 to 25 percent on every hero he sells. Since a day's take conservatively, is 800 customers who average one dollar each. It isn't hard to figure that Marotta is capable of making real money—sometimes, I am forced to conclude, a good deal more than Marotta has chosen to tell me. It embarrasses him.

It was six o'clock. It was time to go, but he stopped to put one last basket of fresh green peppers to marinate in a vat of white wine, and then took off his apron and turned out the light. Just before he did, however, he turned at the door and took one last, long look around at the empty shop.

"Well, another day, another dollar," he said.

"You make me laugh," I said, and he laughed.

"Yeah." He knew what I meant. "It's pretty funny, isn't it?"

On the street, just another working guy going home, tired after a long day. Most of his customers, if they passed him wouldn't notice him. They never have seen him. Just a working guy.

Boy, the guy who owns this joint must be cleaning up," they say to him at lunch.

"Yeah, cleaning up," Tony says.

We got into his Mustang and drove out the Long Island Expressway. He was tired, but not tensely tired. His business was done for the day, he didn't carry it home in his head. At the Glen Cove Road North sign he turned off and then headed the car into a land of rolling lawns and large homes, through the Westbury estates, and finally turned off onto a winding private road lined with towering oak and tulip poplar trees, and then up into a sweeping manicured driveway. He knew what was in my mind.

"Long way from Piazzola, huh?"

Such a long, long way.

Just before the house, delicately hidden behind a line of hemlock and fig trees that his father had planted was a vegetable garden filled with things not generally found in Oyster Bay. Broccoli, green peppers, Italian sauce tomatoes. He was a little shy about the garden. It seemed just a little out of place, although I liked it.

"For my father, you know? The old days. Like on the other side. He likes to come and take care of the plants. Sit in the sun.

Before going into the house we passed a cord of split logs. "He did that. Ninety years old." He shook his head. "Those people knew how to work."

In the house Silvia was waiting for us. She had spent the earlier part of the afternoon having lunch and playing bridge at the Locust Valley Women's Club and had just come from St. Christopher's, an orphanage in the area, where she hoped she had been able to dispense a little of the love and attention she was denied as a child.

It is an amazing country in this way. There is nowhere else that I know of that is really like it. Silvia Marotta knows this and, what is best, can admit it. She could read what my eyes must have been revealing as they went around the room, which is ornate and rich-looking, that behind the portrait of Silvia over the great brick fireplace I was seeing the young girl making the beds and mopping the coal dust from the floor of a rundown house in a coal camp.

"Yes. All on a hero sandwich too," she was able to say.

Marotta was looking around the room now too.

"This will sound funny. You know what I miss?" We waited. "Goats. I still miss the goats."

"Oh, no," Silvia said. She seemed to be serious. "No goats. That's what we got away from."

She brought us a cocktail, and now Marotta seemed very tired. He had been up at five. He had been working on his feet for 12 hours, using his back and his hands and his legs. He is 61 years old. He owns a number of buildings now, he has a shop that Ralph Garcia has run with no reduction in profit, he has money in the bank. Why should a man of 61, a hero sandwich maker, be sitting in this lavish room, almost a little too tired to sip his drink? So I asked him the question that it was inevitable to ask, and he looked at me with shock, as if I had said something truly indecent and even a little mad.

"Quit work?" he said to me. "Whattaya mean, quit work?" He held his hands out and looked at them as if I had suggested they be amputated. "Work? That's *me*. That's what I do. That's Tony Marotta. I work."

Latchkey Children

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. PUCINSKI. Mr. Speaker, at a time when there continues to be an astounding amount of unrest throughout our country and in the streets of every city and town of our Nation, the question of how to cope with the root cause of these problems continues to plague our concerned society.

In my endeavors in the field of education and through constant contact with the people I represent from the city of Chicago, I have become more aware that the care and attention due the children of our Nation must be given very early in life and is, indeed, essential. For those less fortunate children who cannot enjoy the adult guidance and protection afforded them by the parent who must work, our responsibility is clearly outlined.

One solution to the problems we face of unattended children who are left with no direct supervision is the establishment of day care centers in cities throughout our Nation which would not only insure the safety of these youngsters who are destined for a questionable future, but encourage those mothers who have thus far depended so heavily on AFDC assistance to secure employment.

The complex problems which we face in this entire area have been properly put into perspective by Connie Meyers in her "Latchkey Children" articles which recently appeared in Chicago's American. Miss Meyers has performed a notable public service by calling attention to one of our Nation's most serious problems.

Mr. Speaker, I submit for the serious consideration of my fellow colleagues the

following articles which I believe certainly deserve our attention and consideration:

[From Chicago's American, Jan. 14, 1967]

LATCH-KEY CHILDREN OFTEN SAD, OFTEN LONELY

(By Connie Meyers)

Joey S. wears a chain around his neck. On it is a medal with his name, address, his age, 10, and his phone number. Next to the medal is a key.

Each weekday afternoon at 3:30 Joey, a thin dark-haired boy with solemn blue eyes, uses the key to let himself and his sister Ann, 8, into their empty North Side apartment.

Joey says that he and his sister first get a snack of cold cereal and milk in the kitchen and then settle down for an afternoon of television. Their mother is home by 6:00 p.m.

Joey and Ann are "latch-key" children, one of a growing army of youngsters in Chicago who return after school to empty homes or apartments and who must fend for themselves until their mother gets home from work.

According to a report published in July by the Welfare Council of Metropolitan Chicago, there are 56,000 children in Chicago who are left "unsupervised or inadequately supervised by non-relatives" for large portions of the day.

Joey and Ann's mother took a full time job as a receptionist in the Loop last September "to pay off some old debts and so the kids can go to college some day." Their father sells appliances.

Mrs. S. has become part of a national trend toward working mothers—one out of four with children under 18 are now employed says the Women's bureau of the U.S. Department of Labor.

Mrs. S. says that so far it's working out fine; that her children behave and can take care of themselves for a couple of hours in the afternoon.

But there is much evidence that she is taking a terrible chance.

Accounts of children burned to death when left alone occur at regular deadly intervals of once a month.

On October 14 four children, ages 8 to 13, died in a fire when their father, James L. Call of 10149 Avenue M on the southeast side, left them alone while he picked up his wife from her job as a hotel switchboard operator.

Fire is the biggest, but not the only danger when children are left to their own devices.

Capt. Michael Delaney, director of the youth division of the Chicago Police department, says he has received calls from neighbors complaining of sex orgies in homes where teen-agers have been left alone.

"Teen-agers must have adult supervision," said Delaney. "Where they don't, boys are apt to drift into teen gangs; girls may become promiscuous.

"A girl goes home to an empty house or apartment; some boys drop by—maybe more than she counted on—and the home can end up a shambles.

"This happens in middle class homes, as well as poor ones," he says. "The problem of inadequate adult supervision cuts across all economic and social lines."

A police officer in a western suburb tells of a boy and girl, age 7 and 12, whose mother took a job last summer.

"The first complaint we had was from a neighbor who said the boy had enticed her daughter to his home and had behaved improperly," he said.

"We never learned the truth of the matter, but later the boy started playing with his father's rifle and shot a hole thru a neighbor's window.

"Now the latch key children are left completely to themselves," he said. "None of the neighbor kids are permitted to play with them."

A social worker with wide experience with the problems created when a wife goes to work says a mother who loves her kids will move heaven and earth to prevent their becoming latch key children.

Wilda J. Dailey is head of the Midway Office of Family Service of United Charities, 6127 S. University av., in Woodlawn.

Her clientele include both University of Chicago professors' and students' families and residents of the ghetto.

Most middle class working mothers make arrangements for baby sitters said Miss Dailey, "but even here there are terrible problems."

"There is a great need for a baby sitter screening service," said Miss Dailey. "There's a case on family service files now of a baby girl who was beaten almost to death by her sitter.

"The sitter—mentally retarded and emotionally disturbed—was referred to the mother by a state employment service," she said.

Many Woodlawn residents go to great lengths not to leave their children alone said Miss Dailey.

"But a father making $450 a month as a semi-skilled factory worker cannot support a large family here, so the mother finds a job as a waitress for maybe $150 a week.

"They work separate shifts so the children will have supervision—but the parents never see each other.

"Some families don't seem to care. They turn the children out in the morning with 10 cents for a lunch of french fries and catsup and don't see them again until evening."

The Welfare Council's report was based on a detailed study of day care needs in 75 Chicago communities.

It revealed that in part because of the trend for mothers to go to work, there is an overwhelming need for better provision for their children.

But existing day care facilities—nursery schools and day care centers—do not even begin to meet the need.

In one community, Englewood, 500 preschool children of working mothers are estimated to be in need of supervised day care, but Englewood's one group center and four licensed homes can provide full-day care for only 78.

The obvious solution—for mothers to stay home—is not realistic.

Studies by the U.S. Department of Labor show that most women work because they have to.

Because prejudice against working mothers is diminishing, the labor department predicts a rise of 43 per cent in the 1970s in the number of working mothers of preschool children.

The existence in Chicago of thousands of children and young people who are growing up without adult warmth or supervision can no longer be ignored says the Welfare Council.

Their presence cuts across the whole spectrum of the city's problems and needs: street crime, teen gangs, vandalism, racial unrest.

Providing day care facilities and all-around better care for children says the Welfare Council, is Chicago's number one welfare need.

[From Chicago's American, Jan. 15, 1968]

WORKING MOTHER'S PROBLEM: THE CHILD AFTER SCHOOL

(By Connie Meyers)

Finding a place to leave the children while mother is at work may sound easy but it isn't. Ask Mrs. Mary Linda Melgarejo.

Mrs. Melgarejo, 20, the mother of a 3-year-old boy, has lived in a small, furnished apartment just off North avenue since last spring when she obtained her divorce.

She blinked back tears of frustration as she told a reporter of her search for a place for her son.

"Three days ago I started looking in the yellow pages," she said. "I've made more than 50 calls to day care centers and nursery schools.

"They're all very sympathetic and nice, but have no room. They say they'll put me on the waiting list. Then they suggest another place for me to call."

Like most employed mothers, Mrs. Melgarejo is working because she has to. At 15 she dropped out of high school to marry a 23-year-old soldier.

"I'm from Chicago," she said, "but my ex-husband was born in Bolivia. After his army stint we moved there. But I couldn't take the climate or the food, so now I'm back here alone with Jaime.

"My ex-husband stayed in South America, and sends me $35 to $50 a month."

Finding day care for Jaime became an emergency when Mrs. Melgarejo's parents, who had been looking after Jaime while she worked as a cashier in a Loop hotel, decided to move to California.

"This is the third straight day I've been absent from work," said Mrs. Melgarejo. "I've only had my job for 6 months. If I don't find a place for Jaime soon, I'm afraid I'll be fired.

"Jaime is all I have, and I have to find people who'll be good to him, not just someone who's doing it for a dollar."

Mrs. Melgarejo's name was obtained from the long waiting list of the De Paul Day Nursery, which like most Chicago child care agencies has far more applicants than space, said Sister Mary Thomas, director.

Mrs. Melgarejo's experience is typical, says the Welfare Council of Metropolitan Chicago, because there is a tremendous shortage of day care facilities for children here.

In a study last year of 75 communities, the council learned that altho 200,000 children under 14 in Chicago have working mothers, there are 89 full day care centers with a total capacity for 4,652 children—one in 43 of these children.

According to the council there are 56,000 children in Chicago who are left "unsupervised or inadequately supervised" for large portions of the day.

Of these, 15,000 are "latch key children," school age children who get no supervision after school.

The need for day care for children is greatest in the inner city, but it exists everywhere, the council said.

For example, in East Garfield Park where much poverty exists, there are 1,400 children that need day care but facilities for only 235; in South Shore, a middle income area, there are 800 children in need of day care, but facilities for only 286.

The presence of thousands of youngsters growing up on the streets contributes to crime, teen gangs, other problems, said the council.

Lack of child care facilities has other consequences.

William H. Robinson, director of the Cook County department of public aid, says one-fourth of Chicago's 26,627 mothers on Aid to Families of Dependent Children [AFDC, formerly ADC] could go off relief tomorrow if there was a place for their children.

"The majority of AFDC mothers want to work and would," said Robinson, adding that the cost to the state to support an AFDC mother with three children [the average AFDC family] is roughly $3,000 a year.

Congress under the social security act recently passed a law requiring that AFDC mothers put their children in day nurseries and go to work.

Robinson says this law, which also will deny aid to children born after last Jan. 1, is unjust and unrealistic.

"The children can't be put in day nurseries because the facilities don't exist," said Rob-

inson, adding that the law provides money for services but not for building of facilities.

Rep. Sidney Yates (D., Ill.) also condemns some aspects of the new law, saying day care should be provided for children of women who want to work, but that "mothers should not be forced against their will to leave their young children."

After the Our Lady of the Angels fire in 1958, Chicago's fire prevention bureau passed strict safety regulations concerning day nurseries and schools.

Persons attempting to start child care centers know what a stumbling block these regulations have been. They are part of the reason why day care is in such short supply.

In 1964, Miss Ethel Knight set out to establish a day nursery in Woodlawn, where according to the council there are 1,300 children of working mothers in need of day care and facilities for only 29.

"For 3 years we looked at building after building," said Mrs. Knight.

"If the plumbing was O.K., the building wasn't fireproof or lacked an outdoor play area. We had funds to sart the nursery, but not enough for an expensive sprinkling system."

Mrs. Knight finally gave up.

Last spring Daniel Larsen, associate minister of the First Presbyterian church in Oak Park, was approached by two workng mothers who were worried because their school-age children were getting no supervision in the afternoon.

In September Larsen started a lunch and after-school program in the church, at a cost of $9 a week a child.

"So far we've lost about $700," he said. "We have room for 40 children. Only 20 are enrolled. If we don't get subsidized soon we'll be out of business."

Public apathy is the main reason why the need for day care has become so acute, says John H. Ballard, executive director of the welfare council.

Rep. Roman Pucinski [D., Ill.] says there must be sweeping action if the problems created by the lack of day care are to be solved.

His proposals include an 11-month school year; schools kept open from 8 a.m. to 5 p.m.; and construction of day care facilities adacent to elementary school buildings.

Administered by the board of education, this new setup would require "a whole new core of subprofessional help" to supervise lunch periods, playgrounds, and the after-school program.

Pucinski stressed the need for provision for children of all ages, saying that day care centers for young children will have limited usefulness if older children go without supervision.

"By 1970 a majority of the nation's mothers will be employed," said Pucinski. "This will be a necessity if we are to meet the manpower needs of the trillion-dollar economy we will have by 1971."

Pucinski said funds to implement his proposals are obtainable thru the anti-poverty program, the model cities program, and thru a proposed amendment to the school act that would require the federal government to pay the local cost of education for children living in public housing projects.

[There are 90,000 school-age children in housing projects in Chicago, said Pucinski, and the CHA pays only $11 of the $449 it costs to educate one such child for a year].

Day care would ultimately eliminate AFDC, said Pucinski, and its cost in the long run would be well worth it:

"If people really want to eliminate crime and do away with the welfare state, they will act quickly," he said.

"I'd like to see Chicago the first city in the nation with a whole network of day care centers that would bring the advantages of Head Start to children at an early age and would give working mothers peace of mind."

No Pomp—Much Circumstance

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. DERWINSKI. Mr. Speaker, in view of the growing Soviet involvement in the Middle East and the obvious attempts of the Communists to extend their control in that area, a spirited article in the Near East Report of January 23, is a very penetrating analysis of the problem. I insert the commentary in the RECORD at this point:

NO POMP—MUCH CIRCUMSTANCE

The Persian Gulf may become the new crisis zone in the Near East.

On Jan. 16, Prime Minister Harold Wilson announced that by 1971 Britain will withdraw her 8,000 men from Bahrain and Sharjah and abandon her air bases there. The British intend to honor their commitment to the seven Trucial States and Bahrain, Qatar and Kuwait from air and naval bases in Britain and the Mediterranean, but there is some doubt that this is feasible. Britain's ability to launch a military operation will be further weakened by her cancellation of her order for 50 F–111 long-range jets from the United States.

Britain's decision to end her 115-year-old presence in the Gulf has jolted the West, as well as the Gulf states, because the resulting power vacuum may invite recrudescence of local wars and Russian and Egyptian infiltration. British presence in the Persian Gulf has safeguarded some $5 billion worth of British and U.S. oil investments. Britain has acted as a policeman and a judge in an area long bloodied by internecine warfare.

There are many disputes—few agreements. Iran claims the island of Bahrain off the coast of Saudi Arabia. Iraq claims Kuwait. Borders between Saudi Arabia and other states of the Arabian Peninsula have not been agreed upon. The Trucial States constantly bicker over boundaries. Offshore rights and demarcation lines are yet to be determined.

But the major threat is the attempt of the radical Arab states, backed by the Soviet Union, to dominate the entire Near East.

THE SOVIET THREAT

The Soviet Union suffered a catastrophic reverse in the Arab-Israel war in June. It has attempted to recoup its prestige and power by arming the Arab states and by giving them all-out diplomatic and political support. Some alarmists say that the way to curry Arab favor and to counter Soviet influence is to reduce U. S. support for Israel. They would like us to join with the Soviet Union in pressuring Israel to make concessions.

This is blundering over-simplification. Soviet penetration of the Near East began in 1955 when President Nasser entered into the arms deal with the Communist bloc. Since that time the Soviet Union has favored five Arab states: Egypt, Syria, Iraq, Algeria and Yemen.

It is true that the Soviet Union exploits the Arab-Israel conflict to further its own political and ideological objectives in the region. But there are other conflicts which are far more useful for Soviet purpose. Primarily, these grow out of the great gulf between the "have" and the "have-not" Arab states, as well as the gulf between the "haves" and "have-nots" within their populations.

The real threat of the Soviet Union is not military occupation. It is the attempt to undermine pro-Western regimes and to mobilize anti-Western elements throughout the area in order to weaken oil and other economic interests important to the United States, the United Kingdom and Western Europe.

REGIONAL STABILITY AND INTERNAL STABILITY

There are a number of solutions.

Primarily, the future of the Persian Gulf—and the world's richest oil fields—depends on the governments of the area.

The Gulf has two giants, Iran and Saudi Arabia, and a number of small skeikhdoms, wealthy and poor. If they can build internal stability and cooperate with each other, neither the Soviet Union nor Egypt can make headway.

Regional security is the concept the British have tried to foster in the area. Six years ago, they helped set up a council of the Trucial States but its accomplishments have been unimportant decisions about uniform traffic regulations. Britain's withdrawal decision has wakened them. There have been meetings between the rulers of Iran and Kuwait in Teheran and of Saudi Arabia and Bahrain in Riyadh. The Shah of Iran will meet King Faisal in February.

The British suggest that the three most important states in the area—Iran, Kuwait and Saudi Arabia—cooperate in a joint defense arrangement. Iran takes the matter most seriously. Her Parliament recently authorized a $266 million loan to purchase arms, in addition to the $40 million budgetary allocation for the army.

The United States expects the countries of the Persian Gulf to fill the power vacuum by mutual security arrangements.

Under Secretary of State Eugene V. Rostow called Britain's decision "a dramatic shock." He said that "steps are well under way" to form "security arrangements to replace those which have now been abandoned."

Cairo is reacting sharply to such defense agreements. Blocked in Yemen, Nasser may focus attention on the riches of the Gulf. Cairo Radio has already accused the United States of intending to claim the British legacy. Cairo said that the United States has stepped up activities in the area and has begun "open interference in support of the mercenaries and infiltrators" in Yemen. It makes the sinister charge that a major reason for the visit of Prime Minister Levi Eshkol to the United States was to plan for U.S. intervention in Yemen.

On Jan. 12, the *Egyptian Gazette* attacked plans for a regional defense arrangement in the Gulf as "ominous." Egypt's main anxiety is Iran's participation.

More important than a regional security pact is internal strength. The more stable these countries become, the better they will resist penetration and subversion.

A rational and equitable redistribution of wealth can frustrate Soviet propaganda. Ironically, this seems to be under way—although for a dubious purpose. Saudi Arabia, Libya and Kuwait are bankrolling Egypt and Jordan with $378 million a year as a result of the Khartoum agreement. This subvention is expected to continue as long as the Suez Canal remains closed. Faisal thereby hopes to dissuade Nasser from subversive and dangerous initiatives in Yemen. The Saudi ruler may already fear that Egypt is not living up to this agreement and that Soviet strength is increasing on Saudi Arabia's borders. But Faisal may be unable to renege on this agreement since he would then be accused of betrayal in the Arab-Israel conflict.

In another proposal which also involves some redistribution of wealth, the seven Trucial States—the weakest and most backward of the lot—have already offered to pay the $60 million-a-year expenses of the British garrison. Britain, so long a policeman on the block, may now be hired as a private guard. Washington, which has been urging the retention of at least a modest British presence in the area, would probably welcome such a development.

The most effective way to avert revolution

is to raise living standards and to eliminate the gap between rich and poor in Arab countries.

On Jan. 8, 1963, the late President Kennedy made public a letter to Faisal in which he encouraged Saudi Arabia to "move ahead successfully on the path of modernization and reform," and to achieve "tranquillity—an atmosphere devoid of recrimination and instigation from within and without."

On the following day—it was a coincidence—the Shah of Iran announced his "White Revolution"—a referendum to speed reforms: honest elections, nationalization of forest lands, land reform and a campaign against illiteracy.

The Soviet Union invariably exploits conflicts to serve its objectives. The nations which really want to preserve their independence might well consider the urgent need to end all intra-regional disputes: the war between Israel and the Arab states; the civil wars in Yemen, Iraq and Sudan; the Morocco-Algeria dispute, the ongoing tensions between moderate and radical regimes, as well as the local skirmishes in the Persian Gulf area.

De Gaulle

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 25, 1968

Mr. McCARTHY. Mr. Speaker, under leave to extend my remarks I ask that the following two articles appear at this point in the RECORD:

DE GAULLE'S ICY GRIP ON COMMON MARKET PUTS CHILL ON EUROPE

(By RICHARD D. McCARTHY, Congressman, 39th District)

AMSTERDAM, January 11.—Gen. de Gaulle's latest could-shouldering the Britain's bid for entry into the Common Market has put a chill on his relations with other European nations, as frigid as the continent's current cold snap.

A few months ago, most West European officials seemed to share many of Gen. de Gaulle's views. But today disagreement with his foreign policy is widespread. It reached a peak last month when, for the second time, France refused to admit Britain to Common Market membership.

This move angered the other Common Market members—Belgium, Italy, Luxembourg, the Netherlands and West Germany—who wanted Britain in. And it annoyed Norway, Denmark and Ireland, who also would like to join the Market but cannot do so until Britain is admitted.

The five non-French market nations seemed determined to admit Britain and are expected to raise the issue again—perhaps within months.

CONSENSUS ON DE GAULLE

As for long-range policy, Woodruff Wallner, acting U.S. ambassador to France, told this writer a consensus is developing on the subject of Gen. de Gaulle. Talks with various officials revealed that the consensus embraces these basic points:

1. Gen. de Gaulle has become a destructive force in European affairs. Instead of strengthening Europe, he has weakened it through his crusade against the English-speaking countries.

2. Nothing much can be done about him as long as the French people return him to office. But his mandate has been eroded and his slender control of the National Assembly depends on shaky coalition allies.

3. France, with her 50 million people, considerable resources and strategic position, will always have a major role in Europe. Any irreparable breaks with France must be avoided. Instead, the other Western nations should plan for the day that the general passes from the scene and closer cooperation again will be possible.

DUTCH RESENTFUL

While these represent factors roughly common to a general consensus, individual countries in Europe have their own special problems.

William Tyler, U.S. ambassador to the Netherlands, Tuesday told this writer that the Dutch are especially resentful over France's veto of Britain.

Conversations with various Dutch and U.S. businessmen and diplomats reveal that progressive, trade-minded Holland believes that it is vital to her that Britain be in the Common Market to counterbalance the power of France and West Germany.

STATEMENT BY REPRESENTATIVE RICHARD D. McCARTHY

ROME, January 12.—General DeGaulle's undermining of NATO and the deep Soviet penetration of the Mediterranean have created an undercurrent of concern among Italians about their own security.

Conversations with Italians and U.S. observers here reveal a feeling of unease about events which have placed the very existence of the North Atlantic Treaty Organization in question. There is a widespread belief here that the withdrawal of France from NATO's integrated military structure has left a geographic and military void that no military plans can adequately fill.

Most Italians apparently wish to see NATO continued after 1969 when any member can withdraw. They have a conviction that the military balance NATO established helps curb Soviet ambitions in Europe and pave the way for a possible East-West settlement.

The Italians, a Mediterranean as well as European people, have been shocked by the Mideast War, recent rearming of the Arabs by the Soviets, and the Russian naval thrust into the Mediterranean Sea. Viewing these developments through the gaping holes punched in the NATO shield by DeGaulle, the Italian apprehension has been further heightened by France's increasingly close ties with the Soviet Union. While in Paris, this writer learned of the possibility that the Soviets soon may launch a spaceship for the French.

Last month's NATO ministers' meeting in Brussels failed to come up with plans for filling the void left by General DeGaulle's departure. But an intense search is under way here and in other West European capitals for a new structure for NATO that will not only reintegrate France after DeGaulle but will provide a united Europe with influence comparable to that of the United States.

The first bricks in this new structure may already have been laid. Cooperative ventures with aircraft would lead to an arms pool. And growing cooperation in space may lead to what Prime Minister Wilson described as a possible "common market of advanced technology".

Whatever form the new NATO takes, Frederick Reinhardt, retiring U.S. Ambassador to Italy, sees this nation assuming an increasingly important role. While Britain and France are vexed by economic and political troubles, Italy is moving ahead. Italy's Fiat is today the world's fourth largest auto maker. She exports three hundred thousand pairs of shoes a day and her steel industry is among the world's most modern. The frenetic auto traffic and the exuberant people of Rome convey a feeling of vitality and growth which characterize her businessmen and industrialists, and the day may come soon when Rome again occupies a position of leadership not unlike the one she held two thousand years ago.

SENATE—*Friday, January 26, 1968*

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

Rev. F. Russell Purdy, D.D., pastor, Wisconsin Avenue Baptist Church, Washington, D.C., offered the following prayer:

Almighty God, our Heavenly Father:

Who hast led our Nation in the past, give us Thy grace that we may prove ourselves a people mindful of Thy favor and dedicated to do Thy will.

Bless our land with honorable industry, sound learning, and faith. Defend our liberties and preserve our unity. Save us from violence, discord and confusion, from pride and arrogancy.

Endue with the spirit of wisdom those whom we entrust in Thy name with authority, to the end that there shall be peace at home and that we keep a place among the nations of the earth.

In times of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail.

All of which we pray in the name of Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, January 25, 1968, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 14563) to